

**MINUTES
ZONING BOARD OF ADJUSTMENT
MAY 5, 2015
5:30 P.M.
CITY HALL COUNCIL CHAMBERS**

Present: Allen Harvey, Jim Edgmond, Rochelle Conway, and Larry Wolf.

Excused: Jodi Hansen.

Staff Present: Adam Thompson, Community Development Coordinator
Dave Gobin, Community Development Director
Stephanie Oien, Office Coordinator, Community Development

Chairperson Harvey called the meeting to order at 5:30 p.m.

Minutes:

Minutes from the March 3, 2015, and April 7, 2015, were presented. Edgmond motioned to approve the minutes from both meetings; second by Wolf. All ayes, motion carried.

Appeal Case No. 933, filed by Philip Fitzgerald of 3306 Mulberry Avenue, to construct a 34 x 24 foot garage addition to his home. The proposed structure may encroach on the front and side yard setback requirements by two feet each. The proposed garage addition exceeds the 1,440 square feet of accessory building allowed by City Code 10-19-1 (B)(2). The secondary request does not meet the setback requirements per City Code sections 10-6-3 (A) and 10-20-3 (J). This item was tabled from the April 7, 2015, meeting. Phil Fitzgerald was present to discuss the request. Mr. Fitzgerald explained that he would like additional garage space. He noted that most of his neighbors have a secondary garage. Due to the lot layout, he is unable to have a second garage and needs to add on to the existing. Mr. Fitzgerald believed that he was within the required setbacks but asked for a little extra to make sure he was able to comply if there had to be any layout changes. Harvey asked what the impact the Mulberry Avenue / Houser Street Project would have on the property. Edgmond, who is working on this project with the City, advised that preliminary layouts show Houser Street will move a little further away from the property line. Wolf reminded members that neighbor Larry Pitzer was present at the previous meeting and expressed no concerns. Wolf motioned to approve the request; second by Conway. All ayes, motion carried.

Appeal Case No. 934, filed by Brad Harrison, to construct a garage and four-season room at 904 Eisenhower Street. The proposed addition would be located within the required side yard setback per City Code section 10-6-3(A). Brad Harrison was present to discuss his request. Mr. Harrison explained that his home had a four-season room on the end when he purchased it. This part of the structure had termites which he treated for but ultimately had to remove it. He would like to construct a garage addition with a four-season room off the rear. Edgmond asked where he would access the new garage. Harrison replied off of Eisenhower Street. Harvey asked if the existing garage would remain. Harrison acknowledged that it would. Edgmond questioned if the zero setback would be on the Siegel Street side

of the property. Harrison advised that it would be adjacent to the Siegel Street right-of-way (ROW). Mr. Gobin explained that the unimproved Siegel Street ROW cannot be sold to adjacent property owners as it will land lock another parcel. Gobin added that the neighbor on the opposite side of the ROW at 900 Eisenhower Street has a variance for the same type of request. Edmond asked what the road width was for Siegel Street. Harrison indicated it was 50 feet. Harvey asked if the ROW would be developed by the City at some point. Staff advised there are no plans for development. Mel Gross, 900 Eisenhower Street, stated he had no issues with the proposed garage. Mr. Gross had concerns about the access to the garage. He stated that his driveway dead ends at Eisenhower Street. He does not wish for Mr. Harrison to access the garage by using a portion of his driveway. Harrison indicated that there is limited parking available on Eisenhower and a lot of traffic. He said he was open to suggestions for the driveway access. Edmond noted that the location of the driveway could be dealt with at a permitting level. Staff noted that the only focus of this discussion should be the setback variance. Rick Bierman, 903 Eisenhower Street, stated that he has no problems with the request. Mr. Bierman added that Harrison is a good neighbor and takes care of his property. Edmond motioned to approve the request as submitted; second by Wolf. All ayes, motion carried.

Appeal Case No. 935, filed by Joseph Gadzik of Hyperion Construction, to demolish the existing garage and build a new larger garage connected to the house at 414 West 2nd Street. The proposed garage would maintain the current setbacks of the existing garage. The proposed garage would be located within the required front and side yard setbacks per City Code section 10-6-3(A). Joseph Gadzik of Hyperion Construction was present to discuss the request. Mr. Gadzik indicated that he is the general contractor for the project. He indicated that William and Mary Rankin purchased the home and intend to do extensive renovations. He stated that they would like the garage to be even with the house. Harvey asked if the footprint for the proposed garage would be the same as the existing garage. Gadzik noted that the corner location will be the same, however it will be a little larger and will be connected to the house. Gobin asked if the renovations and construction will maintain the historic aesthetic. Gadzik noted that they intend to maintain the look. They plan to remove the vinyl siding and replace with fiber cement boards. Harvey noted that the existing garage is two story and asked if the new garage would be as well. Gadzik replied that it will be a single story with a walk-out below with the grade. David Meloy, 107 Spruce Street, stated that the planned improvements are better for the neighborhood and he supports the project. Conway motioned to approve the request; second by Wolf. All ayes, motion carried.

Appeal Case No. 936, filed by William Rethamel, to construct an addition to house a cooler on the north side of the building located at 2307 Lucas Street. The proposed addition would be located within the required setbacks per City Code section 10-11-3(A). Bill Rethamel of DW Improvements, general contractor for the project, was present to discuss the request. Mr. Rethamel stated that the new owners are remodeling the building and would like to build an addition for a cooler on the northeast side. He added that the cooler would extend 8 feet from the building. This area was being used by the previous owner to store junk tires, old gas pumps, etc. Edmond asked how far the structure would be set back from the sidewalk. Rethamel replied 5 feet. Edmond asked what the cooler looks like. Rethamel said

he did not know as the owners were purchasing it. Edgmond noted that he would like it to fit architecturally with the building and not just be a metal structure. Rethamel agreed that they could dress it up with siding to make it blend in with the building. Harvey noted that they are addressing the appearance now. Rethamel stated that they will be fixing the parking lot as well. Wolf motioned to approve the request; second by Edgmond with the amendment that the exterior cooler architecturally matches or blends with the existing building. Wolf indicated that he approved the amendment to his original motion. All ayes, motion carried.

Other

Gobin asked to discuss membership. Edgmond gave his resignation, effective immediately. He has accepted the position of City Engineer and will no longer be able to serve. Gobin advised that we have too many members serving on both Zoning Board of Adjustment (ZBA) and the Planning and Zoning Commission (P&Z). Per City Code only two members can serve concurrently. We have four at this time. Conway volunteered to leave ZBA as she preferred to serve on P&Z. Harvey and Wolf both hold officer positions on each board. Both indicated they would continue to serve on both. Hansen had expressed more interest in P&Z with staff in previous discussions. Members, excluding Edgmond, agreed to continue to serve in their current positions until replacements could be found.

Adjourned.

Respectfully Submitted,

ATTEST:

Andrew Fangman, Secretary
City Planner

Allen Harvey
Chairperson