

BOARD OF ZONING APPEALS MEETING
SEPTEMBER 15, 2015
7:00 P.M.

I CALL MEETING TO ORDER

The meeting was called to order by Chairman Weidlich at 7:00 p.m.

II ROLL CALL

Members Present: Bob Weidlich, Carolyn Ghantous, Jane Huber,
Dave Nienaber, Ed Knox, Joe Ramirez

Others Present: Randy Campion, Building Inspector;
Gregg Taylor, Building Official

III PLEDGE OF ALLEGIANCE

IV MINUTES OF THE REGULAR MEETING OF AUGUST 18, 2015

Chairman Weidlich: We have the Minutes of our August 18th, 2015 meeting; does anyone have any additions or corrections to those Minutes?

Mrs. Ghantous: I move to adopt. (Mr. Nienaber seconded the motion and with a vote of 5 ó 0 from the Board of Zoning Members present, the Minutes of the August 18th, 2015 BZA meeting were approved. Chairman Weidlich abstained since he was not present at the August 18th, 2015 meeting.)

V CORRESPONDENCE

Chairman Weidlich: We have no correspondence this evening.

VI REPORT ON COUNCIL

(Mr. Knox gave a summary report of the September 2nd, 2015 City of Springdale Council Meeting including passed legislation, the introduction of a new Account Clerk, Ruth Benfer, and the resignation of Councilmember Lawrence Hawkins.)

VII REPORT ON PLANNING COMMISSION

(Mrs. Ghantous gave a summary report of the September 8th, 2015 City of Springdale Planning Commission Meeting.)

Mrs. Huber: Mrs. Ghantous, with reference to Sweeney BMW, was that what we gave a variance for last month?

Mrs. Ghantous: I think this one was different.

Mr. Taylor: There's basically three parcels and they're combining two of them. There's one, I think it's to the west, that's the one they're combining.

Mrs. Ghantous: Because it's really small. Thank you.

VIII CHAIRMAN'S STATEMENT AND SWEARING IN OF APPLICANTS

(Chairman Weidlich performed swearing in of Applicants.)

IX OLD BUSINESS

(No Old Business presented at this meeting.)

X NEW BUSINESS

- A. Owner of 11779 Lawnview Avenue has submitted an application to the Board of Zoning Appeals to appeal Section 153.105(B) of the Zoning Code requiring each dwelling to have a single 2-car garage.

Chairman Weidlich: Would the representative for 11779 Lawnview come to the podium and state your name and address and the reason for your request.

Mr. Jeffrey Heard: My name is Jeffrey Heard and I live at 11779 Lawnview. I am sure you all got my very long-winded summary there. I don't know if everybody has had the opportunity to read it. But I did want to touch on some of the things on it. First off, I do apologize for not being at the last meeting; if you read the beginning of what I wrote there, there were some issues going on there. I did have a representative come but it is obviously important for me to be here and speak with you all personally so I do apologize for not being at that meeting. If it's alright, I'll just touch on some of the things I think are pertinent to my situation here. My wife and I purchased this house in 2003 and we paid \$114,000 for the house. It has unfortunately proven to not be the best investment. I think that is more of a timing issue than anything else of when we purchased it. The garage was converted when we purchased the house. It had already been converted and I have no idea when it was converted. It never came up in underwriting or anything, as far as when we applied for a loan or anything like that; it was never brought to our attention. In February of 2014, my wife and I had our first child and we have now realized that our house is just too small and we are running out of room. So we are looking to get a bigger home and we have actually got an accepted offer on a home already within the last few days. With that being said, we did attempt to sell our house recently - it was on the market for about ninety day, three months. Based on the comps, my wife is a realtor and works part time, she is primarily a stay at home mom, but she listed our house and based on the comps, we listed it at \$109,000. It didn't sell and we had to lower it a total of three times. We got down to \$102,000 and we still had no offers on our house after three months. So we went on vacation and that is why I wasn't here last time and I apologize again. We took it off of the market and we decided that we are going to put it back on and we are going to list it at \$99,900. So as it stands, if we are lucky enough to get our asking price for the home, then we are \$14,000 in the hole as opposed to what we paid for it. My guess is that we are going to have to bring money to the table; I am going to assume. During the time that we listed our home, another resident who is a neighbor of ours had her home listed and she also has the garage conversion and during the attempted sale of her home, a potential buyer made an offer but was unable to get a loan because she did not have a variance in place, which is when I learned that you had to have a variance. Which is why, the wonderful resident, law-abiding resident that I am, I brought to your attention that I needed a variance and why I requested one. I would have done it a lot sooner had I known but as soon as I knew it had to be done, obviously we wanted to get it taken care of. From what I can tell from my representative that stood in at the last meeting, he made it seem as if I had a functioning garage door, then the potential for me to get a variance would maybe be better; that is the understanding I got from him. I just wanted to go over some issues or some things that I feel why it is not necessary, at least in my case, not to have a functioning door and, for that fact, any potential owner of my house

