
**MINUTES OF SPECIAL MEETING
BOARD OF ZONING APPEALS
October 19, 2017, 6:00 P.M.
Neighborhood Empowerment Center - 600 W. Maple Street**

I. ROLL CALL

The meeting was called to order by Chairperson Marcie Alling at 6:08 p.m. Ms. Alling read the BZA introduction. Roll call was taken.

Present: M. Alling J. Quick J. Hovey J. Leaming

Absent: B. McGrain K. Litwiller M. Rice

Staff: S. Stachowiak

A quorum of at least four members was present, allowing voting action to be taken at the meeting.

II APPROVAL OF AGENDA

It was moved by Mr. Hovey, seconded by Mr. Leaming to approve the agenda as printed. On a voice vote, the motion carried 4-0.

III. HEARINGS/ACTION

BZA-4033.17, 3005 Alpha Access Street

Ms. Stachowiak stated that this is a request by Tom Ayres, Fluid Chillers, Inc. for variances to permit an office addition and covered entrance on the front of the building at 3005 Alpha Access Street that would have front yard setbacks of 15 feet and 1.9 feet respectively. Section 1272.06 of the Zoning Ordinance requires a front yard setback of 20 feet in the "G-2" Wholesale district which is the zoning designation of the property at 3005 Alpha Access Street. Variances of 5 feet and 18.1 feet to the front yard setback requirements are therefore, being requested. Staff recommended approval on a finding that the variances are consistent with the practical difficulty criteria of Section 1244.06 (c) and the impact criteria of Section 1244.06 (e), as detailed in the staff report for this application.

Ms. Stachowiak said the practical difficulty in this case involves the shape of the lot at the front property line. Alpha Access Street angles dramatically to the east as it runs from north to south. This causes the existing building to extend into the front yard setback as it runs from north to south. The proposed addition to the office will be directly in line with the existing front wall of the building and the new entranceway will only extend one foot closer to the front property line than the southwest edge of the existing building. Ms. Stachowiak said that neither variance would be necessary if the street did not angle to such a significant degree because the building sits perfectly straight on the lot so the vast majority of it is well outside of the required front yard setback. She said that the angling of the front property line is sufficient to satisfy the uniqueness criterion as it is not common of most lots in the City and presents a true practical difficulty for the applicant in constructing two very reasonable building additions in compliance with the front yard setback.

The public hearing was held on October 12, 2017, at which the applicant, Tim Ayres, Fluid Chillers, Inc., 3005 Alpha Access Street, spoke in favor of the request and no other comments were received. A quorum was not present at this meeting.

Mr. Hovey made a motion, seconded by Mr. Leaming to approve BZA 4033.17 for variances of 5 feet and 18.1 feet to the 20 foot front yard setback requirement to permit an office addition and covered entrance on the front of the building at 3005 Alpha Access Street that would have front

yard setbacks of 15 feet and 1.9 feet respectively, on a finding that the variances would be consistent with the practical difficulty criteria of Section 1244.06 (c) and the impact criteria of Section 1244.06 (e), as detailed in the staff report for this application.

IV. **OLD BUSINESS**- None

V. **PUBLIC COMMENT** - None

VI. **APPROVAL OF MINUTES**

Minutes of regular meeting held on September 14, 2017

Mr. Hovey made a motion, seconded by Mr. Quick to approve the minutes from the September 14, 2017 meeting, as printed. On a voice vote (4-0), the motion carried unanimously.

VII. **NEW BUSINESS** – None

IV. **ADJOURNMENT AT 6:10 P.M.**

Respectfully Submitted,

Susan Stachowiak, Zoning Administrator