

MINUTES
Board of Zoning Appeals
January 12, 2021

The Wyoming Board of Zoning Appeals met on January 12, 2021 at 6:00 p.m. remotely via the Zoom online video conferencing platform. Attendance was as follows:

MEMBERS:

Charlie Jahnigen, Chair
Lynn Bueckman
Jennifer Eismeier
Jeff LeRoy

STAFF:

Megan Statt Blake, Community Development Director
Tana Bere Pyles, Community Development Specialist

OTHERS:

Troy & Stephanie Powers, owners of 1020 Brayton Avenue
Bob Strunc, Designer for 1020 Brayton Avenue
David de Ponte, 164 South Grove Avenue (tenant)
David Hayes, 164 South Grove Avenue (owner)

Approval of December 8, 2020 Meeting Minutes:

Ms. Eismeier moved to approve the minutes of the December 8, 2020 meeting as written.
Mr. LeRoy seconded the motion. By voice vote, all voted yes, the motion carried.

Continuation of Case #13-20. 1020 Brayton Avenue

Ms. Statt Blake provided an overview of the case and the continuation. Robert Strunc, Designer on behalf of the property owners Stephanie and Troy Powers, has revised the plans, and consistent with their original submittal, is requesting a side yard setback variance for 1020 Brayton Avenue to construct a two-story addition to the north side of the existing single-story house. The home is located in the AA, Single-Family Residence District and is required to meet a minimum side yard setback of 15 feet for two-story elements, per §1153.04 (b) of the Code. As indicated on the survey submitted, the existing side yard setback from the neighboring property at 1024 Brayton Ave. is 21.9 feet. The applicant is proposing a side yard setback of 12.82 feet for the two-story addition.

The revised proposal is relatively similar to the original proposal with the exception of the change in the orientation on the roof of the proposed addition. Instead of having a gable facing the front, the gable is now showing facing the side and the roof is now a scissor truss design as well. Additionally, the height of the proposed addition has been lowered from what was originally submitted. The site plan and requested variance to the setback are the

same from the original to the revised proposals, the design of the two-story addition is what has changed.

Mr. Jahnigen asked for confirmation that the footprint of the proposed addition is on top of the footprint of the existing solarium. Mr. Strunc stated that the edge of the solarium is more in line with the edge of the existing kitchen line. Mr. Powers stated that the solarium extends about three feet beyond the line of the house. He explained that there is about a 36-48 inch causeway of decking on that side of the house, which would be replaced by the addition. He added that he has spoken with some of his neighbors since the last meeting and the ones he spoke with did not have any objections to the proposal, however he did not ask them to write a letter or contact the City with their support.

Mr. Strunc stated that in order to lower the roofline of the addition the floor has been lowered seven inches and one riser was removed. Ms. Eismeier stated that there were concerns expressed previously about additional risers being removed in that it would reduce the volume of the rooms. Mr. Strunc stated that essentially he is taking a portion of the top of the addition and adding it to the bottom. As such this change has not affected the usable volume. He noted that the eve of the addition is now below the ridge of the main house roof compared to the original design which had the addition eve sitting higher than the ridgeline.

Mr. Powers commented that in the prior plan the gable was facing the front and the bottom of the soffit was above the peak of the room and made the proposed addition look like it was an arrow shape. With the revisions, the addition appears to blend in more because of the lowered and re-oriented roofline.

Ms. Eismeier asked what the difference in height is between the existing gable and the proposed gable. Mr. Strunc stated that he did not have this number available but by looking at it on paper, he estimates it to be about three and a half feet.

Mr. Bueckman asked how close the next door neighbor located on the addition side of the house will be. Mr. Powers stated that from the edge of his driveway, the next door neighbor's house is about 60 feet away. Mr. Powers stated that he spoke with this particular neighbor and he did not express any concerns with the proposed addition.

Mr. Strunc stated that he does not have anything further to add and believes that the process was valuable in getting a better solution than where it was a month ago. Mr. Powers added that the new design and space works well and he believes the addition will look great when it's done.

Ms. Eismeier commented that the structure will still look like it is an addition but it is definitely more camouflaged than the original proposal. She appreciates that Mr. Powers reached out to the neighbors for their feedback.

Mr. Bueckman stated that he appreciates the efforts in re-designing the addition and it looks significantly better than the original proposal.

