

**BOARD OF ZONING APPEALS AGENDA  
MINUTES OF MEETING  
July 13, 2015**

**MEMBERS PRESENT:** Carl Zani, Eric Moulton, Dick Mickley, Barbara Taylor, Alex Kessler, Scott Zwiezinski. Harry McMannis- Excused.

**OTHERS PRESENT:** City Zoning Administrator Derek Hutchinson, City Planner Chad Flowers, Clerk of Council Kristina Jones.

**CITIZENS PRESENT:** Jeff Barnhurst, Steve Peck, Matt Mason, Catherine Cunningham

**MEETING CALLED TO ORDER:** The meeting was called to order at 7:00 p.m.

**APPROVAL OF MINUTES:** The minutes from June 8, 2015 were approved as submitted.

**AGENDA ITEMS:**

**To hear a variance request to permit a total lot coverage of 27.7% vs. a maximum of 25% lot coverage for property located at 827 Arabian Circle (Lot # 5458) in an R-2 (Medium Density Residential) zoning district.**

**Comments of Zoning Administrator and/or City Planner:** Mr. Hutchinson said this is a common variance in the housing developments. The size of the houses that are being asked for is bigger than the lot size. This is in the Mill Valley area.

**Comments of Requester:** Catherine Cunningham and Steve Peck spoke regarding this variance. She said the preliminary plat that was approved has put some restrictions on building in the future. Mr. Peck will talk about how they have fixed this problem so that they do not have to come back in front of the Board of Zoning Appeals again. She said this is a large ranch footprint so it meets all the setback requirements, it is just a little bigger on the lot coverage. Mr. Peck said the house they are talking about tonight is under contract. Mr. Peck explained that they are working with the City to draft a new preliminary plat for the area making the lots bigger.

Mr. Zani asked how many current plots are left in this current section. Mr. Peck believes there are about ten left. Mr. Zani asked if there are any houses in the Polte group that fit on the lot. Mr. Peck answered there are a couple.

**Comments of Citizens:**

**Discussion by BZA Members:** Ms. Taylor moved to approve the variance, seconded by Mr. Zwiezinski. Question put, stood:

Mr. Kessler NO;	Mr. Mickley YES;	Mr. Zani NO;
Mr. Moulton YES;	Ms. Taylor YES;	Mr. Zwiezinski NO

The variance was denied 3-3.

**To hear a variance request to permit a 2' side yard setback to construct a car port vs. 5' minimum side yard setback required for property located at 11 Scott Circle in the R-1 (Low Density Single Family Residential) zoning district.**

**Comments of Zoning Administrator and/or City Planner:** Mr. Hutchinson said this is a side yard setback. It is for a car port that is going to be attached to the existing garage which will take them to a 2' side yard setback.

**Comments of Requester:** Mr. Barnhurst said the plan is what looks like in the picture that is in front of you. He said the front post is the only one that will be in the 2' setback. Mr. Zani asked if the lot gets wider as it goes back. Mr. Barnhurst answered yes. Ms. Taylor asked about his neighbors. Mr. Barnhurst brought Mr. Mason who did not have a concern except for the drainage in his yard. Mr. Kessler asked if it was going to be a flat roof? Mr. Barnhurst said yes, because it will be draining off the back. He was asked if the front and sides would be open. Mr. Barnhurst answered yes. Mr. Zwiezinski asked how long Mr. Barnhurst lived at the residents. He said 20 years. Mr. Zwiezinski asked why they are doing it now. Mr. Barnhurst said the finances have not been available until now to complete the car port.

Ms. Taylor asked where the car has been parked. Mr. Barnhurst said they would like to cover up the asphalt by the house and have a little cover for the vehicle since it has set out front.

**Comments of Citizens:**

**Discussion by BZA Members:** Mr. Moulton moved to approve the variance, seconded by Mr. Zwiezinski. Question put, stood:

Mr. Mickley YES;	Mr. Zani YES	Mr. Moulton YES;
Ms. Taylor YES;	Mr. Zwiezinski NO	Mr. Kessler YES

The variance was approved 5-1 with condition that the brick structure match the residence.

**To hear a variance request to permit a 20' rear yard setback for a deck vs. 30' minimum rear yard setback required, for property located at 1019 Watkins Glenn Court in the R-5 (High Density Multi-Family Residential) zoning district.**

**Comments of Zoning Administrator and/or City Planner:** Mr. Hutchinson said this is a common request that we receive for decks in the rear of the home. He said it is a little unique because it is in a condo complex. Mr. Hutchinson did some research and he cannot find any variances or permits in the last few years that we have done, but when he looked on google maps there are some decks in the area.

**Comments of Requester:** The requester did not appear to answer the boards' questions.

**Comments of Citizens:**

**Discussion by BZA Members:** Mr. Zwiezinski moved to approve the variance, seconded by Mr. Kessler. Question put, stood:

Mr. Zani NO;	Mr. Moulton NO;	Ms. Taylor NO;
Mr. Zwiezinski NO	Mr. Kessler NO;	Mr. Mickley NO;

The variance was denied 6-0.

**Comments from BZA Members:**

**ADJOURNMENT:** The meeting was adjourned at 7:28 p.m.