

MINUTES
BOARD OF ZONING APPEALS
January 14, 2020

The Wyoming Board of Zoning Appeals met on January 14, 2020 at 6:00 p.m. in the Council Chambers at the City Building. Mr. John Braun, Chair, called the meeting to order at 6:00 p.m. Attendance was as follows:

MEMBERS:

John Braun, Chair
Charlie Jahnigen
Bob Kearns
Jeff LeRoy

ABSENT:

Jennifer Esimeier

STAFF:

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

OTHERS:

Rod Sidley, architect for 340 Oliver Road
Grant Hoffman, neighbor of 340 Oliver Road

Minutes:

Mr. Kearns moved to approve the minutes of the December 10, 2019 meeting as amended. Mr. Jahnigen seconded the motion. By voice vote, all voted yes, the motion carried.

340 Oliver Road, Case #1-2020. Covered Front Porch, Front Yard Setback Conflict:

Ms. Statt Blake provided the background of the case. Patricia Hemke, owner of the subject property, and referred to as Patti Marshall in the application, is seeking approval to construct a covered front porch on the front of the existing house at 340 Oliver Road. The front porch addition is in conjunction with a broader building program which includes a two-story addition to the east side of the house, a deck projecting off the back of the house, and a detached two-car garage in the rear yard.

Section 1153.04 (a)(1) of the Zoning Code requires homes to maintain a minimum front yard of not less than the average front yard of the homes that adjoin it on both sides. The calculated minimum front yard is 50.07', which is the average of the front yard setbacks of the neighboring properties at 336 and 344 Oliver Road. The proposed front porch dimensions are 8.5' deep by 25.5' long, with a setback of 42.14', which would encroach into the required setback by 7.93', therefore the proposed construction was found to be in

violation of Section 1153.04 (a)(1) of the Code.

Ms. Statt Blake noted that the dimensions referenced in the applicant's cover letter were estimates and were not based on a survey. The measurements referenced above are correct, and based on a recent survey. She added that if the proposed front porch were less than 40 square feet and open on three sides, the structure could project into the front yard setbacks, however as submitted, the proposal does not meet the setback requirements due to its size. Additionally, the setback of the proposed two-story addition and proposed garage structure meet the setbacks of the Code and are not part of the request for variance this evening.

Mr. Braun asked if any of the neighbors that were notified of the hearing provided feedback. Ms. Statt Blake stated that she did not receive any comments from the adjoining property owners.

Mr. Rod Sidley, architect for the applicants, was present and addressed the members. He stated that generally when he appears before the Board on behalf of a client it is due to structures pre-dating the Zoning Code in which they most often do not meet the provisions of today's Zoning Code. However, in this case, the construction of the residence does not pre-date the Zoning Code whereas most of the houses on Oliver Road do. Many of the houses on Oliver Road have prominent or significant front porches and/or entryways and each building has a visual character that contributes to the character and variety of the neighborhood. The home at 340 Oliver Road was built in the 1960s with little attention to detail or to the design of homes around it. The homeowners are intending to make significant improvements to the property as an investment and they wish to make improvements that blend the house more cohesively with the neighborhood.

Mr. Kearns asked Mr. Sidley if the proposed porch will be added on to the existing 6' slab entry. Mr. Sidley explained that the existing slab will be removed and the entire covered porch structure will be rebuilt as new.

Mr. Jahnigen asked if all of the siding on the home will be replaced with the vertical fiber cement siding shown on the plans for the proposed addition. Mr. Sidley confirmed that once the addition is constructed all of the old siding will be replaced with the vertical cement siding product.

Mr. Grant Hoffman, 231 Hillcrest Drive, was present and addressed the Members explaining that he is the back yard neighbor. He commented that on the property line separating the rear yards was a landscaping wall that had collapsed and was rebuilt. He added that he had looked at purchasing the home at 340 Oliver Road as an investment and had planned to conduct similar improvements that the current owners are proposing. He felt that the improvements needed to the home were too significant for him to pursue an

interest in purchasing the property. He stated that, in his opinion, the house is not in line with the design of other homes on Oliver Road, the house is in a state of disrepair and needs something done to bring it up to the caliber of the other homes on the street. He stated that the proposed improvements by the current owners look nice. He does not have an opinion either way about the front porch, he was more curious about the proposed addition and proposed detached garage. Additionally, he commented that the yard falls significantly from the back rear corner to the front right corner making the front yard mostly unusable.

Mr. Sidley commented that the property experiences significant storm water drainage issues in the rear yard which is why the landscaping wall collapsed. The basement experiences water intrusion as well. The drainage and structural issues will be addressed during construction of the addition.

Mr. Braun asked if the existing curb cut to the driveway will remain. Mr. Sidley stated that it will. Mr. Braun commented that it may be unsafe to back out onto the street due to poor visibility. Mr. Sidley stated that he may investigate the need for a turn around pad near the garage however he cannot say he will propose one at this time.

Mr. Braun asked if there will be any trees affected by the construction. Mr. Sidley stated that there are a couple of trees near the collapsed landscaping wall that are in poor health that may need to be removed.

Mr. Braun asked for clarification regarding the "new egress" window outlined in the prints on the second floor, and what its role is. Mr. Sidley explained that bedrooms are required to have an egress window of a specific height, width, height from the floor, square foot dimension, etc., and this will be provided as part of the overall building project.

Mr. Braun commented that he drove up and down Oliver Road several times and he did not notice other homes with large front porches. Mr. Sidley noted that there are several homes on Oliver Road with projecting front porches and the home two doors down, at 330 Oliver Road, has a good-sized front porch that projects into the front yard. Mr. Braun commented that it was mentioned earlier that the siding will all be replaced so that it all matches and he inquired about the brick on the front of the house and asked if it will be painted. Mr. Sidley stated that the existing brick will be painted.

There being no further comments or questions, Mr. Kearns moved to grant the variance as submitted. Mr. LeRoy seconded the motion. By voice vote, all voted yes, the motion carried.

Appointment of Chair and Vice Chair:

Mr. Braun stated that he has tendered his resignation as Chair of the Board of Zoning Appeals. He and his wife are on the waiting list to move into Maple Knoll Village and he is

unsure when he will be moving. He would like to resign as Chair but agreed to become a general Member until a replacement Member can be found.

Mr. Kearns nominated Mr. Jahnigen to replace Mr. Braun as the Chair. Mr. LeRoy seconded the motion. By voice vote, all voted yes, the motion carried.

Mr. LeRoy moved to nominate Ms. Eismeier as Vice Chair. Mr. Kearns seconded the motion. By voice vote, all voted yes, the motion carried.

Miscellaneous:

Standing Meeting Date Discussion

Ms. Statt Blake explained that Mr. Jahnigen may have scheduling conflicts with Tuesday evening meetings. She asked the Members for their thoughts on moving the standing meeting day next year. For 2020 meetings, the second Tuesday will stand, with the understanding that Mr. Jahnigen may have conflicts and may be absent. Mr. Jahnigen noted that he will be absent from the February 11, 2020 meeting.

Adjourn:

There being no further business before the Board, Mr. Kearns moved to adjourn the meeting. Mr. LeRoy seconded the motion. By voice vote, all voted yes, the motion carried. The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Debby Martin, Executive Assistant

John Braun, Chairman