

BOARD OF ZONING APPEALS

MINUTES

April 3, 2018

Members Present: Lynne Thomas Roth Glynn Marsh
 John Bruns Mayor O'Callaghan

City Staff Members

Present: John Applegate
 Denise Winemiller

Mrs. Thomas-Roth called the Board of Zoning Appeals meeting to order. Attendance was taken and all of the board members were present.

1. Mrs. Thomas-Roth asked if there were any corrections or additions to the minutes from the March 20, 2018 meeting. There were no comments or corrections so Mr. Bruns moved that the minutes be accepted as prepared. Mr. Marsh seconded the motion. All board members voted in favor of the motion. The minutes were adopted.

2. 18-01 - Application for a variance requested by Amy Kincer and Lindsay Shepherd for 904 Old Springfield Road, to build closer to the property line than the 100 feet setback to be further from the natural spring that runs through the property.

This matter was tabled from the last two Board of Zoning Appeals meetings.

Mr. Applegate said to update everyone, Mr. Neff, the potential builder for the house for 904 Old Springfield said he would get with a surveyor to get the lot surveyed. Mr. Applegate said he met with Mr. Neff last Monday and they were able

to locate the existing property pins. Mr. Applegate said Old Springfield Road is located to the north of the right of way. The pins for the 100 foot setback would put the house in the middle of the creek. Mr. Applegate said there were flags set from Ms. Kinser, the property owner, where they wanted to start the house.

The builder, Mike Neff has located existing property pins and the road right of way. The distance from the road right of way to the flag was 31 feet as marked where Ms. Kinser wanted to start and at 41 feet where the Newsed's marked.

In looking at what would work to build on the lot, with the size of house, Mr. Applegate had suggested that they split the difference.

Mr. Applegate said that the original application submitted was asking for a setback of 35 feet, so that would mean a variance of 65 feet would be granted. Mr. Applegate said the right of way line was not where they had expected and if the city does not grant a setback variance, there would be no way a house could be built on the first two lots.

Mr. Applegate said that he, the mayor, and vice-mayor had gone to the properties and looked at the lot and the creek.

Mr. Applegate said this variance, if granted, would only be for this one lot. Mr. Applegate said if any other lot owners along Old Springfield Road wanted a variance, they would have to start the whole process again.

Mr. Bruns clarified that the Board of Zoning Appeals would be granting a variance of 65 feet, with a building setback of 35 feet from the road right of way.

Mr. Applegate said he recommended the approval of the application.

Mr. Bruns moved to grant a variance of 65 feet, with a setback of 35 feet from the road right of way for 904 Old Springfield Road. Mrs. Thomas-Roth seconded the motion. All concurred and the motion was passed.

Mr. Applegate thanked everyone for their patience on getting this worked out and thanked Mr. Newsed.

He said that an official letter of the approval would be sent to Ms. Kincer and Ms. Shepherd for their file. He said in the future, they would need to have a site plan, deed, and other items and Mr. Neff, the builder agreed.

3. Open Agenda

There was nothing for the open agenda.

4. Mr. Bruns moved that the meeting be adjourned. Mr. Marsh seconded the motion. All concurred and the Board of Zoning Appeals meeting was adjourned.