



MINUTES

Board of Zoning and Adjustments Meeting

9:00 AM - Monday, January 27, 2020

Board Chambers, 133 Convention Boulevard

Call to Order

Chairman Dugan called the meeting to order at 9:00 a.m.

Roll Call

Roll Call of the Board of Adjustments and Appeals Members:

Present: Member Brian Gherki, Chairman Michael Dugan, Member Rick Ramick, and Member Harold Hardwick

Not Present: Member Carol Caldwell-Hollingshead

New Business

Chairman Dugan asked Planning Manager, Rick Stauder to present the item. Member Rick Ramick recused himself at this time.

1. ***BZA-20-009 After the Fact Front Yard Setback Request for 203 Starboard Cir.***

Mr. Stauder stated that this is an after the fact variance request on a newly constructed single family residence. The subject property is located at 203 Starboard Circle, which is off of Peninsula in a nice subdivision within the vicinity of Lake Hamilton. Several of the lots in this subdivision have been developed, this is actually a lot and a half, our office did a re platting about a year or so ago, which took this lot and half of an adjoining lot and basically made a lot and a half of it.

The house is about 90 percent complete and as part of the closing process, because we do have a prospective buyer, a survey was done which brought to light an issue with front yard setback, that survey is included in your packet materials. The variance that is needed is approximately 4 feet, however if you will differ to the staff's recommendation, we are recommending approval of this consistent with the survey that was provided and that way we aren't guessing a numbers here.

The applicant presented other information in addition to the survey. He went into the neighborhood and took some back of curb measurements to some of the other neighboring properties and that is shown on Exhibit B in your packet, please note, those aren't measurements from property line, but it is measurements from back of curb. This showed that the 203 property under consideration is not inconsistent with some other developed sites in the neighborhood, therefore we don't believe there will be any sort of compatibility issue from a setback standpoint with others in the neighborhood.

Chairman Dugan asked the applicant to come forward and add to the record. Mr. Jason Taylor comes forward states that Mr. Stauder wrapped it up well. Chairman Dugan then asked if there was any anyone in the audience that would like to speak for or against the request. Mr. Kevin Brownlee, the buyer, came forward to ask the members to please look favorably on the request. Chairman Dugan then asked if there was any discussion among the members. Member Brian Gehrki asked if there were any public calls on this request. Mr. Stauder replied that there were none. Member Brian Gehrki then asked a question on the footage of the variance, to which Mr. Stauder clarified that the Survey Exhibit A in the packet would serve as the variance to be granted. Chairman Dugan asked for clarification on the City not doing any survey work on construction sites, to which Mr. Stauder stated that was correct and that the City has no surveyors on staff and we rely on the developer, when they submit a drawing of construction, that it is an accurate drawing, setbacks are always measured from property line and it's up to them to locate where that property line is and measure from there.

Chairman Dugan then asked for a motion to approve with staff findings and recommendations as presented.

Moved by Harold Hardwick, seconded by Brian Gherki, to approve with staff findings and recommendations as presented.

Carried unanimously

Adjournment

Member Rick Ramick returns to the dias and Chairman Dugan then states with no further business to discuss, I would ask for a motion to adjourn.

Moved by Brian Gherki, seconded by Rick Ramick, to adjourn the meeting.

Carried unanimously



Michael Dugan, Chairman