



**ACTION REPORT**  
**BOARD OF ZONING APPEALS**  
**JANUARY 15, 2013**  
**7:00pm**  
**CITY COUNCIL CHAMBERS**

1. Call to order and pledge
2. Introduction of Board members

Members present: Walter Rekuc, Jim Hilley, Nancy Plesnarski, Gary Willis, Christopher Bloor, Todd Chernik, Rita Young

3. Approval of December meeting minutes

Motion to approve: Todd Chernik  
2<sup>nd</sup>: Nancy Plesnarski  
Vote: 5-0, 1 abstained

4. **V11-011**, 1995 Birmingham Road, Walter Matthews (deferred from last meeting)

Request(s):

- To allow an accessory structure to be located in the front yard (Chapter 64, Article 2, Section 416, i)
- To allow a structure to encroach into the 25 foot impervious setback of a stream (Chapter 14, Article 6, Section 5,a,ii)
- To allow a boat and a boat trailer to be parked in front of the principal structure of the lot (Chapter 64, Article 8, section 1481, 2)

Motion to deny: Todd Chernik  
2<sup>nd</sup>: Gary Willis  
Vote: 3-4, Motion failed

Motion to **approve with conditions**: Christopher Bloor

Conditions:

- Applicant shall obtain an after-the fact building permit and pay the appropriate permit fee which is doubled for building without a permit.
- Applicant shall provide a full site plan showing the boundary, all structures, setbacks, state water buffers, flood plain, floodway, District easement, elevations, contours and other related site information. This site plan shall be signed by a registered surveyor or engineer.



- Applicant shall quantify the magnitude of any impacts to the stream buffers and flood plain and provide mitigation measures to offset any impacts. This mitigation should be indicated on the site plan.
- Applicant shall submit complete building plans showing how the structure will be supported and tied down to prevent movement during a flood. The structure must be constructed of water resistant materials.
- The structure can never have walls which form an enclosure.
- Applicant shall indemnify the City from responsibility for damages resulting from the construction of the boat shed, in a from satisfactory to the City Attorney.
- No other recreational vehicles other than a boat and boat trailer shall be parked under the structure or in the front yard.
- Applicant shall provide signed copy of the SWCD approval letter.
- Applicant shall apply to applicable parties for a variance for encroachment in the 25 foot State buffer, and the 50 foot City stream buffer and 25 foot impervious setback.
- The roof of the boat shelter shall be painted a dark green color.
- Shade tolerant evergreens shall be planted to screen the boat shelter from the adjacent property to the east. Type, size and location of plantings to be approved by the City Arborist.

2<sup>nd</sup>: Nancy Plesnarski

Vote: 5-2, Motion **passed**

5. **V12-016**, 14035 Cowart Road, Elizabeth and Claude Drevet

Request(s):

- To allow a barn to be located 25 feet from the rear property line (Chapter 64, Article 2, Section 415,a,ii)

Motion to **approve with conditions**: Walter Rekuć

Conditions:

- A mix of evergreens, at a maximum cost of \$2,000.00, shall be planted between the barn and the adjoining property line. Type, size and location of plantings to be approved by the City Arborist.
- The maximum size of the barn shall be 44'x44'.
- There shall be no storage in the 25 feet between the barn and the adjacent property line.
- The colors of the barn shall be similar to that of the colors of the existing house.
- Location of the barn per the Brumbelow-Reese site plan dated September 9, 2012.

2<sup>nd</sup>: Jim Hilley

Vote: 7-0, Motion **passed**

6. Election of 2013 Officers

Chair—Gary Willis

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Vice-Chair—Walter Reuk

Adjournment