

BOARD OF ZONING ADJUSTMENT

Results AGENDA

March 1, 2021 - 2:00 P.M.

Meeting streamed online.

I. CALL TO ORDER:

Chairman William Guess

II. ROLL CALL

x	William L. Guess, Chairman
x	Sanford Davis, Vice-Chairman
	Vernon Coleman
x	Lewis Golden
x	Adam Metcalfe
x	Jeremy B. Milling
x	John Burroughs

Staff: Marie York, Bert Hoffman, John Strope, Lisa Watkins, Victoria Burch, Doug Anderson

III. ADOPTION OF THE AGENDA:

Motion to adopt by Jeremy Milling. Second by Lewis Golden. **Adopted**

IV. EXTENSIONS:

1. **#6322**

(Case #BOA-001250-2020)

G. Allen Garstecki, Jr. and Kara M. Garstecki

206 Carmel Drive East

(East side of Carmel Drive East, 170'± North of the intersection of Carmel Drive East and Bexley Lane).

Setback Variance to allow construction of a covered patio within the required rear yard setback in an R-1, Single-Family Residential District; the Zoning Ordinance requires an 8' rear yard setback for structures in an R-1, Single-Family Residential District.

Council District 7

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Motion to approve by Adam Metcalfe. Second by John Burroughs. **Approved.**

After discussion, the Board approved the request for a six (6)-month extension of the previous Variance approval.

V. PUBLIC HEARINGS:

2. **#6369**

(Case #BOA-001504-2021)

Cory Bronenkamp

453 Dexter Avenue

(East side of Dexter Avenue, 57'± South of Ohio Street).

Use Variance to allow two (2) dwelling units in an R-1, Single-Family Residential District; the Zoning Ordinance limits the maximum number of dwellings allowed on a single lot to one (1) in an R-1, Single-Family Residential District.

Council District 2

Motion to holdover by Adam Metcalfe. Second by Lewis Golden. **Heldover until the April 5, 2021 meeting.**

After discussion, the Board heldover the request until the April 5, 2021 meeting, at the request of the applicant.

3. **#6370/6353/6156**

(Case #BOA-001513-2021)

Dan Buckley

3535 Spring Hill Avenue

(South side of Spring Hill Avenue extending to the North side of Irene Street; 293'± West of Avalon Street).

Use and Front Setback Variances to allow a second dwelling on a single lot with a reduced front setback in an R-1, Single-Family Residential District; the Zoning Ordinance limits the number of dwelling units to a maximum of one (1) per lot and requires a minimum 25' front setback from all frontages in an R-1, Single-Family Residential District.

Council District 7

Motion to approve by Adam Metcalfe, subject to the same conditions of the previous Board approval. Second by Lewis Golden. **Approved.** John Burroughs opposed.

After discussion, the Board determined the following findings of facts for Approval:

- 1) Approving the variance will not be contrary to the public interest;

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- 2) Special conditions exist such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and
- 3) The spirit of the chapter shall be observed, and substantial justice shall be done to the surrounding neighborhood by granting the variance.

The approval is subject to the following conditions:

- 1) The house and the garage apartment are to be operated off of one electrical service meter; and
- 2) The garage apartment can only be used by family members.

**4. #6371
(Case #BOA-001514-2021)
VCP Seamans, LLC (Eric Jackson, agent)
350 St Joseph Street**

(Northeast corner of Adams Street and St Joseph Street, extending to North Water Street).

Primary Frontage Lot Width Variance to allow an increased lot width along a primary frontage street in a T-5.1, Mixed-Use of Medium Intensity Sub-District of the Downtown Development District; the Zoning Ordinance limits lot width along a primary frontage street to 180' in a T-5.1, Mixed-Use of Medium Intensity Sub-District of the Downtown Development District.

Council District 2

Motion to approve by Adam Metcalfe. Second by Lewis Golden. **Approved.** John Burroughs opposed.

After discussion, the Board determined the following Findings of Fact for Approval of the requests:

- 1) The variance will not be contrary to the public interest in that the proposed lot will have a width similar to that of other lots in the area;
- 2) Special conditions do exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship in that prior to the adoption of the DDD regulations, the applicant would have been allowed to record the proposed lot without the need for a variance; and
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance by allowing the platting of a new lot that will be similarly configured to other lots in the area.

The Approval is subject to the following conditions:

- 1) Completion of the Subdivision process; and
- 2) Full compliance with all municipal codes and ordinances.

VI. OTHER BUSINESS