

**MINUTES
ZONING BOARD OF ADJUSTMENT
JUNE 2, 2015
5:30 P.M.
CITY HALL COUNCIL CHAMBERS**

Present: Allen Harvey, Jodi Hansen, and Larry Wolf.

Excused: Rochelle Conway.

Staff Present: Andrew Fangman, City Planner
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 May 5, 2015 were presented. Wolf motioned to approve the minutes; second by Harvey. All ayes, motion carried.

Appeal Case No. 937, filed by David Howard of Sign Tronix for Lifetime Dentistry, to install a monument style lighted sign with a LED message center at 2011 Houser Street. Ground signs are not permitted in the R-5 Zoning District per City Code Section 10-19-2 (C). David Howard of Signtronix and Cassie Saylor of Lifetime Dentistry were present to discuss the request. Ms. Saylor noted that Dr. Krystek thought the area was zoned commercial. Fangman explained to the Board that the owners initially looked into rezoning the property and then decided to leave that alone since the current zoning allowed for a clinic. Ms. Saylor asked for an exception to allow a ground sign like other businesses in the area. Wolf asked if the 10 foot setback shown in the appeal meets the requirements. Fangman acknowledged it is. Mr. Howard added that the owners want to use the full color capabilities of the EMC. He explained that the color can be set and the sign could be dimmed by time. He noted that the ground sign would include two stacked signs. The top sign would be 4'x8' monument style lighted sign. A 31"x91" EMC would sit below that. Wolf noted that he would like to see the sign dimmed. Fangman stated that he had received a call from a neighbor who expressed concerns about the brightness of the sign at night. Fangman explained that the codes for the R 1-3 districts require the signs to be turned off from 11 p.m.-7 a.m. City Code is silent in reference to this in the R-5 district. He noted that this is a fairly commercial area and that the issue at hand is the ground sign not the EMC. Wolf asked if the Board would regulate the sign message. Fangman replied that the sign message is restricted to on-site advertising only. Wolf motioned to approve the request with the proviso that the sign be turned off from 11 p.m.-7 a.m.; second by Harvey. All ayes, motion carried.

Appeal Case No. 938, filed by Peggy Gordon of 802 Wier Street, to demolish a 20'x20' garage and construct a 20'x23' garage at the same location. The proposed structure will not meet the setback requirements defined in City Code Section 10-6-3 (A). Peggy Gordon, 802 Wier Street, was present to discuss her request. Ms. Gordon shared additional photos of the condition of the existing garage. She

noted the foundation is in very poor condition. She added that they do not wish to change the width from the existing garage; only extend the depth by three feet. Harvey asked if there had been any feedback from the owners at 723 Sunrise Circle (backyard). Ms. Gordon stated she spoke with the owner and he had no complaints. Fangman questioned why they chose to extend 3' back versus 3' forward. Ms. Gordon replied that it causes additional parking issues. Joe Van Zandt, contractor for the job, explained that they needed to remain 10' away from the house or additional setback requirements would apply. Wolf motioned to approve the request as submitted; second by Hansen. All ayes, motion carried.

Appeal Case No. 939, filed by Jason Harder of 2004 Crestline Drive, to construct a 38'x16' pool house. The proposed structure will exceed the square footage allowed for accessory buildings on a property by City Code Section 10-19-1 (B) (2).

Jason Harder, 2004 Crestline Drive, was present to discuss his request. Mr. Harder stated that he was not aware that the 1,440 square foot restriction counted even with a large lot. He explained that with his existing garage he is about 104 square feet over the limit. Harvey asked if he had to the neighbor adjacent to the proposed building. Harder replied that he had spoken with them and they have no issues. Harvey questioned what the side yard setback would be. Harder responded that it would be 4 ½ feet. He added that if he has to he would shrink the building 6' if needed to fully comply. Harvey asked for clarification as to what the white line was on the site plan. Harder stated it was a 6' vinyl privacy fence set approximately 2' inside the property line. Harvey asked if he would remove the existing shed if the variance was not approved. Harder answered that he would leave the shed and shrink the building. He added that the shed provides privacy to the north. The neighbors to the north are not as enthusiastic about the pool. Gobin asked if the exteriors of the shed and pool house could be made to match the house. Harder replied that it will be difficult to do so as the house was constructed with the 1950s era orange brick. He explained that the house is not fully brick anymore as removed brick from the rear to put across the front of the garage addition. He added that the pool house will have 9' sidewalls to match the house. There will also be three glass garage doors installed. Hansen asked what he was expecting for construction time. Harder replied that the project will be done pieces in an effort to be more courteous to neighbors. Hansen asked in the placement of the fence behind the pool house leaves room to get leaves and mow. Harder stated there was 2 ½' of clearance for maintenance. Harvey asked how drainage would be handled. Harder replied that he will install a trench drain to collect water and direct to the front of the property that will eventually discharge to the street. Hansen motioned to approve the request; second by Wolf. All ayes, motion carried.

Adjourned.

Respectfully Submitted,

ATTEST:

Andrew Fangman, Secretary
City Planner

Allen Harvey
Chairperson