

BOARD OF ZONING APPEALS MEETING
OCTOBER 21, 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: Carolyn Ghantous, Ed Knox, Dave Nienaber,
Lawrence Hawkins III, Joe Ramirez, Robert Weidlich and Jane Huber

Others Present: Randy Campion, Building Inspector

III PLEDGE OF ALLEGIANCE

IV MINUTES OF THE REGULAR MEETING OF SEPTEMBER 16, 2014

Chairman Weidlich: Board Members, we have our Minutes from the
September 16, 2014. Does anyone have any additions or corrections?

Mrs. Huber: On page 2, near the bottom where Mr. Ramirez was commenting
about the property, "unusual landscape and the unusual side of the yard" or "size" of
the yard, which should it be?

Mr. Ramirez: It is correct, "side" is correct.

Mr. Knox: I move to adopt.

(Mrs. Ghantous seconded the motion and with a unanimous "aye" vote from the
Board of Zoning Appeals Members, the Minutes of the September 16, 2014
meeting were approved.)

V CORRESPONDENCE

Chairman Weidlich: We have no correspondence.

VI REPORT ON COUNCIL

(Mr. Hawkins gave a summary report of the October 1st and October 15, 2014
City of Springdale Council Meetings.)

VII REPORT ON PLANNING COMMISSION

(Mrs. Ghantous gave a summary report of the October 14, 2014 Planning
Commission Meeting.)

VIII CHAIRMAN'S STATEMENT AND SWEARING IN OF APPLICANTS

IX OLD BUSINESS

A . Chairman Weidlich: The first item of business continued from last month, the
owner of 246 Balsam Court is requesting a variance to allow a garage to be

converted to living space. Said variance is from Section 153.105(B) "A single two-car garage and related parking area is required." Would the applicant for this request please come to the podium?

Mr. William Hafer: I own 246 Balsam Court. I have owned this house for 37, almost 38 years now and I retired and moved to Florida for three years and came back this spring. The garage has not been a full-sized garage since 1994. I had a house fire and there was a variance, I guess, at the time to put a laundry room in the front of the garage. It is not a garage that we can put a vehicle in. What we are proposing to do is to make that a craft and sewing room for my wife and finish the exterior, take the garage door and finish that with a bow window. It is not for business, it is not for a bedroom or anything like that, strictly a craft room.

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

(No one from the audience came forward to speak on behalf of this application and the public portion of the hearing was closed.)

Chairman Weidlich: Board Members, does anyone have any questions for the applicant?

Mr. Hawkins: Have you looked at any kind of additions on the backside?

Mr. William Hafer: We have an addition on the back and it is an issue where there is a space that is filled with items right now with us moving back and it has been a storage space for twenty years because the vehicles that I have won't fit in there. It hasn't been a viable garage so we thought when we came back that we could take that small area and make it strictly a room for her sewing and crafts and things like that. What we would like to do is to put a bow window or bay window on the front.

Mr. Hawkins: But in terms of the backside of the house, has there been any more talk about an addition back there to give more space, building an addition onto the backside of the house?

Mr. William Hafer: A little bit but it is kind of cost prohibitive.

Mr. Hawkins: With regard to where you guys are right now with the reduced space in the garage, what is the difference for you guys if you lose a foot or two if you didn't wall it off and put plaster or drywall up against the door. Beyond that, what is the difference for you if you saved a couple feet right there with the garage door being there and putting up a faux wall?

Mr. William Hafer: It would be negligible, if I would put a wall there and keep the garage door. I thought it would look better but it doesn't make any difference. It is the space that we are going to use.

Mr. Hawkins: My concern is that we have had several garage conversions that have come through here over the last twenty years, the concern I have is that anytime we are actually walling off the garage, we take away that opportunity for it to be a garage down the road in the future. To maintain an operable garage door, to me is important; maybe come back off of that two feet and put up a faux wall. I would be more open to that if that gets walled off. I know you guys are in fairly tight quarters on the other hand you are in a situation where there is not a whole lot of parking over there. Are you open to not walling that off and maintaining an operable garage door if that was the Boards decision?

Mr. William Hafer: I have no objections to something like that.

Mr. Nienaber: I was hoping one of your neighbors would show up with a pro or con. Have you talked to them at all, and if so what is their take on this?

Mr. William Hafer: My next door neighbor, he has no problem. I have a neighbor on the other side and I can't communicate with them.

Mr. Nienaber: Because there really is no parking there.

Mr. William Hafer: For all of the years that I was here, everybody pretty much got along. I haven't parked a car there before 1995; before that I would keep the car in the garage. It is just my wife and I and we don't have any kids and they are not moving back. The parking is really not an issue and the people that have been there for a while have got one or two cars and it is really not an issue.

Mr. Knox: How many bedrooms does that house have?

Mr. William Hafer: Three bedrooms.