wouldn't need it either. I realize that the variance stays with the property forever so I think these reasons would apply to anybody, not just me, if that makes sense. I have reviewed a lot of the past Minutes from other meetings. I know the Board is concerned if a potential home buyer wants to purchase my home, if they want to convert it back to a garage. My response would be that in no way, shape, or form am I trying to hide the fact that the garage door doesn't function and that it is converted, we would disclose that obviously and they would obviously be going through the home and they would be able to make that decision whether they wanted to purchase it the way it is, I would assume, or, if they wanted us to make that correction, then we would negotiate that through the sale of the home. We would probably ask them to maybe pay a little bit more and we would fix that if that were to become an issue. A lot of times in past minutes, the Board brings up the issue of safety. I did provide a very rough Auditor's sketch to the Board that shows marks where my exits are. It is a very small home and I have three exits. There are two in the rear and there is obviously the front door. With that being said, I also have had the opportunity to sit down and speak with our Chief Fire Inspector here at the City, Mr. Lindsey, and we went over the layout of my home. He sees no issue with safety as far as being able to get out in case there is a fire. The home is very small - if I were standing in the middle of my garage facing the garage door, I would be able to get to my front door one extra step probably as opposed to get to the garage door. The only question Mr. Lindsey had for me was, "Is the space between your garage area and your living area open?" basically asking me if there is a door there. This is an open space; there is no door there. You would be able to get to that front door just as quick as you could get to the garage door. You can stand in the garage and it would take zero time to do that, in case of a fire or anything like that. There are a couple more things that I want to touch on real quick. I know that parking seems to be an area of concern for the Board. We can fit two cars in our driveway without blocking the sidewalk. It is not something that we do, if I am being honest. We have a one-car garage and that was the way it was built. Even if we had a functioning garage, we would have to shuffle cars left and right so my wife is primarily at home with the baby and she is in and out all the time. I park on the street and she takes the driveway and that is just how we do it. If you ever drive by my house, you will notice that all of my neighbors on both sides of the street, all of them utilize on-street parking. From what I can tell, I think they all have one-car garages and that is just the way it is done. To my knowledge, there has never been any complaints about parking or us blocking the sidewalk or anything like that that I am aware of. Obviously there is nobody here to complain about me anyway. I noticed that another area of concern has been storage, which we do have an addition on the back that I didn't list here. There is an addition on the back of our house that is primarily used for storage, lawnmowers, furniture, tools, and whatever and we also have a very large shed in the back which is more than enough room and has been since we have owned the home. We could even fit more in there. Like I said, all those issues that I bring up I feel would be pertinent to anybody owning the home, so the issue of having the variance to the home for the rest of its days then I think that would apply. I did attach Minutes of the September 18, 2012 variance hearing where 11825 Lawnview, Mr. Michael Day, requested the same thing that I am requesting and if I read it right, it sounds like he had a functioning garage door and removed it and made it into a bedroom, the garage. That issue was brought up about the functioning garage door and they asked him if he would be willing to leave it and he simply states "No," he would not consider that. Ultimately his variance was granted. So I would like the Board, if I can't sell my home then it is kind of preventing me from moving on with life almost, so I am really at your mercy here. I feel like if you grant the variance this doesn't affect any other resident and it doesn't affect anybody negatively in anyway. I would commend the City for, you guys set standards which I like because I had to paint my house - I didn't like to but I had gotten notes to paint the side of my house because it was looking bad and not leaving garbage cans on the side and things of that nature and I think that is good. I think that is good for the City and I like that and at the end of the day, I didn't want to do it but I am glad I did do it because it makes my house look better and makes someone driving

through a potential home buyer. You want to buy a house in a neighborhood where people take care of their property. I think that is a good thing. But if you drive by my house, the garage is a non-issue as far as someone driving by - it is not an eyesore. I don't think that is anything negative at all to anybody. I think that is all I have so I am at your mercy.

Chairman Weidlich: Thank you for your comment. One thing I failed to mention since we are short one person on the Board this evening, is that a tie vote is a denial this evening with six Board Members attending. We will move on Staff comments and I am sure the Board Members will have a few questions for you.

