

BOARD OF ZONING APPEALS MEETING
MAY 20, 2014
7:00 P.M.

I CALL MEETING TO ORDER

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

II ROLL CALL

Members Present: Robert Weidlich, Carolyn Ghantous, Joe Ramirez, Dave Nienaber, Ed Knox, Lawrence Hawkins III and Jane Huber

Others Present: Randy Campion, Building Inspector

III PLEDGE OF ALLEGIANCE

IV MINUTES OF THE REGULAR MEETING OF APRIL 15, 2014

Chairman Weidlich: Are there any corrections or additions to the Minutes from our last meeting of April 15, 2014?

Mrs. Huber: I move to adopt.

(Mr. Knox seconded the motion and with a unanimous "aye" vote from the Board of Zoning Appeals Members, the Minutes of the April 15, 2014 meeting were approved.)

V CORRESPONDENCE

Chairman Weidlich: We had no correspondence this month.

VI REPORT ON COUNCIL

(Mr. Hawkins gave a summary report of the April 16, 2014 and the May 7th, 2014 City of Springdale Council Meetings.)

VII REPORT ON PLANNING COMMISSION

(Mrs. Ghantous gave a summary report of the May 13th Planning Commission Meeting.)

Mr. Hawkins: For the Avon building, did they indicate the timeframe in which they are going to fully occupy and have that building ready to go?

Mrs. Ghantous: It is going to be in stages. The reason they came to us, for a building that large, I think there were only four existing dock doors and so as they are interviewing potential tenants they are finding folks that could use that space are going to require more dock doors to run their business. They kind of felt like they had lost some tenants because they didn't have enough dock facility there, so they're going to do that part of it first and then the rest of it is going to be mostly office space and they are going to redo some things on the front. The first phase was completing these additional docks; I think he wants twelve dock door altogether.

VIII CHAIRMAN'S STATEMENT AND SWEARING IN OF APPLICANTS

IX OLD BUSINESS

(No Old Business presented at this meeting.)

X NEW BUSINESS

- A. Chairman Weidlich: The first order of business is the owner of 584 Cloverdale Avenue is requesting a variance to allow a 12' x 32', which equals 384 s.f. greenhouse structure to be erected on the rear of the property. Said variance is from Section 153.492(B)(3) "Detached accessory structures other than garages shall not exceed 2% of the lot area or 12% of the dwelling area, whichever is less."

Mr. Phillip Hucke: I live at 584 Cloverdale Avenue, I live there with my wife Casey and our two young children, Luke and Olivia. Born and raised here, I have been a Springdale resident for all of my thirty-one years, save for a stint at college. This is the second home that we have bought in Springdale, as we feel this is a wonderful community in which to raise our family. My family is very dedicated to eating healthy and being good stewards of our land. We are avid gardeners and the produce we grow on our property helps us to offset the ever rising prices at the grocery stores. We prepare and preserve our produce extensively and produce many goods in our home for our immediate family and for our extended family and friends, many of whom are Springdale residents, as well. We have some fruit bushes on our property that provide us with fresh fruit much of the year. Initially we were losing large amounts of fruit to the birds. To protect our crop I used some plastic pipe to make a temporary frame to hold bird netting; this was successful. I began to experiment with ways to protect our other plantings and to provide winter protection for some of our frost sensitive plants; to this end I installed a wooden box frame to create a raised planting bed. I purchased some PVC pipe and some clear plastic sheeting and fashioned the pipe into hoops and put the plastic sheeting over these hoops, these are secured to the raised planting bed. Approximate dimensions of this bed are 12' x 32'. The dimensions of the bed are designed to accommodate the large number of frost sensitive plants on our property that we maintain for food production and landscaping. The clear plastic tarp allows for solar gain heating during the day and maintains warm temperatures underneath. There are no supplemental heat sources, it merely provides insulation and protection from the elements. The covering is only necessary during cold weather and I have already removed it. I have left the PVC pipes in place to act as a trellis for climbing plants. According to Section 153.488(E) the trellis is a permitted accessory use and does not constitute a structure requiring a permit. Our property is 1 acre in size, which is similar to the adjoining properties. The planting bed with the covering in question is situated a little over 230 feet from Cloverdale Avenue. It is 20 feet from the side adjoining properties. The planting bed with the covering in question is situated a little over 230 feet from Cloverdale Avenue. It is screened from view on Cloverdale Avenue by vegetation and other structures. It is approximately 20 feet from the side adjoining properties and substantially removed from the rear property line which extends another 350 feet through the wooded creek valley. Neither of my adjoining neighbors have approached me with any issues regarding the covering, rather they have expressed their support of our gardening efforts. When I initially installed the plastic covering, I was unaware that this constituted an accessory structure according to the zoning regulations. I received a letter from the Building Department stating that it was in fact a structure and would need a permit. I applied for the permit which was rejected because the square footage was in excess of what is permitted on my property. I am here before you tonight to request a variance regarding the square footage of the garden bed that will allow me to seasonally place clear plastic tarp supported by plastic hoops over the bed. I have pictures of the property from the street and an aerial map, as well that I can share with you.

