

MINUTES
BOARD OF ZONING APPEALS
October 28, 2013

The Warsaw Board of Zoning Appeals met for regular session on Monday, October 28, 2013 at 7:00 p.m. in the City Council Chambers, 102 S. Buffalo Street, Warsaw, Indiana. The following members were present or excused:

Present: Tom Allen, Rick Keeven, Tammy Dalton, Jack Wilhite, Ron Shoemaker, Tim Dombrosky (Assistant City Planner), Kim Arnold (Recording Secretary), Mike Valentine (City Attorney)

Absent: none

CALL TO ORDER

Allen called the meeting to order.

The September 23, 2013 meeting minutes were reviewed and presented for approval. Keeven made a motion to approve the September 23, 2013 meeting minutes as presented; Dalton seconded the motion. The motion carried unanimously.

ORAL OR WRITTEN COMMENTS OR REPORTS

None

OLD BUSINESS

None

NEW BUSINESS

Item 2013 – 10 - 01 – Variance from Development Standards- Amy & Jacob Riley, 414 S. Washington St., to allow a 1,090 sq ft accessory structure in an R-2

Director's Comments:

The petitioner has requested a Variance from Development Standards to allow a 1,090 sq. ft. accessory structure. The property is zoned R-2 which allows 720 sq. ft. accessory structures. In order to ensure adequate vision clearance along the alley, the garage must meet a 5' setback on all sides. It cannot exceed 1,090 sq ft (50% total lot coverage) so as to allow adequate water infiltration.

Use and value... The garage fits with the character of the neighborhood, being an older, denser area with small lots and alley accessible garages. It will not have a negative affect on the use and value of nearby property.

The strict application will result in practical difficulty because of the historic layouts of these residential lots. Dense residential cores are a healthy part of the City and exceptions must be made to allow them to be as desirable as possible within the guidelines of what is safe and healthy.

Recommendation:

- The requested use will not be injurious to the public health, safety, morals, and general welfare of the community.
- The use and value of the area adjacent to the property will not be affected in a substantially adverse manner.
- The strict application for the terms of the Zoning Ordinance will constitute an unnecessary hardship in the use of the property.

Based on the information provided and the Findings of Fact, Dombrosky recommended the Board approve the Variance from Development Standards to permit a 1,090 square foot accessory structure in an R-2 zoning district located at 414 S. Washington St.

Allen opened the meeting to any person wishing to speak in favor or against the Variance from Development Standards.

Jacob Riley was present to explain the request for a three car garage as well as answer questions from the Board. The building will have metal siding and a metal roof. Riley stated they wish to improve the site and increase the value of the property.

With no one else to speak in favor or against the petition the meeting was closed to the public.

The board members discussed the petition.

Keeven made a motion to approve - Item 2013-10-01-Variance from Development Standards – Amy & Jacob Riley-414 S. Washington St. – to allow a 1,090 sq. ft. accessory structure in an R-2 zone. Shoemaker seconded the motion. The motion carried unanimously.

OTHER MATTERS THAT MAY COME BEFORE THE BOARD

- Next meeting will be Monday, November 25, 2013

Keeven made a motion to adjourn the meeting; Dalton seconded the motion. The motion carried unanimously. Allen adjourned the meeting.

Tom Allen, President

Kim Arnold, Recording Secretary