Mr. Knox: The reason I am asking is that the variance goes with the house forever, once it is granted. If a family with teenagers moves in there, how many cars might they have? If you can't even put one car inside the garage, and another one in the driveway, then it is going to cause a parking problem. I do feel that your wife ought to have a sewing room so on the back of the house you have an enclosure of some sort there.

Mr. William Hafer: Yes.

Mr. Knox: Does it meet the criteria for it being walled in?

Mr. William Hafer: No. Really the only option that we have looked at is building on the back and it is cost prohibitive for what we want to do. Basically, to us, this is dead space except for accumulating forty years worth of marital items.

Mr. Knox: The area that is shown as "not constructed", does that have a pad than you could build on?

Mr. William Hafer: The rear of my house has a family room on it about 33' x 14' which was there when I bought the house. A number of years ago we put a three season room on the back; the doors are shut to that room today and there is no heating or air-conditioning or ventilation in that room.

Mr. Knox: As you are facing the house on the rear left side, there is an area that is shown as "not constructed".

Mr. William Hafer: On the left side. Yes. There is a place there and if I wanted to put something there it is going to cost me. I would have to put up trusses and rafters and have plans drawn, have footers.

Mr. Knox: That is my point, is there a concrete pad there now?

Mr. William Hafer: No, there is no concrete there.

Mrs. Huber: I would be opposed to taking away the garage door. If you could live with the garage door in a workable manner, would you be satisfied with that?

Mr. William Hafer: I believe so.

Mrs. Huber: How many cars can you get on your drive?

Mr. William Hafer: Two.

Mrs. Huber: Are you on the sidewalk, protruding upon the sidewalk?

Mr. William Hafer: I make sure that I am not on the sidewalk, I try to obey the law.

Mr. Ramirez: First, thanks for moving back to Springdale. My thoughts are in line with Mrs. Huber and Mr. Hawkins, we have quite a few of these that have come before us and the question is, what happens when you move and maybe a younger

couple moves in and they don't have a usable garage. I pretty well agree, if you are o.k. with having a workable garage door and doing whatever you need to do on the inside, then I would vote favorable for that.

Mr. William Hafer: Thank you.

Chairman Weidlich: Where will you store your lawnmowers and your garden equipment and such, if you use the remaining part of your garage?

Mr. William Hafer: A lot of the items that we have that are extra are some of her craft bins and things like that. My lawnmower, I plan on getting a small shed if I even get a lawnmower; I might just be done and have somebody else take care of my yard.

Chairman Weidlich: I am comfortable, if you are willing to leave the garage door working and in place. I have no problem with what you do on the inside. We generally ask the resident to keep the working garage door for a future owner if they choose to convert it back to a garage.

Mr. William Hafer: I understand, I have seen some that have been done very nice and some that don't look so nice.

Chairman Weidlich: On your end of the street, your side of the street everybody does have a garage door on their home.

Mr. William Hafer: Yes. I think there is one on the other side.

Chairman Weidlich: I think there was three or four on the other side. I went down to look just out of curiosity. There is one at the end that had similar to what I think you were proposing, a bricked in opening. We try to encourage a resident to keep the working garage door.

Mr. Hawkins: You did do some construction in the back there.

Mr. William Hafer: Yes.

Mr. Hawkins: For the sake of the record, if anybody is looking back, I am looking at the Staff's packet and comments to the Board of Zoning Appeals, on the last page there is a picture from Google maps and it is the top picture and I was referring to the roof of the back of the home where there is a section that is a far lighter shade of white than the rest of it; the applicant is indicating that is an addition.

Mr. Knox: I agree with the folks that if you can maintain an operable garage door, that would be acceptable to me. I would hate to be accused of keeping your wife from having a sewing room.

Mr. William Hafer: I understand.

Chairman Weidlich: If there are no further questions, are we ready for a motion?

Mr. Hawkins: Just for deliberation and discussion for the record, I would note that the applicant can park two cars on his driveway and he has an irregular shaped back yard. The lots in that area, in particular this lot is a little bit smaller than what you may normally see. I would also note that they have already put an addition on the back of the home which limits the space left for another addition, with regard to this house.

Mrs. Huber: I move to grant a variance to Section 153.105(B), so as to allow an existing garage to be made into living space. The property is located at 246 Balsam Court. Section 153.105(B) states "A single two-car garage and related parking area is required...". A garage door is to be left as a workable garage door. (Mr. Hawkins seconded the motion and with no further deliberations or amendments, the Board of Zoning Appeals voted unanimously to approve the

variance request.)

X NEW BUSINESS

(No New Business presented at this meeting.)

XI DISCUSSION

(No Discussion presented at this meeting.)

XII ADJOURNMENT

Mr. Hawkins moved to adjourn, Mr. Nienaber seconded the motion and the Board of Zoning Appeals meeting adjourned at 7:32 p.m.

Respectfully submitted,

_____, 2014 _____
Chairman Robert Weidlich

_____, 2014 _____
Secretary Jane Huber