(At this time Mr. Campion read the Staff comments.)

Chairman Weidlich: Is there anyone in the audience that would like to speak on behalf of this application?

Mr. Michael Plum: I live at 580 Cloverdale, right on the side of him. My house is 300 foot back from the road and I am right on the side of it. It is fine with me and it doesn't bother me at all. He is growing fruits and vegetables and he eats fruits and vegetables.

Chairman Weidlich: Thank you for your comments.

Mr. Aaron Schmits: I live at 12134 Kenn Road. I have been a resident of Springdale for four years. I am here tonight to support this family as a community member that believes their claim structure should be allowed to stand for multiple reasons. Firstly, I am concerned that their pursuit of happiness is being infringed upon. As a fellow community member that strives to be self sufficient, I believe the right to grow food in a sustainable way should be preserved for everyone. Feeding your family is a right, not a privilege. If forming an area to yield more food under clear plastic is how he needs to do this, he should be allowed. Secondly, I believe we should promote this kind of industriousness in our community and not try to stop it. Our children, neighbors and friends can all greatly benefit from shared knowledge like this being practically used to enrich and sustain us. It reduces emissions, costs tax payers nothing and promotes healthy living. Thirdly, it hurts no one. It calls into question the reason why a law like this should stand in the first place. Was this ordinance enacted to keep people from building giant external structures that might dwarf their own homes? Is it for safety reasons? If so, steel and aluminum tent poles provide a greater safety risk for anyone that erects one for a party. Lastly, allowing a structure to be used does nothing differently than allowing me to fence off a 40' x 60' area, which has been approved in my yard to grow food. I see little difference between my 6' tall gated area and his plastic enclosed PVC tube. Should I be worried that someday I will not be able to protect my means of food. Please consider what I have to say, as a community member who loves Springdale, I want it to thrive. We live in a diverse City that has the potential to change and grow. I too, want to preserve its beauty, maintain my property in accordance with reasonable requests and enjoy the many benefits of living here. I do not want to see Springdale prevent hard working families from growing food, as it only benefits us and should be a right especially in the great state of Ohio, the epicenter of our nation's agriculture, where I am actually a registered member of the Farm Bureau.

Chairman Weidlich: Thank you for your comments.

Ms. Julie Hucke: I am at 134 Silverwood Circle, and I am Phil Hucke's sister. I love that he has this hoop house because I get lots of greens in the spring and I get fruit later in the year and I get vegetables. I am really supportive of him and would like to see this hoop house be allowed.

Chairman Weidlich: Thank you for your comments.

Ms. Karen Anderson: I live at 12085 Greencastle. I have been friends with the Huckes since I was a kid living in Springdale and I am also a member of the Springdale Garden Club and I am amazed by Phil and Casey's gardening, especially their vegetable garden. They have so much success and I have also been a recipient of Casey's homemade jellies and jams, they are very good. I would like to see them be able to keep his hoop house and I would like to see more gardening in Springdale and more vegetable gardening, to be specific.

Chairman Weidlich: Thank you for your comments.

(No other members of the audience came forward at this time and the Chairman closed the public portion of the proceedings.)

Mr. Hucke, if you would like to come back up we will have an interactive discussion with the applicant and the Board Members.

Mr. Hawkins: Mr. Huckle, I would commend you on what you are doing in being somewhat self sufficient and that is good. There is some question as to why we have ordinances like this and the reason is, not so much about you in this instance as it is others that are around you and what the impact is when we start putting up accessory structures and if they are going to negatively impact those around us; that is the purpose for that. The question I have for you, as Staff had sort of indicated, I assume based on what you said that you are going to keep the PVC up year round, and you are going to take the tent section down?