Mr. Jahnigen stated that he compared the old and new drawings and he agrees that it is an improvement over the original submission. Mr. Powers stated that he personally believes the new design looks much better and he is glad that he went through the process.

Ms. Eismeier moved to approve the request for variance as submitted. Mr. LeRoy seconded the motion. By voice vote, all voted yes. The motion carried.

164 S. Grove Ave. Case #1-21

Ms. Statt Blake provided the background of the case. Mr. David de Ponte, tenant, is requesting a parking variance for 164 S. Grove Avenue in order to enclose the basement garage. The property is located in the A, Single-Family Residence District. Per §1153.05 of the Code, two parking spaces are to be provided to the rear of the front building line. These may be located in a side or rear yard, or in an attached or detached garage. The existing house has a single-car basement garage and is considered legally non-conforming, since it only provides 1 of the 2 required parking spaces. A variance would be needed to allow the existing garage parking space to be lost in order for the garage to be converted into living space.

Ms. Statt Blake added that the style of the home is very consistent among this block. Most, but not all homes in the area have a basement entry single-car garage. None of the homes on South Grove Avenue specifically have closed off or converted their garages to living space. The applicant is proposing to add a single parking pad at grade, filling in the driveway to be even with the surrounding grade for a surface level parking pad for a single vehicle (10' x 20') or potentially 20' x 20' which could accommodate two vehicles in the front.

Mr. Bueckman asked clarification on the wording of the Code. Ms. Statt Blake reported that the Code states that a parking area shall be provided on every lot in this zoning district and be sufficient enough to accommodate 2 motorcars for each dwelling unit. Each parking space shall have a minimum dimension of 10'x20' and all parking areas shall be to the rear of the front building line.

Mr. de Ponte addressed the members and provided background on the house. He stated that the property owner is his friend David Hayes, and he purchased the home in November. They have a non-binding agreement where Mr. de Ponte will purchase the

home from the property owner once it is fully renovated and before his family moves in. Mr. de Ponte stated that he will be living in the house and the reason he submitted two parking plans is because he wanted the Board to determine which option is preferred. The grade would be raised in the process as the members may see that the garage sits at a steep downhill grade which channels the storm water into the basement; he plans to level out the grade and not have the driveway run all the way up to the house. The house has not been lived in actively for a long time, so members can see that house is in disrepair and he plans to renovate the exterior and interior of the home.

Ms. Statt Blake shared the drawings showing the floor plan of the existing garage and basement level, and the proposed floor plan as well as an elevation sketch showing the garage door removed and blocked in. What she does not have is a rendering is what the property would look like with an at-grade driveway; if there would be any landscaping provided, or what material it would be constructed with.

Mr. Jahnigen shared with the members old and new pictures of a house on St. Clair Avenue that received a similar variance. He shared the pictures to give the members and the applicant, an idea of the landscaping plan that the Board had requested be done as part of that particular variance approval.

Mr. de Ponte stated that the example photo is similar to what he has in mind. He would like to have the parking pad stop a distance from the front of the house and pitch the pad toward the street, directing storm water towards the street rather than towards the house.

Mr. de Ponte stated that he does not have specific landscaping plans at this time but the driveway will be made of concrete in order for it to last longer. He added that currently, both of his vehicles are too large to fit inside the garage.

Discussion was held regarding the placement of the proposed parking pad, which would be in line with the hedges to the left of the driveway. Ms. Eismeier had inquired about the addition of any windows where the garage door currently is. Mr. de Ponte explained that the stairs and front porch are in poor condition and he plans to remove the concrete stairs and replace with a wooden porch and stairs that will carry over top of the area where the garage door currently is, which will be in keeping with several of the homes on the street.

Mr. de Ponte further explained the location of the proposed parking pad as well as where he will likely install landscaping.

Ms. Eismeier asked whether there are any prohibitions on the amount of impervious surface in the front yard with the double wide parking pad proposal. Ms. Statt Blake explained that there are no specific prohibitions relating to impervious surface ratios that would apply in this situation. The Zoning Code does not allow a driveway in the front yard

that does not lead to approved parking. Therefore a property cannot have a two-car wide driveway unless that driveway leads to a two-car garage. She explained that the intent of the Zoning Code (versus what happens in the real world) is that parking in residential areas happens to the rear of the front building line, whether it's a driveway that goes along the side of the house and the legal parking spots are along the side or rear of the house, or to an attached or detached garage or carport. The only coverage ratios that show up in our Zoning Code relate to circular driveways which, by design, are typically located in a front yard.

