

BOARD OF ZONING APPEALS MEETING
MAY 26, 2020
7:00 P.M.

I CALL MEETING TO ORDER

Meeting called to order by Chairman Anderson.

II ROLL CALL

Members Present: Jeffrey Anderson, Dave Nienaber, Tom Hall, Carolyn Ghantous, Douglas Stahlgren, Michelle Miller, David Gleaves

Staff Present: Carl Lamping, Anne McBride

III PLEDGE OF ALLEGIANCE

IV MINUTES OF THE REGULAR MEETING OF FEBRUARY 25, 2020

Motion to approve the minutes presented by Mrs. Ghantous and seconded by Mr. Nienaber.

(Voice vote taken and the minutes were approved with a vote of 7 to 0.)

V CORRESPONDENCE – None.

VI REPORTS

Report on City Council

Mrs. Ghantous provided a report on City Council meeting held on May 20, 2020. There was no questions or discussion.

Report on Planning Commission

Mr. Hall provided a report on the Planning Commission meeting held May 12, 2020. There was no questions or discussion.

VII CHAIRMAN'S STATEMENT

Chairman Anderson read the Chairman's Statement.
Four members of the audience were sworn in.

VIII OLD BUSINESS

A. Cincinnati Commercial Contracting on behalf of Jake Sweeney Automotive variance request for 30 Tri-County Parkway to reduce parking stall sizes and drive aisles and to eliminate curbed landscape areas and plantings within the parking lot. **PUBLIC HEARING cont.** (Application 36373)

Mrs. McBride presented her staff report to the Board going through each of the variances that were being requested and also acknowledged the decisions from the May 12, 2020 Planning Commission meeting that correspond with this variance request before the Board.

Mr. Nienaber addressed the Board with observations justifying the granting of the variances noting the layout and the opportunity to improve an abandoned site to warrant the need of the variances.

Chairman Anderson raised questions about screening and variance details which were addressed by Mrs. McBride.

There was discussion about the detention basin and curbing that it would not be necessary to have a variance per the City Engineer's review and the resolution provided by the applicant.

There was discussion concerning the difference in the landscaping quantities. Mrs. McBride requested that the shrub and tree quantities outlined on the chart on page 4 of her staff comments be used in the board's motions. Matt Patterson, with Cincinnati Commercial Contracting, confirmed that he believed that the quantities outlined on the chart on page 4 were correct.

Motion for Items B & C presented by Mr. Nienaber: Motion to grant a variance to the owner of 30 Tri-County Parkway, regarding BZA Application 36373, regarding Section 153.404, to reduce the number of trees required on the site taken from page 4 of the City of Springdale staff letter to the BZA on this topic.

Along the Tri-County Parkway Buffer yard parking along the right-of-way: to go from the required trees of 9 to provided 12, and required shrubs of 103 to provided of 90. On the Jake Sweeney Place Buffer Yard Parking along the right-of-way: from a required of 21 trees to provided 21 trees, and from required 248 shrubs to 94 shrubs. And finally, along the North Property Line Buffer Yard: from required 0 trees to provided 5 trees, and from 0 shrubs required to remain 0 shrubs required.

On the Eastern Property Line Buffer Yard: required would be 18 trees and provided would be 0 trees. and required would be 209 shrubs and provided would be 0 shrubs. Within the VUA Minimum Required Parking Area: required area 4 trees required and 4 trees provided, and 18 shrubs required and 62 provided. In addition to that, there would be required 2,013 square feet of islands and provided will be 2,465 square feet of islands.

Lastly within the VUA Display Parking Area: no trees required and none provided, and 138 shrubs required and 19 provided, and 7,635 square feet required and 1,409 square feet provided.

Chairman Anderson clarified that this motion will cover both B & C of the variances requested.

Mrs. Ghantous seconded this motion.

Chairman Anderson clarified that on the landscaping identified in the motion is the minimum is required by the City. The applicant in any future use can exceed the number of shrubs and linear feet.

(Voice vote taken on this motion and it was approved with a vote of 7 to 0 to grant the variance as stated in the motion.)

Motion for Item D presented by Mr. Nienaber: Motion to grant a variance to the owner of 30 Tri-County Parkway regarding Application Number 36373, to Section 153.302(K) to eliminate the requirement for curbing to the north and east side of the vehicle inventory lot as recommended by the City's Engineer.

Mrs. Ghantous seconded this motion.

There was not discussion prior to the vote.

Voice vote was being taken and Chairman Anderson made a Point of Order, and questioned the motion about the requirement for a Variance for curbing on the north and east side of the vehicle inventory lot, since it was stated that it was not needed per the City Engineer.

Mrs. McBride addressed this and noted that in the code about barriers and that Mr. Shvegza emailed that the bumper blocks or curb stops are sufficient and that they are not required to do anything on the north side other than what they are showing on their plans.

Mr. Lamping stated that the Point of Order is correct and that the Motion on the table is to approve a variance that they no longer are needing.

Mr. Nienaber requested to retract the motion.

Chairman Anderson acknowledged the Point of Order, and that the motion as read needs to be resubmitted if the people who voted and that seconded agree to retract their votes understand the Point of Order.

Mr. Hall, Secretary, went back through the members that voted to have them retract their votes to resubmit correct. All members retracted their votes.

Mr. Lamping requested that the item be removed and no action be taken on this item.

Mr. Patterson, Applicant, confirmed and requested to remove this variance.

Chairman Anderson confirmed that no variance was granted and that it was not required.

Motion for Item E presented by Mr. Nienaber: Motion to grant a variance to the owner of 30 Tri-County Parkway regarding Application Number 36373, for variances to Section 153.253(E)(1)(c) & (d) which requires all headlights associated with the sales of used vehicles to be 100% screened from public streets. This variance will eliminate the requirement for the headlight screening and the specific landscape requirements that are involved.

Chairman Anderson clarified that it is subject to the buffer yard requirements that are listed in the City Planner's table noted earlier (page 4). Clarifying that is the intent of the motion and Mr. Nienaber confirmed this intent.

Mrs. Ghantous seconded this motion.

Mr. Stahlgren clarified the section 153.253.

(Voice vote taken on this motion and it was approved with a vote of 7 to 0 to grant the variance as stated in the motion.)

IX NEW BUSINESS

None.

X DISCUSSION

Chairman Anderson discussed with the board the proposed movement to summary minutes. There was no objection or discussion.

XI ADJOURNMENT

Chairman Anderson adjourned the meeting.

Respectfully submitted,

_____, 2020 _____
Chairman, Jeffrey Anderson

_____, 2020 _____
Secretary, Tom Hall