Mr. Phillip Huckle: Yes. I would leave the plastic hoops in place and do peas and pole beans because they need some structure to climb on and the hoops would then act as a trellis or an arbor, as such, so I would like to leave those up during the growing season. The plastic covering would only be on late fall through early spring.

Mr. Hawkins: And in terms of the timeframe through October to May, I believe in reading your application that there were certain plants or vegetables that you are growing that would be more susceptible to the weather than others?

Mr. Phillip Huckle: Yes.

Mr. Hawkins: We are talking about 179 s.f. difference; is it possible to confine those plants and vegetables that are more susceptible to the weather within 205 s.f. and still have some that are less susceptible uncovered?

Mr. Phillip Huckle: Is it physically possible; yes. Many of the plantings that I have are already in the ground and fairly well established and I would have to uproot them and move plants around. Also, the size of the structure pertaining to the amount of solar gain it would get on a warm day, a smaller structure actually heats up very quickly into a much higher temperature than a longer structure and you can actually get heat damage in a smaller structure which is why I had it lengthened out to the size that I did because it helps to regulate the temperatures inside much better.

Mr. Hawkins: To hear what you are saying, the actual things that you are growing that are most susceptible to the weather could be confined within that 205 s.f. area?

Mr. Phillip Huckle: Some of them. Some of them would not. The amount of plantings that I have, I would have to find other means of protections throughout the winter. I would have to move them out of that area and cover them with sheets, mulching and that sort of thing elsewhere on the property.

Mr. Nienaber: The neighbor on one side came and spoke on behalf of you, what does the neighbor on the other side of you have to say?

(At this time Mr. Saulius Aukstakalnis was sworn in by the Chairman.)

Mr. Saulius Aukstakalnis: I live 590 Cloverdale Avenue and I am the neighbor to Phil. What I have to say is that I have nothing against them growing all of this garden and everything. I am happy for them.

Chairman Weidlich: Thank you for your comments.

Mr. Ramirez: I also applaud you for trying to be self sufficient and growing your own vegetables; I think that is a great thing. My question is on the safety of the device, I know there must be some ventilation there or the plants wouldn't be living. Is there any concern or safety concerns on children being in there and maybe not finding their way out of there?

Mr. Phillip Huckle: There are doorways fashioned on either end of it which I usually open during the day. I have two small children of my own that are in there frequently. The entire unit is very well secured to the planting bed. While it was up

we had some 50 mph plus winds and while it did shake a little bit, it did stay firmly anchored; I am not concerned with the safety of the unit.

Mr. Ramirez: Or children being able to breathe inside, if they lost their way to get back out?

Mr. Phillip Hucke: It would be very easy; there are obvious doorways established on either end. Though it is a plastic sealed structure, there are gaps and there is constant air flow through there to some extent, particularly when the wind blows.

Mr. Knox: I am wrestling with the temperature inside this, because in any case it is going to be 12' wide. If it was 12' square or 12' x 24', what real difference would it make?

Mr. Phillip Hucke: The volume of the air inside of it is what matters. You would have to take not just the square footage but also the height into account. The volume of the air heats up tremendously in smaller structures. I have used much smaller, lower tunnels before and I have had it completely burn plants out in one sunny day. Having the volume of the air that is inside of the unit is kind of like a minimum size that I have read and researched of greenhouse production methods before I built this and all of them are in agreement that the volume of air inside is very important to maintaining fairly constant temperatures, as opposed to the violent temperature swings that you would get on say a bright sunny warm day, followed by a cold night.

Mr. Knox: You realize that if this structure was 12' x 17', you would meet the requirements of the ordinance?

Mr. Phillip Hucke: Yes. That would limit greatly what I already have planted in that area, which I would then have to uproot and transplant and I am not entirely sure that the plants that I already have would be able to survive in the smaller unit given that a smaller unit would create tremendous temperature fluctuations.

Chairman Weidlich: Mr. Campion, if this variance would be approved for this size structure, would this just be a greenhouse structure or would it be considered a structure for the next owner of the home that could go out there and build a shed that size?

Mr. Campion: If you guys were to grant a variance you could be real specific that this is a variance for a greenhouse and you would be granting a variance for an additional 179 s.f. In the past you have dictated colors and different things that people had to do with fences and shrubs. You could be pretty specific, if that is direction that you wanted to head.

Chairman Weidlich: I know we are not supposed to grant time variances; would this be considered a time variance?

Mr. Campion: No, this variance would go with the property.

Mr. Hawkins: Mr. Campion, the only thing that is making this thing a structure is him putting the tent over the top, right? As it sits there right now, we are not defining this as a structure?

