

AGENDA

**BOARD OF ZONING APPEALS
JUNE 19, 2007**

**COUNCIL CHAMBERS
7:30 P.M.**

CALL TO ORDER

ROLL CALL – EXCUSE ABSENT MEMBERS IF NECESSARY

ITEM #1 – APPROVAL OF MINUTES – MEETING OF MAY 15, 2007

RENEWAL ITEMS

ITEM #2 – VARIANCE RENEWAL. MNAD PROPERTY II LLC, 3236 ROCHESTER ROAD, for relief of the 6' high masonry-screening wall required along the south property line where non-residential property abuts residential zoning.

POSTPONED ITEMS

ITEM #3 – VARIANCE REQUEST. RANDALL A. WHINNERY, 2078 TUSCANY, for relief of the Ordinance to construct an addition on the rear of an existing residence that will result in a 29' rear yard setback where Section 30.10.05 requires a 40' minimum rear yard setback in R-1D Zoning Districts.

PUBLIC HEARINGS

ITEM #4 – VARIANCE REQUEST. MR. & MRS. MICHAEL LARCH, 91 BILTMORE, for relief of the Zoning Ordinance to construct a detached garage that will result in a 3' setback from the west property line.

AGENDA EXPLANATION

BOARD OF ZONING APPEALS

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2. MNAD Property LLC, 3236 Rochester Road. Petitioner is requesting renewal of relief of a six-foot high screening wall required by Section 39.10.01 along the south property line where the property abuts residentially zoned land. The variance was originally granted in 1968 and annually renewed for a number of years. In 1994 it was reported to the Board of Zoning Appeals that the variance was no longer necessary. A review of the records indicates that was not the case. The petitioner is asking that the original variance be renewed on the property.

3. Randall Whinnery, 2078 Tuscany. Petitioner is requesting relief of the Ordinance to construct an addition on the rear of his existing home. The site plan submitted indicates the addition will result in a 29' rear yard setback. Section 30.10.05 requires a 40' minimum rear yard setback in R-1D Zoning Districts.

This item first appeared before this Board at the meeting of April 17, 2007 and was postponed to this meeting to allow the petitioner the opportunity to explore alternate possibilities. This item again appeared at the meeting of May 15, 2007 and was postponed to allow the petitioner the opportunity to be present.

4. Mr. & Mrs. Michael Larch, 91 Biltmore. Petitioner is requesting relief of the Ordinance to construct a detached garage. The site plan submitted indicates the construction of a detached garage with a setback of 3' from the west property line. Section 40.56.02 (D) requires a 6' minimum setback to any side or rear property line.