(Mr. Campion read the Staff comments concerning this request.)

Chairman Weidlich: Is there anyone in the audience that would like to speak on behalf of this application? (No one came forward from the audience and the public portion of the meeting was closed.)

Mrs. Huber: It is not a question necessarily to him, but I must preface this. I began working for the City of Springdale in 1974 and I spent five years with the Springdale Police Department and at that time I took a lateral transfer to the Building Department where I was the first Administrative Assistant. His house has kept me awake ever since last month; somebody gave that house a variance. I checked with the Building Department and the girl said she didn't know where to look; but I have had sleepless nights over this house. Something occurred and if it didn't then, we had some very lax inspectors because that didn't happen overnight to be like it is. That is all I have to say.

Mr. Nienaber: Sir, as I recall if we drive past your house, you would never guess the garage didn't exist because the door is still there or something that looked an awful lot like a garage door.

Mr. Heard: It is siding. The door is still there.

Mr. Nienaber: As a last resort, if somebody had to have a garage door again, then all they have to do is take out some siding.

Mr. Heard: It is walled in on the inside.

Mr. Nienaber: Correct. And you are just stuck with the situation of having a house that is in violation that is through no fault of your own.

Mr. Heard: Correct.

Mr. Nienaber: Thank you.

Mr. Knox: Since you moved into this house in 2003, have you made any modifications to that surface?

Mr. Heard: The outside surface of the garage?

Mr. Knox: That is what we are calling the door, yes.

Mr. Heard: No. That is as it was when we purchased it.

Mr. Knox: And the configuration that it is in now, it goes all the way up to the ceiling so you can tell that there is not a garage door there because there is no curvature; you could notice.

Mr. Heard: It was my understanding that the garage door is still in place in between the siding and the wall. I couldn't say for sure but that is my understanding.

Mr. Knox: And this has been that way for over twelve years?

Mr. Heard: Correct, at least ever since I have owned that property.

Mr. Knox: I believe that I agree with Mrs. Huber - there is something amiss here because this all strikes me wrong, particularly at this late moment when you are trying to sell the house then you would have to go to quite a large expense to meet the requirements of the City when somebody in the past may have met them already and we just don't know it. Thank you.

Mr. Ramirez: Just to note, I think you had a little bit of disadvantage when Mr. McCoy was here on your behalf; he wasn't sure whether you had a garage door or not and he had photos of the inside and we could tell that there wasn't any tracking on the inside. So we assumed that there was not a door but if you just stated that maybe there is a door there, if the future resident came in he could rectify that by putting in railing and he would have a garage door.

Mr. Heard: As far as I know, that is correct.

Mr. Ramirez: Okay. Also to note that variances are given for unusual circumstances. Another comment is that you have to have a single-car garage in your instance or, for a new house, a 2-car garage but a note on top of that is that under no fault of your own was this done and you just happened to walk into it but maybe when you purchased the home that should have been caught back then. So I am leaning to approve you because of these circumstances.

Mr. Heard: I appreciate that. Thank you.

Chairman Weidlich: I will say a couple of the Members hit on my questions for you, as well. It appears like a door is in place there because the way the windows are framed out. It looks like a garage door.

Mr. Heard: Yes, those are garage door windows.

Chairman Weidlich: Yes, they look like from your photographs and when I went by your home. The fact that what Mr. Ramirez said, somebody could come in and put a couple tracks in and take the siding off and they have an operable garage door if they chose to convert it back. So I too will be in favor of your request.

Mr. Heard: Thank you.

Chairman Weidlich: Anyone else? (No further discussion or deliberation brought forward.) Can I have a motion please?

Mrs. Huber: I move to grant an appeal to the owner of 11779 Lawnview Avenue from Section 153.105(B), which requires a residence to have a 2-car garage and to allow the existing conversion to remain and to be capable of accepting an overhead garage door at some time in the future.
(Mr. Knox seconded the motion.)

Mr. Nienaber: Is this motion for an appeal or a variance?

Mrs. Huber: I am going by what the agenda said.

Chairman Weidlich: It does have appeal in the agenda there that he is dealing with a previous decision. Any further deliberation, discussion or amendments to the motion? (Nothing further brought forward.) Mrs. Huber, if you would poll the Board?

(Mrs. Huber polled Board of Zoning Appeals Members, and with a vote of 6 - 0, the appeal was granted.)

Chairman Weidlich: You have your variance sir.

