

BOARD OF ZONING APPEALS

MINUTES

July 2, 2019

Members Present: Glynn Marsh
John Bruns

Mayor O'Callaghan

City Staff Members Present: John P. Applegate

Mr. Marsh called the Board of Zoning Appeals meeting to order. Attendance was taken and Mrs. Thomas-Roth had called in and was not able to attend the meeting.

1. Mr. Marsh asked if there were any corrections or additions to the minutes from the April 2, 2019 meeting. There were no comments or corrections so Mayor O'Callaghan moved that the minutes be accepted as prepared. Mr. Bruns seconded the motion. All board members voted in favor of the motion. The minutes were adopted.

2. 19-04 – Request from James and Denise Tomlinson residing at 100 Springhouse Drive for a variance to the rear yard setback requirement.

Mr. Applegate introduced Mr. Tomlinson, the owner of 100 Springhouse Drive. Mr. Applegate said this was a request for a variance in the thirty foot requirement, asking for locating their structure thirteen feet from the set back. The house sets west of the retention pond.

Mr. Applegate said the staff has reviewed the application, talked to Mr. Tomlinson, and are in approval of the application if the Board of Zoning Appeals Board sees fit to approve it.

Mr. Tomlinson wanted to add that they were putting in the deck to have something to do in their rear yard. He said the yard was very steep and acted as a drain into the pond. Mr. Tomlinson said his property backs up to the home owner's association ground so he also needed to get approval from them. He had received their approval and had asked for two of the board members to accompany him to the

meeting in case there were additional questions from the Board of Zoning Appeals.

Mr. Marsh asked if his neighbors had any objections to the project and Mr. Tomlinson said there were no neighbors on that side.

Mr. Applegate said that this was a corner lot which also reduced the amount of a rear yard because all sides along a street are considered as a front yard. He said that the staff recommends approval of the variance.

Mr. Bruns moved that the application for a variance in the thirty foot setback requirement be approved to seventeen feet. Mayor O'Callaghan seconded the motion. All concurred and the motion was passed. The variance was granted for a reduction in the required thirty foot rear yard setback to seventeen feet.

Mr. Applegate told Mr. Tomlinson that he would be good to go and that they would get a letter out to him. Mr. Tomlinson said he would be getting with Mr. Switzer, the building/zoning inspector after the Fourth of July holiday.

3. Open Agenda

There was nothing for the open agenda.

4. Mayor O'Callaghan moved that the Board of Zoning Appeals meeting be adjourned. Mr. Bruns seconded the motion. All concurred and the meeting was adjourned.

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Mr. Applegate asked Mr. Dungan if he had a copy of the covenants for Stoney Crest South and he did not. Mr. Applegate gave him a copy.

4. 19-03 - Application for a variance submitted by Josh Dungan of Josh Dungan Homes on behalf of Gregory and Denise Palmer to reduce the current setback of 100 feet from the right of way to 50 feet for Lot 6, Stoney Crest South, 900 Old Springfield Road.

Mr. Bruns moved to grant a variance of 50 feet for Lot 6, Stoney Crest South, 900 Old Springfield Road. Mr. O'Callaghan seconded the motion. All concurred and the variance was granted.

5. Open Agenda

There was nothing for the open agenda.

6. Mayor O'Callaghan moved that the meeting be adjourned. Mr. Bruns seconded the motion. All concurred and the Board of Zoning Appeals meeting was adjourned.