

BOARD OF ZONING APPEALS

MARCH 11, 2013

The meeting was called to order at 5:30 p.m. by Chairperson Becky Williams. Board members present were: Jason Decker, Eric Nicely, Jonathan Smith, and Becky Williams (4). Absent: John Brown (1). Also present was Deputy Planning and Zoning Administrator Brody Walters.

Jonathan Smith moved to approve the minutes of the February 11, 2013 meeting as written. Mr. Decker seconded and they were unanimously approved.

ZONING EXCEPTION, 05-13 - Susan Haley requests one (1) zoning exception to permit the construction of an addition to a single family residence. The subject property is located at 28082 White Road and is zoned R-2 (Single Family Residential). This exception would permit the applicant to construct an addition within the required side yard setback of the R-2 zoning district.

NOTE: *1230.01 Intensity and Dimensional Standards*

R-2 Zoning:

Front Yard = 40'

Rear Yard = 40'

Side Yard Min = 10'

Side Yard Total = 25'

Min. Dwelling Size = 1,600 SF

1. The applicant is requesting a zoning exception to reduce the required side yard setback which would permit the proposed addition to encroach 3 feet into the side yard setback (west). The exception would permit the total side yard setback to be 22 feet rather than the required 25 feet.

Recommendation:

1. The Planning and Zoning staff recommends approval of the zoning exception. The waiver of 3 feet along the western side property line is not significant to this property or adjoining properties. Additionally, if granted the exception, the western side yard setback would be larger (by two feet) than the required minimum side yard setback of 10 feet.

The applicant was represented by Teresa DeLaFuentes and Architect Jeff Normand. Mr. Normand said that as a result of the applicant's request several months ago, they have revised the plans and moved the bulk of the addition from the west side to the east side by re-orienting the driveway so it is a front load. He said that most of the current garage

will become living space. They are moving the garage over a bit to save a large tree in the front yard.

David Griffith of 28102 White Road is the neighbor to the east of the applicant's property. Mr. Griffith questioned whether they plan on putting up a fence that extends out the 13' on the east side of the property. Mr. Normand said they have not decided on the fence yet, but he understands that it would be permissible. Mr. Walters stated that the Board previously approved a six foot fence out towards White Road as far as the addition protrudes up to 13'. Mr. Griffith said that he believes the fence would serve no purpose and would not be attractive. Ms. Williams read a letter that was received from Matthew Coffman, attorney for the Griffiths, a copy of which is attached to and made a part of these minutes. Mr. Griffith said that he wants to know why someone would need a 6' fence. Ms. Williams noted that all that is currently before the Board is the 3' side yard exception. Mr. Walters stated that there were no other comments received from neighbors.

Mr. Nicely moved to approve Zoning Exception 5-13 as submitted. Mr. Smith seconded and it was unanimously approved.

OTHER BUSINESS

Mr. Walters asked the Board members to check their schedules to see if they would be available to move the April meeting from April 8th to April 15th. He said he would contact them by email to verify.

There being no further business, Mr. Smith moved to adjourn at 5:51 p.m. Mr. Decker seconded and the meeting was adjourned.

Respectfully submitted,

Mary Jo Sutton