Mr. Campion: The Building Code says that anything over 200 s.f. is a structure. I guess you could say that when you put the roof over it, it is a structure. And actually, I would say without the roof such as a pergola or something like that, then the hoops probably make it a structure.

Mr. Nienaber: Mr. Campion, are we allowed to dictate the structure type, such as this greenhouse or hoop with a seasonal covering? Are we allowed to confirm a window of time that this thing can be set up as a greenhouse and are we allowed to confirm that it is acceptable because it is not visible from the street?

Mr. Champion: Whether it is visible, as a way of justifying it, you can suggest that it is not impacting the neighborhood, where it is set and the conditions of it. As it was presented, it is a seasonal thing that they are going to take the cover down at certain times of the year and put it up at other times of the year. I guess you could approve a variance based on the way it was presented.

Chairman Weidlich: Mr. Hucke, you are saying October to May, are you talking October 1st to May 1st or October 31st to May 31st, or what time frame?

Mr. Phillip Hucke: I don't have specific hard dates written down of when I would put it on, it would be weather dependent. As you all are aware we have had some strange weather even this month, I have already taken the cover off because we were getting 80° days. I gave October to May as a general; it would be more late October after the 15th to certainly no later than May 15th; if you need specific dates.

Chairman Weidlich: I was asking because a motion may have specific dates and we want to be sure you can adhere to those or agree with those.

Does anyone have any deliberation or discussion based on the evidence presented? (No one brought forth any further deliberation or discussion.)

If not, could someone make a motion please?

Mrs. Huber: I make a motion to grant a variance to Section 153.492(B)(3) so as to allow a 12' x 32' or 384 s.f. greenhouse structure to be erected on the rear property located at 584 Cloverdale Avenue from the time period of October 15th to May 15th.

Mr. Knox: Could we add something to that to say that it cannot be a brick or metal type structure? I don't want somebody coming in there and building something that is monumental. Also, if we put a height restriction, that would help. How tall is it?

Mr. Phillip Hucke: Approximately six feet.

Mr. Knox: No more than 7' high of a non-permanent type nature.

Mrs. Huber: And said structure shall be no more than 7' high using PVC pipe and plastic sheeting.

(Motion seconded by Mr. Nienaber and with six "aye" votes and one "no" vote from Mr. Hawkins, the variance was approved.)

- B. Chairman Weidlich: The next order of business, is the owner of 11419 Princeton Pike is requesting a variance to allow a 15' x 8" wide and 94 s.f. wall sign to remain on tenant space. Variances are requested from Section 153.523(A) "Wall or panel signs shall be set back from the end of the building and party line at a distance of at least three feet"; and Section 153.531(C)(1)(b) "General Business (GB)...gross area of signs = (W x 1.5) + 40 square feet."

Would the applicant for 11419 Princeton Pike please come forward?

Ms. Sheila Robinson: I am from 11419 Princeton Pike; I am actually not the owner, I am the sister-in-law of the owner. He moved this location and some people that he had employed no longer work for him and certain family members would step in to help him out, like I would. I asked the landlord, Mr. Hinkle to come tonight and Jessie Cassidy of Atlantic Sign, the guy that did our sign originally to come but he couldn't make it tonight, as well. Having said all of that, I have spoke to Mr. Champion about things to do. I miscommunicated with the owner of the store, as opposed to what permits we needed to have to get these signs up, once we moved locations. I was under the impression that all we had to do was file for a permit. I knew I came up here and filed for a temporary sign permit when we first moved in. Actually, I was not there at the time the sign was put up; I wasn't helping him and I was not even in town. When I got back into town and his sign was up and I went and filed down in Hamilton County for a permit because I knew that once the sign

was put up it had to be inspected for the electrical because it is an electrical sign. Once again I was unaware that he had not come here to the City and did the permit because I was told that the contractor would have made sure that there was a permit in place before he would attach the sign to the building. Why that never happened, I cannot even tell you why. I just know that now that it is up, it doesn't look bad. According to Mr. Campion it is oversized. I did try to get in contact with the contractor to get the direct dimensions and everything that was supposed to be put forth before the sign went up. Even in the wintertime I have tried to get him to resolve these issues. This is why it has taken this long to get this done. I am here to see whether we can keep the sign up or if we have to take it down, obviously there is going to be some kind of penalty for the sign being put up without a permit; I am aware of that. We are ready to take care of that, too. I just need to know if the sign can stay up or if there are things that we need to do to change it. I don't see the owner of the store putting too much money and time into the sign. He would like to leave it like it is but if he has to take it down then that is probably going to be a bad thing for him because he doesn't advertise any other way and he will lose business that way and then he will have to eventually shut down.

