

BOARD OF ZONING APPEALS MEETING
MAY 19, 2015
7:00 P.M.

I CALL MEETING TO ORDER

The meeting was called to order at 7:02 p.m.

II ROLL CALL

Members Present: Lawrence Hawkins III, Jane Huber, Ed Knox, Joe Ramirez, Robert Weidlich

Staff Present: Randy Campion, Building Inspector

Members Absent: Carolyn Ghantous, Dave Nienaber

III PLEDGE OF ALLEGIANCE

IV MINUTES OF THE REGULAR MEETING OF APRIL 21, 2015

Chairman Weidlich: Board Members, we have the Minutes of our April 21, 2015 meeting. Does anyone have any additions or corrections to those Minutes?

Mr. Hawkins: I move to adopt.

(Mr. Knox seconded the motion and with a unanimous ~~aye~~+vote from the Board of Zoning Appeals Members, the April 21, 2015 Minutes were adopted.)

V CORRESPONDENCE

Chairman Weidlich: We have no correspondence this month.

VI REPORT ON COUNCIL

Mr. Hawkins gave a summary report of the May 6, 2015 Council meeting . all members were present and there was no legislation. An individual did come forward to put a grocery store near the old Home Emporium in Casinelli Square and requested a liquor permit; that was approved.

Mr. Knox: Many people were asking for a grocery store when I was walking around four years ago and now it looks like we~~are~~ finally going to have one next spring. A gentleman, Mr. Guo, is going to be the owner. It~~s~~ going to be a full grocery store with sushi and alcoholic beverages. We~~are~~ very pleased to see that.

Chairman Weidlich: So it~~s~~ not one of the big stores like Kroger or Aldi; it~~s~~ just an independent?

Mr. Knox: It~~s~~ an independent. The Mayor asked if it was going to be like Jungle Jim~~s~~ or Kroger~~s~~ and he said like Kroger~~s~~ so it should be a fair size but I don~~t~~ think it will be the size of one of their superstores.

VII REPORT ON PLANNING COMMISSION

(None)

VIII CHAIRMAN~~s~~ STATEMENT AND SWEARING IN OF APPLICANTS

IX OLD BUSINESS

(No Old Business presented at this meeting.)

X NEW BUSINESS

- A. The owner of 12198 Benadir Road requests a variance to allow a garage conversion to remain. Said variance is from Section 153.105(B) ~~the~~ single two-car garage and related parking area is required ~~to~~ +

Mrs. Rita Abouelseoud: When we had purchased the house, it already had been converted to an extra room. I didn't know that we had to have a variance or that it was not permitted to be done without a variance. We purchased the house, I do have it as a rental property and it gives more living space. It is used presently as the master bedroom. It has a large window in it, accessible for a full-size grown man and I seek to have it remain the same.

Mr. Campion read staff comments.

Chairman Weidlich: Is there anyone in the audience that would like to speak on behalf of this variance request? (None.) Board members, does anyone have any questions for the Applicant?

Mr. Hawkins: Currently your garage door is operational?

Mrs. Abouelseoud: Yes it is.

Mr. Hawkins: And it would be your intention to maintain that?

Mrs. Abouelseoud: Yes.

Mr. Hawkins: Nothing further, thank you.

Mr. Knox: My question was the exact same as Mr. Hawkins. I would prefer that, if we approve this, that that statement be made, that it be maintained, continually operationally. I worry about handicapped people getting out. Some people just want to use windows; it doesn't work too well if you're in a wheelchair. The variances do go with this property forever.

Mrs. Abouelseoud: Okay.

Mr. Knox: Thank you.

Mrs. Huber: This door that's shown in the bedroom, it goes out into another bedroom?

Mrs. Abouelseoud: No, I believe that door is to the storage. I think it goes to the storage, which goes to the garage door that would open.

Mrs. Huber: We worry about access to go in case of a fire.

