

Board of Zoning Appeals

Minutes

May 14, 2019

Members present: John Golzy (Chairperson), Edward Baum, Lisa Carson, John Gutekanst, Aaron Thomas (alternate).

City officials present: Lance Allison (Zoning Administrator), Paul Eschenbacher (secretary).

The meeting was called to order at 7:03pm in City Council Chambers, third floor of City Hall. The Chairperson noted that, with the absence of one Board member, Mr. Thomas would be a voting member of the Board for this meeting. The Chairperson introduced a video about the policies and procedures of the Board. The Chairperson then swore in, under oath, those intending to give testimony.

Case #19-04V 115 Carriage Hill Drive Zone R-3 RVC Architects, appellants

Appellant is requesting a variance from ACC 23.10, Table B, Off-Street Parking Requirements, to allow construction of a clubhouse building to an apartment complex with 468 parking spaces where 856 parking spaces are the minimum requirement.

The Chairperson called on the secretary to testify.

The secretary said that the apartment complex has lost one building and 30 apartments to a fire. He noted that, with this change [as per ACC 23.06.02(A)] from an apartment building to a clubhouse, the owners would have to come into compliance with parking regulations.

The Chairperson called on the appellant to testify.

Jeremy Biddinger (RVC Architects) addressed the Board. Mr. Biddinger said the project would not add to the parking load. He added that creating parking on site would be difficult because of the slope of the property and little open space available. Mr. Biddinger said that there had been no parking problems before at this complex, and that there is always ample parking.

Mr. Baum asked how many bedrooms there are in the complex. The secretary said that there was 856 bedrooms.

Mr. Biddinger said that the new building will not be as big as the previous apartment building, and that they will not be taking open space. He indicated that the rental office would move into the new building, and that there would be a small fitness center, a study room, and a laundry. Mr. Biddinger said that Housing and Urban Development (HUD) guidelines require that the laundry be rebuilt.

The Chairperson asked if other areas are to be renovated. Mr. Biddinger said that there is deferred maintenance to do. The Chairperson asked if the clubhouse would be just for the residents. Mr. Biddinger said that it would be. The Chairperson asked if there would be a rent increase. Mr. Biddinger said that there would not be an increase. The Chairperson asked if there

would be dedicated parking spaces for the clubhouse. Mr. Biddinger said that the parking spaces from the destroyed building are still there, and that they would add a handicapped parking space.

Mr. Gutekanst asked about new vehicles parked at the complex. Mr. Biddinger said that they are e-cars put there by management for their use.

The Chairperson asked if any other area apartment complexes have similar variances. The secretary noted that Summit at Coates Run Apartments (363 Richland Avenue) has a variance for fewer parking spaces, and that some of those are smaller than regulation requirements.

The Chairperson said that this case falls under rules that should be changed to specify what changes are necessary to require a variance.

On a motion by Mr. Baum, seconded by Ms. Carson, the Board moved to grant to the property at 115 Carriage Hill Drive, a variance from ACC 23.10, Table B, Off-Street Parking Requirements, to allow construction of a clubhouse building to an apartment complex with 468 parking spaces where 856 parking spaces are the minimum requirement.

The Chairperson moved that the Board suspend going through the findings and go straight to voting, seconded by Mr. Thomas. The Board voted 5-0 to suspend going through the findings.

The Chairperson called for a vote: Yes – Baum, Carson, Golzy, Gutekanst, Thomas. No – no one. Motion approved 5-0; variance granted.

OTHER BUSINESS:

--*Disposition of minutes from March 12, 2019.* On a motion by Mr. Baum, seconded by Mr. Gutekanst, the Board voted to approve the minutes of March 12, 2019 as presented 4-0.

The meeting was adjourned at 7:25pm.

John Golzy, Chairperson

Paul Eschenbacher, secretary