Mr. Campion: She did apply for, as she stated, an electrical permit through IBI and there was some confusion that she thought that was the only permit that she needed to apply for. Then she did put the sign up and we made her come in and apply for a permit and at that time, the sign that is up doesn't meet the Zoning Code; I presently have her in Mayor's Court to remove the sign. So, if the Board does not grant a variance, then they will either have to alter or remove the sign. That is why we are here.

(At this time Mr. Campion read the Staff comments for this request.)

Chairman Weidlich: Is there anyone in the audience that would like to speak on behalf of this application?

(No one came forward and the Chairman closed the public portion of the proceedings.)

Does anyone have questions for the applicant?

Mr. Hawkins: Are there any other locations for Laptop World?

Ms. Sheila Robinson: No.

Mr. Hawkins: The sign with the little globe, that is what you guys use to identify yourselves?

Ms. Sheila Robinson: Yes.

Mr. Hawkins: And you have that on literature and other pamphlets and what have you?

Ms. Sheila Robinson: Yes.

Mr. Hawkins: It is fair to say that the globe part of that takes up some more space than if you just had "Laptop World" up there?

Ms. Sheila Robinson: Probably, yes.

Mr. Hawkins: You may not recall this, but Mr. Campion can tell me if I am wrong, as I recall when you were back in Princeton Plaza there was a variance required for that sign because of the width of that sign and the encroachment on the lease line; do you recall that or do you know?

Mr. Campion: I don't recall that but it might have been before my time.

Ms. Sheila Robinson: When that sign was at the previous store it was all on one raceway. So, I can understand what you are saying; they probably did try to get a variance because it probably did overlap something.

Mr. Hawkins: I am positive that I recall that taking place.

Ms. Sheila Robinson: But when we approached this new contractor about how to get it to fit on our store front without it looking tacky and to look good with all the rest of the signs on the other businesses, as well. And we also have this tall spot that is in our area where the globe goes, so it really doesn't look bad. If I stand here and try to talk about square footage on it, you are going to understand what it is and that is why I asked the contractor to come but my whole point is that we had that sign altered already for two raceways so we could stack it. I did call down here to see if it was stackable and they did tell me yes but it had to be so many square feet. When I contacted this contractor I told him specifically what I needed, so later on when I came back and I told him that the City's measurements were way off and these were different, he told me the guy that had actually given us the dimensions that we had on paper, no longer works for him. So there was an issue with that and he apologized and he wanted to come tonight but he couldn't fit this into his schedule. He told me he would try to do whatever he could if we wouldn't be granted a variance to try to get into compliance but he couldn't guarantee that he could do that with this particular design.

Mr. Hawkins: I will tell you this and I only speak for myself, I am disappointed that you guys are back in this same predicament when you, however many years ago it was, went through the same thing with regard to the length or width of the sign, back there in Princeton Plaza having to get a variance because it went too far into the breezeway area. It is something that the business knows because you have been through this before and the fact that there may have been some miscommunication before but part of that is inexcusable because this is something that the business has been through, I am not saying you, but the business has been through before and the business knows with regard to that sign that there has been an issue with how wide it is in terms of going into an tenant's area. To that extent, it is up there and we are still having this issue in a new location and that is disappointing to me. But that being said, I personally find that the fact that that sign and the graphic which does count against the square footage and the graphic is part of your identity for the business, it is on other paperwork and pamphlets and that is important for you to go forward and conduct business. I personally find that the width in the request for the variance is de minimis; we are only talking about a foot and eight inches beyond the 14', so I will support it. I can't speak for anybody else but I am disappointed that we are back here again when the business knows that the sign width is something that has to be looked at because you guys did this before, years ago.

Ms. Sheila Robinson: I would like to apologize because I didn't even know that myself. I am disappointed that I didn't know and they let me walk in here like this without telling me that they had to do this before. So, personally I apologize.

Mrs. Huber: Is your company nationwide or is this just a local business?

Ms. Sheila Robinson: No, we are just local.

Mrs. Huber: Have you ever thought about removing the globe and also the ".com"; putting "World" under "Laptop" and then you wouldn't need a variance?