Mr. Jeffrey Heard: Just a quick question, do you know when this takes effect?

Chairman Weidlich: I think you are good right now - is that correct, Mr. Campion?

Mr. Campion: I think we have to sign it at the next meeting.

Chairman Weidlich: Our Minutes will be finalized at the next meeting. You have your variance.

Mr. Campion: It is approved.

Mr. Jeffrey Heard: Thank you very much, I appreciate it.

XI DISCUSSION

A. Chairman Weidlich: Is there any other discussion?

Mr. Knox: At the last meeting, toward the very end of it, I believe Mrs. Ghantous said we have to do something about the elimination of garages or conversions or whatever we want to call it. I would like to propose, not this evening, but that we come up with some wording that will go into the Zoning Code that will give guidance to future Boards of Zoning Appeals - simple things like, "You must have an operable garage door", "You must have two exits, which can include the operable garage door", or anything else we can. It will also make it easier on the people in the Building Department because they will have something to point to people. Does anybody have any other things that you think could add to that?

Mrs. Huber: The parking should be included, to have adequate parking.

Mrs. Ghantous: I just see a big difference in granting somebody a variance to do the conversion because we are not wanting them to convert. So if they were coming here today and saying, "I want to make my garage into a family room", then that is one situation that I think the new Code is going to address that and it is going to be, "No", but then there are these other folks like this guy and other people that maybe it is not so clear-cut whether or not they knew what they were doing was wrong or whatever. I don't know how we would be consistent, there are so many in our neighborhood and there are so many, I don't know how we would provide consistency for people like him. His case is more clear-cut than some. When he bought it, it was that way; he didn't change it. That makes it a little bit different.

Mrs. Huber: We have had others before that were also that way.

Mrs. Ghantous: Mr. Butch Hafer - so he changed his at some point and I don't remember the timing on that, but to me, the new revised Code is going to address conversions; but how do we address conversions, with consistency for the folks like this family who have a different situation. It is almost like we have to say, if it is already existing, it is already existing - that would be consistent. On the other hand, if you are applying to convert it today, then our Code will say, "No, that is not allowable". I don't know how, other than that to say if it is existing today, then you are good and going forward, no, we are not going to allow it. How are we going to be consistent with these people?

Mrs. Huber: The demographics of Springdale are changing, there are more families who are having a lot more than one or two children. So you are going to be bombarded if it is not already done by these garage conversions.

Mrs. Ghantous: My whole thing is just consistency. It really gets õgreyö. Again, this case was pretty clear-cut, but some of them aren't so clear-cut. I think we have to say õYesö to everybody or we have to say õNoö to everybody. This thing about the operable garage door, we had kind of agreed we were going to say that everybody has to have an operable garage door; we kind of decided that and then this situation didn't make sense to make him do that. That wasn't logical to do that to this family. Consistency is my thing because we just can't say õYesö to some and õNoö to some.

Mr. Campion: I just wanted to state that the reason for garage conversions in the Zoning Code is that Code had determined that we need a place to park a car, to keep parking off of the street and that is the reason for weighing whether or not a person can convert it in the first place. The second reason in my mind would be appearances. So if in this case, the garage door was just dropped down one day and converted; the Board had asked how this thing happened - if you drop that garage door, from the outside it looks like a garage and you do whatever you want on the inside. We also never got inside people's houses until we had the rental licensing program. So now we go into every home that has applied for license to rent and we see these conversions so that is the reason you are seeing everybody come for a variance because our inspectors have gotten inside and the garage is converted. This particular garage, other than the fact that it probably took a day for somebody to put siding on the outside, there is no real change to that opening; okay. And the other part of it is, whether it is a functioning garage door or not, it could be converted at any time if it wanted and whether it is dropped down or whether it has rails is, I think, immaterial to me. That is my two cents.

Mr. Ramirez: I agree with Mrs. Ghantous that we do have to have a standard. We are shooting in the dark and saying some are good and some are not good. Today's case, at least to me, was unusual circumstances and that is the only way I can judge whether or not to say õYesö on an existing conversion. If they just did it in the middle of the night and we didn't know they did it and we caught it a year later, does that make it okay? But somebody that came in and wanted it to be done and we say õNo, you can't do itö, that is not equal ruling for the residents. We do need to come up with a standard and I don't know how to go about that but I agree. Unless they have an unusual circumstance, such as he bought the house and it was there, unless the Code changes, then we need to stick to our guns and call them all the same. Thank you.

