

Board of Zoning Appeals

Minutes

January 12, 2021

Members present: John Golzy (Chairperson), Lisa Carson, Joe Krause, Kay Tousley, Robert Delach (voting alternate).

City officials present: David Riggs (Zoning Administrator), Kerri Yake (BZA Secretary), and The Government Channel

The meeting was called to order at 7:03 online as an Internet Conference. The Chairperson then read a statement about the policies and procedures of the Board. He then swore in, under oath, those intending to give testimony.

Case #20-16V 5 Ring Street Zone: R-1 Michael Rinaldi-Eichenberg

Appellant is requesting a variance from ACC 23.10.01 Table A Bulk Controls to allow a front setback of twenty-one (21) feet, where twenty-five (25) feet is required to build an Accessory Structure. The property is a small lot with a triangular shape. Due to the size and shape of the lot, the Appellant would place the garage as far from the road as possible in a space that makes sense.

The Chairperson called on Zoning Administrator to testify.

Zoning Administrator responded with the current property, 5 Ring Street, is a small triangular lot requesting a variance on placement of garage with a front setback of twenty-one (21) feet due to size, shape, and slope of lot, where twenty-five (25) feet is required.

The Chairperson called on the Appellant, Mr. Rinaldi-Eichenberg to state case.

Appellant explained he would like to build a small garage. Due to the limitations of the lot, slope, and triangle shape, he stated the placement of garage with any distance from the road is as indicated.

Chairperson asked the Zoning Administrator if the gravel driveway was acceptable.

Mr. Riggs mentioned that the apron needs to be concrete and behind the apron, we ask that it be concrete or asphalt driveway.

Chairperson called for questions or discussions from the Board or the Appellant.

There were none from the Board.

The Appellant explained he would like to park car in a garage and feels that the garage is being placed in the best possible place on the lot. He also mentioned that it would be a one (1) car garage.

Chairperson called on anyone that would like to speak in favor, general or opposition of the project.

Ms. Ally Rapp-Lee called in to speak in favor of the Appellant building a garage and the placement on the lot.

Mr. Golzy closed the floor to discussion.

On a motion by Ms. Tousley, seconded by Mr. Delach , the Board moved to grant the property at 5 Ring Street a variance from ACC 23.10.01 Table A Bulk Controls to allow a front setback of twenty-one (21) feet, where twenty-five (25) feet is required to build an Accessory Structure. The property is a small lot with a triangular shape. Due to the size and shape of the lot, the Appellant would place the garage as far from the road as possible in a space that makes sense.

Findings:

- 1.) **Exceptional Circumstances:** Property shape and size.
- 2.) **HARDSHIP AND DIFFICULTY:** Not unreasonable for need of garage.
- 3.) **PRESERVATION OF EQUAL PROPERTY RIGHTS:** No additional privilege will be given the appellant.
- 4.) **MINIMUM VARIANCE:** Yes, asking for minimal size garage.
- 5.) **ABSENCE OF DETRIMENT:** Yes.
- 6.) **NOT OF A GENERAL NATURE:** Yes.

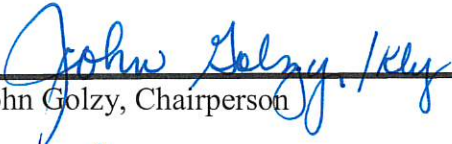

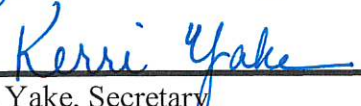

The Chairperson called for a vote: Yes - Delach, Yes – Carson, Yes - Tousley, Yes – Krause, Yes – Golzy. Motion approved 5-0; variance granted.

OTHER BUSINESS:

--Disposition of minutes from December 08, 2020 meeting. On a motion from Ms. Carson, seconded by Mr. Krause, the Board moved to accept the minutes of the December 08, 2020 meeting as presented.

--Organization meeting. The Chairperson reminded the Board that the February meeting will include an organizational meeting to elect or re-elect a Chairperson, and if any Board members are interested in the position, to let him or the secretary know.

The meeting was adjourned at 7:22.

 John Golzy, Chairperson	 Date
 Kerri Yake, Secretary	 Date