Mrs. Abouelseoud: That door does go to the garage door.

Mr. Hawkins: I would note that there is a window in the garage as well so that also helps for egress in case of fire, just for the sake of the record.

Chairman Weidlich: Do you reside in the house or is it a rental property?

Mrs. Abouelseoud: It's a rental property sir.

Chairman Weidlich: How many bedrooms are in the rest of the house?

Mrs. Abouelseoud: Three.

Chairman Weidlich: So this makes a fourth bedroom.

Mrs. Abouelseoud: Yes.

Chairman Weidlich: How large is the storage area portion of the garage?

Mrs. Abouelseoud: I didn't bring my form because I turned all the originals in to you.

Chairman Weidlich: It's a little difficult to tell from what was given to us.

Mrs. Abouelseoud: I can give you an estimate, 12'x the width of the garage; the width of the room itself is 13' so it's 9'x 13'

Chairman Weidlich: So you have nine feet from the garage door into the garage, before the wall of the bedroom?

Mrs. Abouelseoud: That's correct.

Chairman Weidlich: And your garage door still operating?

Mrs. Abouelseoud: Yes.

Chairman Weidlich: I don't have any other questions.

Mr. Ramirez: I see in the photo you have two cars parked in the driveway and it looks like there might be a third car here. Are there only two residents that drive in that house?

Mrs. Abouelseoud: There would only be two vehicles at the most because one works during the day, comes home and the other goes to work at night.

Mr. Ramirez: But only two people that reside in the house have a vehicle?

Mrs. Abouelseoud: Yes, one of those vehicles is mine.

Mr. Ramirez: Okay, I see that, thank you.

Chairman Weidlich: Does anyone else have any questions for the Applicant? Is there any deliberation or discussion on the evidence?

Mrs. Huber: I don't want to discuss; I want to make a motion.

Mr. Hawkins: For the record, I would note that this is a corner lot and corner lots tend to have some predicaments other properties would not. The placement of the building on the lot makes it placing an addition on the land difficult to do so and still maintain the setbacks that are set forth within our Building Code. I also find that granting a variance would not cause any kind of substantial impact or change with regard to the character of the neighborhood.

Chairman Weidlich: We'll move on to a motion.

Mrs. Huber: Are there any amendments that you want added before we begin? I wish to grant a variance to Section 153.105(B) to property located at 12198 Benadir Road so as to allow the existing garage conversion to remain as living space and the section of the code says "A single two-car garage and related parking area is required" with the condition that the garage door remain as it is right now.

Mr. Knox seconded the motion and with a unanimous "aye" vote, the Variance was approved.

Chairman Weidlich: You've got your variance ma'am. You'll have to get with the Building Department and get the proper permits and such to have the addition inspected. You'll get your variance in the mail.

Mr. Campion: You can come in ahead of time if you want.

- B. The owner of 175 Progress Place requests a variance to reduce green space to 29.3%; Said variance is from Section 153.269 "Minimum green space shall be 30% of the lot area".

Chairman Weidlich: Item B we have tabled until next month.

Mr. Campion: Do you have to vote on tabling it?

Chairman Weidlich: I don't know if we do or not since the Applicant requested the tabling.

Mr. Hawkins: Mr. Chairman, unless they're pulling their Application, I think we need to vote to table it. I will make a motion to table the request from the owner of 175 Progress Place requesting a Variance to reduce their green space to the June 2015 Board of Zoning Appeals meeting.

Mr. Knox seconded the motion and with a unanimous ~~eye~~ vote, the Request for Variance was tabled.

XI DISCUSSION

(None)

XII ADJOURNMENT

Mrs. Huber moved to adjourn, Mr. Knox seconded the motion and the Board of Zoning Appeals meeting adjourned at 7:18 p.m.

Respectfully submitted,

_____, 2015 _____
Chairman Robert Weidlich

_____, 2015 _____
Secretary Jane Huber