Mr. Nienaber: I just want to review that we have two topics in front of us. One is the consistency topic from Mrs. Ghantous and the other is Mr. Knox and the new Zoning revisions that are being written - is that still in process or has it made its way to Council? Is it too late for us to suggest that they come up with a wording that documents what we are looking for? That is what I was asking, because I have had nothing further about that Zoning revision since that really long Saturday morning meeting that we had here.

Mrs. Ghantous: I asked Anne McBride about that at the Planning Commission meeting. She said at the next Planning Commission meeting they are going to bring us the revised thing for everybody to review. And then, as soon as Planning Commission reviews it, then it is going to Council. I didn't get the feeling from what she said that there is going to be any more time for revisions - like what is there, is there.

Mr. Gregg Taylor: I think you are absolutely correct. The idea was to bring it before Planning Commission at the next meeting. I think the intention was to provide a red-line copy so that there is an opportunity for some discussion. I think

you made a critical distinction, in my mind anyway, between the existing and proposed. I think the implementation in the new Zoning Code gives us a place to intentionally draw a line in the sand. I am not one hundred percent sure how we would functionally accomplish it - say if it existed prior to some very short window of time that we publish in our newsletter, on Facebook, and on the website, in the newspaper, if you in fact have one, you have thirty days to come in here and declare that you have it; and so be it. I think Mr. Heard is in an almost impossible situation. The lady on Diston Lane a couple months ago was in a similar situation. So I think we have to be somewhat sympathetic to that because the Board has granted a number of these things over the years and you can't undo that but moving forward, I think you would be completely within your rights to reestablish those criteria. The only way to really grant it is if there is some real hardship, the lot is some peculiar shape or if there is absolutely no other way a person can accomplish what they need to do. I think those situations in the City are extremely limited and I think the Code is written that way on purpose because they didn't envision a whole slew of variances coming before the Board. My two cents, if you will, is to establish what exists, exists and there is really not a lot we can do about it and be fair to the people that have them and put the hammer down on the new stuff.

Mrs. Ghantous: That is what I think.

Mr. Taylor: And I do think that there is an opportunity to have some input and I strongly encourage all of you guys, since you hear these things all the time, to voice your opinion because that is the first step. My understanding is that it has to be read at Council more than once before it is acted on anyway. So I think this is not going to be an instantaneous process and I am certain that the Members of Planning Commission are interested in all your opinions since you have to hear this every month. That is all.

Chairman Weidlich: Thank you.

Mr. Nienaber: I would like to thank you for your suggestion about publishing a thirty day window to declare it if you have it and then after that, there will be no variances granted. How do we make that happen?

Mr. Taylor: Good question. I think that is probably best to address that to Mr. Forbes. I wouldn't want to do anything without his blessing.

Mrs. Ghantous: Would it be appropriate for you to ask him about that?

Mr. Taylor: I will ask him.

Mrs. Ghantous: Would you do that for us?

Mr. Taylor: Yes.

Mr. Nienaber: Thank you.

Mr. Knox: I was thinking about the very same thing. If we put in the new Zoning Code that as of the date of the enactment of the Zoning Code, that provision would take place - if you would check with Jeff and see if that will fly.

Mrs. Ghantous: So, since I'm going to be at Planning Commission, would it be accurate for me to say that the Board of Zoning Appeals would like to do the notice and then, at some given date or whatever date, January 1st, 2016 anything that is existing is good, passes; and essentially, unless there are extenuating circumstances, for new conversions, we are recommending that they would be denied unless there was something. Could I say that, on behalf of everyone from the Board of Zoning Appeals?

Chairman Weidlich: Do you want to put the thirty-day limit there, from January 1st until?

Mrs. Ghantous: Yes. Some limit, some date and I don't know what the right time limit is.

Chairman Weidlich: I think Mr. Taylor had a good suggestion.

Mrs. Ghantous: Yes, I think that is a great suggestion but can I present that and say that we would like, at this point, to make some notification and then set a date and say, "If it is existing, as of this date and you have declared it, it is good and you don't need a variance?" And then going forward, would everybody be okay, because I don't know how else to be consistent, other than to say whatever is in existence right now, exists and so be it and there isn't much we can do about it, but going forward, can I make that suggestion on behalf of this Board?

Chairman Weidlich: I am in favor of it.

Mr. Ramirez: I am in favor of it.

Mr. Knox: I am in favor of it.

Mr. Nienaber: Yes. There has to be a declaration. Whether they would have to come before the BZA or not is irrelevant. If they have one that doesn't have a variance, then they have to come at least to the City and declare "I have a conversion that you don't know about."

