

AGENDA

BOARD OF ZONING APPEALS FEBRUARY 17, 2004

COUNCIL CHAMBERS 7:30 P.M.

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES – MEETING OF JANUARY 20, 2004

RENEWAL ITEMS

ITEM #2 – APPROVAL OF ITEM #3

ITEM #3 – RENEWAL REQUESTED. VFW POST, 2375 E. MAPLE, for relief to maintain an existing legal non-conforming use building and relief of the 4'-6" high masonry wall required adjacent to off-street parking.

SUGGESTED RESOLUTION. MOVED, to grant VFW Post, 2375 E. Maple, a three (3) year renewal of relief to maintain an existing legal non-conforming use building and relief of the 4'-6" high masonry wall required adjacent to off-street parking.

POSTPONED ITEMS

ITEM #4 – VARIANCE REQUESTED. STEPHAN SLAVIK, 2949 VINEYARDS DR., for relief to construct a new, enclosed swimming pool addition on the rear of the existing home. This addition would result in an 18' rear yard setback where Section 30.10.01 requires a 45' rear yard setback in R-1A Zoning Districts.

ITEM #5 – VARIANCE REQUESTED. A.J. BOWMAN, 5615 JOHN R., for relief of the Zoning Ordinance to construct a detached garage resulting in a 9.4' front yard setback to the south property line along Abbotsford where Section 30.10.04 requires a 30' minimum front yard setback in R-1C Zoning District.

PUBLIC HEARINGS

ITEM #6 – VARIANCE REQUESTED. MR. & MRS. GHASSAN NASRALLAH, 3794 MARK DR., for relief to convert a screened-in patio to an enclosed four-season room resulting in a rear yard setback of 22' where Section 34.20.03 of the Ordinance requires a 35' minimum rear yard setback in R-1C zoning in subdivisions utilizing the open space option.

ITEM #7 – VARIANCE REQUESTED. MATHIAS WARMBRUNN, 4551 MILL POND, for relief to construct a family room addition resulting in a rear yard setback of 35.1' where Section 30.10.04 of the Zoning Ordinance requires a 40' minimum rear yard setback in R-1C Zoning Districts.

AGENDA EXPLANATION

BOARD OF ZONING APPEALS

FEBRUARY 17, 2004

2. RESOLVED, that Item #3 is hereby approved in accordance with the suggested resolutions printed in the Agenda Explanation.

Motion by
Supported by

3. VFW Post, 2375 E. Maple. Petitioner is requesting renewal of relief granted by this Board since 1969, to maintain a non-conforming building and use, and relief of the 4'-6" high masonry wall required at their off-street parking area. The use and structure are non-conforming in that they are located in a residential zoned district. The petitioner is requesting to continue use of the structure as well as relief of the wall required at their off-street parking area. This item last appeared before this Board at the meeting of February 2001 and was granted a three (3) year renewal at that time. We have no complaints or objections on file.

SUGGESTED RESOLUTION. MOVED, to grant VFW Post, 2375 E. Maple, a three (3) year renewal of relief to maintain a non-conforming building and use, and relief of the 4'-6" high masonry wall required at their off-street parking area.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.

4. Stephan Slavik, 2949 Vineyards Dr. Petitioner is requesting relief of the Zoning Ordinance to construct a new, enclosed swimming pool addition on the rear of the existing home. The site plan submitted indicates the addition will result in an 18' rear yard setback to the south property line. Section 30.10.01 requires a 45' rear yard setback in R-1A Zoning Districts.

This item last appeared before this Board at the meeting of January 20, 2004 and was postponed to allow the petitioner the opportunity of a full Board. The Building Department is in receipt of a letter from Mr. Slavik requesting postponement until the meeting of March 16, 2004, a copy of which is included in your packets.

5. A.J. Bowman, 5615 John R. Petitioner is requesting relief of the Zoning Ordinance to construct a detached garage. This lot is a double front corner lot. As such, it has front yard setbacks along both John R. and Abbotsford. Section 30.10.04 requires a 30' minimum front yard setback in R-1C Zoning Districts. The site plan submitted indicates a 9.4' front yard setback from the proposed garage to the south property line along Abbotsford.

This item last appeared before this Board at the meeting of January 20, 2004 and was postponed to allow the petitioner the opportunity to be present.

AGENDA EXPLANATION

BOARD OF ZONING APPEALS

FEBRUARY 17, 2004

6. Mr. & Mrs. Ghassan Nasrallah, 3794 Mark. Petitioner is requesting relief to convert a screened-in patio to an enclosed four-season room. The site plan submitted indicates that the proposed four-season room will result in a rear yard setback of 22'. Section 34.20.03 of the Ordinance requires a 35' minimum rear yard setback in R-1C zoning in subdivisions developed utilizing the open space option.

The Board of Zoning Appeals granted approval for the reduced setback for a screen porch on August 16, 1988. Approval is now requested for conversion of this space to a fully enclosed room. A copy of the minutes from the August 16, 1988 meeting is enclosed for your reference.

7. Mathias Warmbrunn, 4551 Mill Pond. Petitioner is requesting relief of the rear yard setback to construct a family room addition. The site plan submitted indicates a proposed family room addition, which will result in a 35.1' rear yard setback. Section 30.10.04 of the Zoning Ordinance requires a 40' minimum rear yard setback in R-1C Zoning Districts.