Mr. Jahnigen asked the applicant whether he prefers a one-car or two-car pad. Mr. de Ponte stated that he would like to paint the outside of the house and make the house look really nice on the street and have good curb appeal. He would probably prefer to have two parking spaces as it would be nice to have a guaranteed parking spot on the property. Many of his neighbors have to park on the street because their cars do not fit in their garages as well.

Ms. Eismeier commented that he appreciates Mr. de Ponte's sensitivity to the curb appeal and wanting to meet the spirit of the style of the houses that are on the street and invest in the property, which looks like it could use a little love.

Mr. Jahnigen stated that he lives nearby and was able to walk past the property to view it. He is in favor of allowing the variance of one front yard parking space. He is concerned about the precedent of allowing two spaces. The house on St. Clair, for example, has only one parking space and they park their second car on St. Clair Avenue. He expressed concern that once two parking spaces are allowed then neighbors may want it as well. He realizes that when games are held at Foster Grove Park many people will park on the neighborhood streets and there will be days where Grove Avenue and South Grove Avenue are very busy. In order to maintain the character of the neighborhood, he would prefer that only the single-car parking space be constructed and use on-street parking for additional parking. Mr. Bueckman and Ms. Eismeier expressed similar sentiments.

Mr. Bueckman expressed concern over the way the existing garage door opening may look once it is blocked up and closed off. Ms. Statt Blake added that the driveway pad will be a poured concrete pad that will block the view of a majority of the new block wall and asked that if the Members wish to suggest a specific treatment, such as a parking the block, to please include that detail in the motion. Mr. Hayes stated that the existing foundation is a block foundation. Mr. Jahnigen stated that the new block should replicate the original foundation to the best of Mr. de Ponte's ability.

Ms. Eismeier commented that for clarification purposes, it is her understanding that the elevation of the landscaping will be such that it will be graded away from the house and would blend in with the landscaping around it and would necessitate the removal of most,

if not all, of the existing retaining walls. Mr. de Ponte stated this is correct and added that the change should not be so significant that it would be noticed but the land would have enough slope that the water would drain away from the house. He added that he has spoken to several neighbors and they too have issues of basement flooding. This is something that he wants to pay particular attention to as he plans to finish the basement and he would like to protect that investment as much as possible.

Ms. Statt Blake referenced the current exterior photo of the home and clarified the anticipated changes to the exterior by the applicant. Mr. de Ponte explained that the stairs leading to the porch and the porch itself will be removed and replaced with wooden stairs and a wooden porch that will carry over across the front of the house above the garage door.

Ms. Eismeier asked the applicant if there are changes planned for the front gable of the house for the new porch or if there will be any new posts installed for the new porch. Mr. de Ponte explained that he and his wife have not yet put final designs on paper, however they are hoping to make the porch look similar to most of the houses on the street that have full front porches across the span of the house. The right side of the new porch will utilize the existing porch/gabled roof span and the portion of the new porch/deck above the garage door will remain open air, it will not be under the cover of a roof/gable.

Ms. Statt Blake asked and Mr. de Ponte explained that the new parking pad would be aligned with the existing driveway apron on the north side. He added that it may end up being 11 or 12 feet wide depending on how the pad lines up with the steps so that there will not be a gap between the parking pad and the staircase.

Mr. Jahnigen stated that he would be amenable to having the applicant work with staff on a landscaping plan and any retaining walls needed.

Ms. Eismeier moved to grant the request for variance to enclose the basement garage and in its place construct an at grade, single parking space driveway in the front yard approximately 10 feet wide by 20 feet deep, with the grading of the parking pad to be sloped away from the house; removal of the existing retaining walls as needed; parging the foundation wall to blend with the existing foundation; coordinating with City staff on landscaping provisions; and constructing the driveway of concrete in accordance with the permanent surface requirements. Mr. LeRoy seconded the motion. By roll call vote, all voted yes, the motion carried.

Miscellaneous

Ms. Statt Blake stated that there are no cases for a February meeting at this time.

Adjourn

With no further business before the Board, by voice vote, all members voted to adjourn.
The meeting adjourned at 6:55 p.m.

Debby Martin, Executive Assistant

Charlie Jahnigen, Chairman