



Board of Zoning Appeals
Board Meeting

Minutes

July 19, 2017
5:30 PM

CALL TO ORDER

Attendee Name	Title	Status
Michael Percy	Vice-Chairman	Present
Christopher Menapace	Chairman	Present
Mary-Anne Pomputius	Member	Present
Steve Rhoades	Member	Excused
Todd Burson	Alt. Member	Excused
Phil Herald	Member	Present
Jim Sulzer	Alt. Member	Present

Others in attendance: Jack Black; Lacie Blankenhorn, Development Services Manager; P. Rob. Broeren, Law Director; Chuck Martin, Mount Vernon News

MINUTES APPROVAL

- Board of Zoning Appeals - Special Meeting - May 31, 2017 5:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Michael Percy, Vice-Chairman
SECONDER:	Mary-Anne Pomputius, Member
AYES:	Percy, Menapace, Pomputius, Herald, Sulzer
EXCUSED:	Rhoades, Burson

BZA FILES

- 2017-BZA-10 : Belmont Avenue, 1 - Variance for Side Yard Setbacks

Jack Black (sworn in) - testified about his request to build a carport on the East side of his house at 1 Belmont Avenue. The carport will provide a place to park his vehicle under roof. He is in the process of remodeling and will have a door out of his new kitchen that would open to the proposed carport. Mr. Black provided plot maps (a survey) to the Board at the meeting (Exhibit 1). Mr. Black also provided 3 photos to the Board for reference (Exhibits 2, 3, 4). The request is for 18 feet from the side of the house. The house is not parallel with the property line. The front of the house is 23.3' from the property line and at the North end it is 21.9'. Surveyor Tracy & Mills is coming back to reevaluate because Mr. Black believes it should be 22 feet.

Chris Menapace - asked about the railroad ties that are buried near the property line and about a pickup truck that was parked on top of the ties when he visited the property. Mr. Menapace asked if the plan was to build a carport that would be large enough to park 2 vehicles side by side. **Mr. Black** said no, the carport will not be wide enough to park 2 vehicles side by side. The proposed carport could accommodate 2 vehicles lengthwise, depending on their length. Mr. Menapace asked about the pole, show in Exhibit 2. It was confirmed, that is the property line marker.

Michael Percy - questioned if the proposed carport is defined as an accessory building or a principal building. Law Director, **Rob Broeren**, referenced Chapter 1152.01 (1) Accessory Building or Use. It was concluded the proposed carport is an accessory building or use, making the setback 5 feet. Since the structure is not square with the lot, the side setback would be conforming in the front with an increasing encroachment toward the rear of the structure, culminating at 3.9 feet from the property line or a 15" variance.

Mr. Menapace - asked about the type of building materials that would be used to construct the carport. Will it look like the front porch that was just built? Will the roof be shingled?

Mr. Black - responded, yes. It's going to have a pitched roof that will probably be dropped down about a foot. It will be shingled. The ends will be open. His understanding is that a carport has to be open on 2 sides. The neighbor's privacy fence is 39" off the property line. The railroad ties are on Mr. Black's property.

Mr. Menapace - asked for any additional testimony, written or otherwise, in support or against the request. There was none. There was a brief discussion about the size of the lots in the area and how they do not meet current codes standards, limiting building area.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Michael Percy, Vice-Chairman
SECONDER:	Phil Herald, Member
AYES:	Percy, Menapace, Pomputius, Herald, Sulzer
EXCUSED:	Rhoades, Burson

ADJOURN