

**AGENDA**

**BOARD OF ZONING APPEALS  
JANUARY 15, 2002**

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

**CALL TO ORDER**

**ROLL CALL**

**ITEM #1 – APPROVAL OF MINUTES – MEETING OF DECEMBER 18, 2001**

**POSTPONED HEARINGS**

**ITEM #2 – RENEWAL REQUESTED. SIEMENS AUTOMOTIVE, 4685 INVESTMENT DR.**, for relief of the Zoning Ordinance to maintain a 3'6" high landscaped berm along the west side of 4685 Investment, where a 6' high decorative masonry screen wall is required.

**ITEM #3 – VARIANCE REQUESTED. MR. & MRS. THOMAS GORMAN, 3811 EASTBOURNE**, for relief of the rear yard setback to construct a master bedroom addition.

**PUBLIC HEARINGS**

**ITEM #4 – VARIANCE REQUESTED. MR. JOHN ALEXANDER, 2629 CREEKBEND**, for relief of the front yard setback to construct a den addition.

**ITEM #5 – VARIANCE REQUESTED. DAVID DONNELLON, REPRESENTING Mr. VINCE PASSALACQUA, 1477 JOHN R.**, for relief of the front yard setback to construct an outdoor dining area.

## AGENDA EXPLANATION

### BOARD OF ZONING APPEALS

JANUARY 15, 2002

2. Siemens Automotive, 4685 Investment Dr. Petitioner is requesting renewal of a variance granted by this Board for relief to maintain a 3'6" high landscaped berm along the west side of the site where a 6' high decorative masonry screen wall is required. This item last appeared before the Board at the meeting of December 2000 and was granted a one (1) year variance to allow the petitioner to add additional plantings and to allow the residents to determine if the additional plantings would provide the extra screening requested. The Building Department has received notice from the Parks and Recreation Department stating that they feel that the extra plantings far exceed the requirements of the residents. To date, conditions remain the same and there are no complaints or objections on file.

This item first appeared before the Board at the meeting of December 18, 2001, and was postponed until the meeting of January 15, 2002, to allow the petitioner the opportunity to be present.

3. Mr. & Mrs. Thomas Gorman, 3811 Eastbourne. Petitioners are requesting relief of the Zoning Ordinance regarding the rear yard setback to construct an addition to their home. The site plan submitted indicates that the proposed master bedroom addition would result in a 30.19' rear yard setback. Section 30.10.02 of the Zoning Ordinance requires a 45' minimum rear yard setback in the R-1B Zoning District.

This item first appeared before this Board at the meeting of December 18, 2001 and was postponed until the meeting of January 15, 2002 to allow the petitioners the opportunity to determine what other options are available and to explore the possibility of adding on to his home on the north side of the property.

New plans have now been submitted to the Building Department. The new plans reduce the depth of the addition to 13.5 feet to the back wall and 15.5 feet to the fireplace. This revises the request for variance to a request for a 36.69' rear yard where 45' is required. Since the original public hearing notices advertised a 30.19' rear yard no additional notices would be required.

4. Mr. John Alexander, 2629 Creekbend. Petitioner is requesting relief of the front yard setback to construct a den addition. This property is located at the cul-de-sac at the end of Creekbend. The property is located in a subdivision that utilized the Open Space Option as part of its design. As such the lots are slightly smaller and the setbacks are reduced from the standard R-1A Zoning requirements. The site plan submitted indicates construction of a den addition with a proposed front setback of 31'-1" to the front corner of the addition. Section 34.20.03 requires a 35' minimum front yard setback in this R-1A – open space subdivision.

5. David Donnellson, representing Mr. Vince Passalacqua, 1477 John R. Petitioner is requesting relief of Section 22.30.06 to construct structures for the outdoor dining area with a front yard setback of 14' where a 40' front yard setback is required by Section 30.20.06. The petitioner is proposing to construct an outdoor dining area in front of an existing restaurant. The dining area includes a covered pavilion, gazebos and an enclosure wall around the dining area. Section 22.30.06 of the Zoning Ordinance requires that structures, built as part of an outdoor dining area, comply with the setback requirements of the district in which they are located. Section 30.20.06 requires a 40' front setback in the B-3 (General Business) Zoning District. The proposed structures are located within 14' of the front property line.

Petitioner is also requesting relief of Paragraph L of Section 31.30.00 at 1419 John R., to have parking within 46' of the front property line where a 50' front yard, free of parking, is required. The petitioner applied for and received approval from City Council to have some of his required parking on the adjacent, industrially zoned, parcel to the south. In order to implement this required parking the petitioner needs to expand the parking lot. This expansion of the parking lot will result in the parking lot being located 46' from the front property line along John R. Paragraph L of Section 31.30.00 of the Zoning Ordinance requires that the 50' front yard setback required in the M-1 (Light Industrial) Zoning District be kept free of parking and maneuvering lanes.