Ms. Sheila Robinson: Well, actually I had mentioned that to the owner and he just let me know that has always been his logo for the last twenty years that he has been in business, so he didn't really want to have to alter that because he is known by "Laptop World.com" for the internet stuff.

Mr. Ramirez: Mr. Champion, did we ever approach the businesses that reside on either side, if they have a problem with their sign; it looks like Sherman Williams, is that an issue?

Mr. Champion: That would be the side that is within the three feet, the owner of the Center was notified.

Chairman Weidlich: I went through mentally the strip areas that we have in Springdale and I came up with nine. We may have more and I don't know how many businesses would be total in those nine. To me, we would be setting a precedent by approving this and any other business could come in and say that, "they got an extra 1'-8" and we want the same to increase our signage". I guess with that respect, I don't think I will be supporting your request for a variance because we have too many other businesses in the City that we would be setting a precedent against.

Mr. Knox: When you take a look at this sign, directly toward the "Laptop World", if you turn to your left then you will see the Enterprise Car Rental to which we gave an almost similar variance so they could go to the end of the building. If it is good for one, then I can't see us turning this down and personally I am going to be voting in favor of it because I don't believe the small businesses should have an unnecessary expense just for a few square feet. So that is what struck me is Enterprise did get the benefit of a variance.

Mr. Hawkins: The unique nature of this, I would say is this is a business that is not brand new, it has been around for twenty years. The name and the globe are proprietary toward their identity. Sort of like the Enterprise thing when we talked about the "E" was what sort of threw them over. So, for that reason I think that it can be distinguished a little bit from just some fly by night new business that is coming in that doesn't have the same established identity or the same logo, where it is critical toward their existence. I will note, as we also looked at the signage down on Kemper when we were looking at Value City or the tenant next to Value City, we were examining how that looked from the roadway and how it looked in proportion to the face of the building. I will also note for the sake of the record that I find that the signage size and the square feet do fit within the strip mall and the wall itself that it is upon.

Chairman Weidlich: My rebuttal to Mr. Knox, the Enterprise is a free-standing building, where this sort of thing didn't come into effect except the corner setback but that was a building that they occupied all by themselves. That was the thought behind that one.

Is there any further deliberation or discussion on the evidence presented?
(No further discussion was brought forward at this time.)

Mr. Knox: I move to grant a variance to the owner of 11419 Princeton Pike to allow a 15'-8" wide and 94 s.f. wall sign to remain on the tenant space as referenced in Section 153.523(A) and 153.531(C)(1)(b)"General Business".
(Mr. Hawkins seconded the motion.)

Mr. Champion: Because the sign is over on square footage and closer to the property line, did the motion have both of those factors in there?

Mr. Knox: Those were the two Sections of the Ordinance that I quoted, one for the setback and one for the size.

(Mrs. Huber poled the Board and with 6 "aye" votes and one "no" vote from Chairman Weidlich the variance was granted.)

Mr. Champion: We still have to go back to Mayor's Court.

Ms. Sheila Robinson: I know, I will see you tomorrow at 3:00 p.m. Thank you.

- C. Chairman Weidlich: The next order of business is the owner of 12130 Springfield Pike is requesting variances to allow a waste container enclosure in the side yard and install 436 s.f. of sign area; variance is requested from Section 153.489(A)"Waste Container Screening...shall not project into or be located on a front or side yard." and "Section 153.531(C)(1)(b)"General Business (GB)...gross area of signs = $(W \times 1.5) + 40$ square feet".
This item we were requested to continue until our next meeting.

Mr. Campion: I just want to make sure it is in the record that we received an email from the applicant saying that he would like to defer the variance application until the Conditional Use has been approved. You would need to make a motion.

Chairman Weidlich: Can we have a motion to continue this until the next meeting.

Mr. Hawkins: I move to continue the variance request from the owner of 12130 Springfield Pike, requesting a variance to allow the waste container on the side yard, to the June 2014 meeting.

(Mr. Nienaber seconded the motion and with a unanimous "aye" vote from the Board of Zoning Appeals Members, the request to continue was granted.)

XI DISCUSSION

(No items were presented for discussion at this meeting.)

XII ADJOURNMENT

Mr. Hawkins moved to adjourn, Mr. Nienaber seconded the motion and the Board of Zoning Appeals meeting adjourned at 8:02 p.m.

Respectfully submitted,

_____, 2014 _____
Chairman Robert Weidlich

_____, 2014 _____
Secretary Jane Huber