

BOARD OF ZONING APPEALS

MINUTES

August 13, 2013

Members Present:	Lynne Thomas-Roth John Bruns	Mayor O'Callaghan Glynn Marsh
City Staff Members Present:	John Applegate	Denise Winemiller

Mrs. Thomas-Roth called the Board of Zoning Appeals meeting to order on August 13, 2013.

Attendance was taken and Mrs. Thomas-Roth, Mr. Bruns, Mr. Marsh, and Mayor O'Callaghan were present.

1. Minutes of the September 4, 2012 meeting.

Mrs. Thomas-Roth asked if there were any corrections or additions of the minutes from the September 4, 2012 meeting. There were no comments so Mr. Bruns moved that the minutes be accepted as prepared. Mayor O'Callaghan seconded the motion. Mr. Marsh abstained and the other zoning board members voted in favor of the motion. The September 4, 2012 minutes were accepted as prepared.

2. 13-01 - Zoning Variance request for Section 1145.12 (g) Height Regulations for buildings for future development on the corner of Jackson Road and the new Dog Leg Road Extension on property zoned Light Industrial. This variance is requested by property owners Lewis Thomas Hellard and Linda Hellard, Barbara J. Deal and Richard B. Deal, Don Thies of Water Wheel Farm Inc. and Richard and Debra Thies on behalf of ATA Beilharz Architects who is representing Prologis Services, Inc.

Since the developer is not the owner of the property, the architect, on behalf of ProLogis, the developer, sent the city variance applications in each of the property owners' names. Mr. Applegate said the request is coming from the property owners but everyone wants this, including Union, Montgomery County, and the Montgomery County Transportation Improvement District because of the potential jobs available with this project.

Mr. Applegate said in addition to the request to allow a maximum of fifty feet height for a building rather than forty feet, they might need to consider a special exception request concerning parking and a change in the size of parking spaces. Mr. Applegate said as the project progresses they will know more but the city has in the past granted special exceptions on parking spaces. For now, they just want to deal with the variance request on the height of buildings.

Mr. Applegate said that the staff recommends that the Board of Zoning Appeals look favorably on this variance request.

Mr. Marsh asked Mr. Applegate to show him the location where this project would be located on the wall map so Mr. Applegate showed the board where each parcel was located for each application.

There were questions about the extension of Dog Leg Road and that will follow the section line, going up the east property line of the parcels.

Mr. Applegate said they were hoping that the road would stay on the section line. They had shifted the road to line up with Montgomery County Line Road and Mr. Applegate showed the Board the proposed path of the new road. There was still a discussion on what the road would be named and Mr. Applegate said they wanted to call it Logistics Airpark Road.

Mrs. Thomas-Roth asked if anyone was unhappy. Mr. Applegate said there were several people that owned homes in the area and some vacant properties. He said there were some people that opposed annexation and opposed zoning changes.

Mr. Marsh asked if there were any problems with the airport concerning the increase of the height of the buildings. Mr. Applegate said there were no problems, and they had checked that out.

Mr. Bruns asked if there should be a blanket change for the entire Light Industrial zoning and Mr. Applegate said there were some light industrial zoned areas on Shaw and various places, sometimes close to housing developments so he thought it was better to do it in a case by case basis so what was approved would still look like it would fit in the surrounding area.

Mr. Applegate said this first project would be an anchor and that this could start attracting other businesses.

The key was the number of jobs, over 1000, and that Montgomery County wanted strategic industrial development around the airport because there is just a need for more jobs in the area. Mr. Marsh asked if they would be full time jobs and Mr. Applegate said that is what he had been told.

Mr. Bruns moved that the variance be granted. Mr. O'Callaghan seconded the motion. All concurred and the request for a variance in the height regulations was approved.

3. Open Agenda

In the open agenda, Mr. Applegate said Ryan Homes now had the exclusive rights to Stoney Crest Development and were building their first model home. He said that they had two or three more homes sold already even before the model had been finished. Mr. Bruns asked how the Ryan homes compared to the existing Stoney Crest homes and Mr. Applegate said it was a large home with overhangs and was not a step down. There is an area of Stoney Crest by Frederick which was always planned to have smaller homes and that is where these will be going. Ryan Homes wanted the homes to look good and were willing to comply with all of the square footage and other requirements and Mr. Applegate said you couldn't ask for any more than that.

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Several lots have been purchased by Harlow Builders in Concord Meadows and Mr. Applegate said there are other activities occurring which are still in the planning stages right now.

4. Adjourn

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.