Mrs. Ghantous: Let's just say another family like the Heards come in, in June and they didn't know because they just moved here and they didn't know the previous owner didn't declare it and then we're going to tell them "No?" I don't think so. That doesn't seem right. I agree with what you are saying about the declaration and I think that, no matter what, that should be a piece of the puzzle but you know good and well that we have so many of them, that all of them aren't going to declare. It is not going to happen. Then what? Where do we go with our consistency?

Mr. Ramirez: Well, I think we provide amnesty for the people that have done the conversions and, just like any program with amnesty, if you miss the deadline then you are at the mercy of coming up and having a variance or going back and getting it back to code.

Mrs. Ghantous: So then we go back to the problem of consistency.

Mr. Ramirez: Well, consistency would be all of these that are coming before us that have had these conversions for the last fifteen years. They would be fine. They don't have to come before us any longer but they have to declare. I don't know building codes - should we have these inspected, all these conversions?

Mrs. Ghantous: They would have to hire a new person.

Mr. Taylor: In a perfect world. The critical thing would be if one was being used as a sleeping room and there wasn't egress. That's a life safety hazard. The problem we would have potentially, and I think it is kind of outside of the Building Code to give us the ability to do that, it would probably have to go through the Zoning Code somehow because we frequently come in contact with existing non-conforming issues. Unless you can declare it a serious hazard, which basically means an imminent hazard, we would be powerless. We would be hard-pressed to have a right of entry for something like that through the Building Code. For the City with the Zoning Code, they have the vehicle to get into some of the items that we have discussed and that may best be discussed with the Law Director.

Mrs. Ghantous: Maybe we just have to wait to hear what he has to say anyway.

Mr. Taylor: Mr. Jeff Forbes or his associate, one of them will be at these hearings.

Mr. Nienaber: My last feeling on the business about some people don't declare and then they want to sell the house and they need a variance; if we publish it, then they had their thirty days and don't come crying to me. That would be my attitude about it at that point.

Mr. Ramirez: I think that is true.

Mrs. Ghantous: I think it is fair and I don't think there is anyway in heaven and earth that everybody is going to declare; it is not going to happen.

Chairman Weidlich: A lot of people probably don't read the newsletter and whatever other junk mail that comes to our houses and they might just consider it junk mail. I wonder how many City residents really read the City newsletter.

Mr. Nienaber: But every resident gets mailed one of those newsletters, right? That is as good as publishing it.

Chairman Weidlich: I don't know. Do the rental properties get the newsletter, as well, or just the owner of the property? Does the owner of the property of the owner get it if it is a rental?

Mrs. Ghantous: I will find out.

Chairman Weidlich: Okay.

B. Chairman Weidlich: I have another item. I was talking with Mr. Taylor this morning and Mr. Knox this evening - I am in the end of my fourth term here on the Board and I have decided that this is the end for me, come our November meeting. I will let somebody else have a Chair on the Board.

Mrs. Ghantous: That is very sad; sad to hear that.

Chairman Weidlich: I figure after sixteen years, I will let somebody else have a turn.

Mr. Ramirez: What is the process for replacement of office?

Chairman Weidlich: I am a Council appointee, so that is what I told Mr. Knox, Council can appoint somebody else come December 1st. I am going to be sitting through the November meeting. I am not terminating tonight; I was going to give a couple months notice.

Mr. Knox: Lawrence should be replaced possibly tomorrow and certainly by the next BZA meeting.

C. Chairman Weidlich: Does anyone have anything else?

Mrs. Huber: Mr. Knox, do you know anything about Kemper Road and the landscaping? It is horrible.

Mr. Knox: You'd have to talk to Jeff Agricola about that because he has the final checklist.

Mrs. Huber: They must have used dirt from a dump and the weeds are like trees.

Mr. Knox: That is the Public Works Department.

Mrs. Ghantous: Do you know Jeff Agricola; he is a good guy.

Mrs. Huber: That was done by the contractor, why would our guys be responsible?

Mr. Knox: Because they're the ones that hold the contractor to the fire.

Mrs. Huber: I'd certainly let him know. It is ugly.

XII ADJOURNMENT

Mr. Knox moved to adjourn, Mr. Nienaber seconded the motion and the Board of Zoning Appeals meeting adjourned at 7:54 p.m.

Respectfully submitted,

_____, 2015 _____
Chairman Robert Weidlich

_____, 2015 _____
Secretary Jane Huber