

SPRINGFIELD MUNICIPAL ZONING APPEALS BOARD
TUESDAY, June 14, 2022
MEETING MINUTES

Board Members - Present

Buzzy Poole
Carolyn Woodward
Carolyn Sherrod
Adam Veitschegger
Larry Simmons

Board Member - Absent

Staff - Present

David Brewer
Kimberly Atlee
David Fauth

1.0 Call to Order

Chairman Poole called the meeting to order at 5:02 P.M.

1.1 Pledge of allegiance to the American flag

1.2 Roll Call

5 present, 0 absent – there was a quorum

1.3 Approval of Minutes of the Board of Zoning Appeals held April 12, 2022

Chairman Poole called for a motion to approve the April, 2022 minutes. Carolyn Sherrod moved to approve. The motion was seconded by Dr. Veitschegger and passed with all in favor.

2.0 New Business

2.0 Note: Rescinding Conditional Use for Beauty to Ashes removed from agenda.

2.1 Variance Request: (VAR2022-02)

Chairman Poole asked staff to read the request into the records; Cara Elliott is requesting a 23 ft. variance on 107 West Side Circle to reduce the required front yard setback from 30 ft. to 7' to allow for an unauthorized existing carport at 107 Westside Circle. Map 080I "D" Parcel 051.00.

Senior Planner, Kimberly Atlee presented case number VAR2022-03 request. There were 6 out of 9 criteria met. There were 6 out of 9 criteria met. This variance request was posted in the newspaper, letters to adjoining neighbors, and submitted to the city departments for review. Public Notice was posted in the newspaper on May 24, 2022. Public Notice letters were mailed to adjoining (11) property owners. There were no calls from the public with concerns. The city departments were notified and concerns were made. The Public Works (PW) department stated the carport was encroaching on the public utility and drainage easement. A written memo from the PW stated the carport does not pose any obstruction with the drainage at this time but should utility improvements be required the structure is to be relocated at the owner's expense. Further discussion with Clayton Moore, PW Director, the carport is at the top of the drainage basin and not in a

critical location. This variance setback request only includes the 20'x24' carport. No other structures are permitted within the 30' front yard setback; this is to include the existing 10'x12' storage building, which the owner has agreed to relocate. To note on the plot survey, the owner is proposing a 30'x40' garage. By zoning and building regulations, this is considered an accessory building and allowable within 5' ft of the rear and/or sides of the property boundary.

Chairman Poole asked the other board members if they had any questions. Dr. Veitschegger asked Atlee what the typical rear and side setbacks were for the neighborhood? Atlee answered the typical side would be 10' and the rear would be 30', however, due to the nature of the parcel there is additional front setbacks wrapping a large portion of the property. Chairman Poole questioned if the other buildings would be an issue. Atlee confirmed the other buildings are accessory buildings and will fit within the setbacks. The board questioned if there were any calls. Atlee confirmed no one called about the variance. Chairman Poole confirmed with Ms. Elliott that should work need to be done that the carport would need to be moved at Owner's expense.

Chairman Poole asked for a motion. Larry Simmons moved to approve the Variance request with the condition the carport would be moved at owners' expense should utility modifications be required. The motion was seconded by Carolyn Sherrod, passed by a 5-0 roll call vote.

2.2 Variance Request: (VAR2022-04)

Chairman Poole asked staff to read the request into the records; Carolyn Head is requesting a 10 ft. variance on 4th Avenue W. to reduce the required front yard setback from 30 ft. to 20 ft. to allow for an addition to a single-family dwelling at 330 North Oak Street. Map 080E, "L" Parcel 017.00.

There were 8 out of 9 criteria met. This request was 1st submitted to the Springfield Historic Perseveration Commission (SHPC) for review and approval, then posted in the newspaper, letters to the adjoining neighbors, and submitted to the city departments for review. Public Notice for the BZA was posted in the newspaper on May 24, 2022. Public Notice letters were mailed to adjoining (4) property owners. There were no calls from the public with any concerns. The city departments were notified with no concerns. The electric department met with owner and made arrangements to move the power line. The purpose of this request is to allow an additional 29'x14' room to the side of the house. The 20 ft setback on 4th Avenue West maintains alignment with other houses on the street. This property is located in the Historic District overlay and is subject to the Historic District Guidelines. The SHPC met on June 1, 2022. The SHPC approved with a Letter of Appropriateness for the design and materials and recommends the variance to the Board of Zoning Appeals (BZA). The improvements will increase the property values in the area. Staff recommends the variance request.

Chairman Poole asked if Ms. Head would like to come to the podium to speak. Ms. Head came to the podium to explain the history of her ownership of the home and her reasoning for requesting the variance for the expansion to the home. She explained the additional room being requested is the reason for requesting the variance and it would extend the existing building line from the side. She noted the materials would be of same kind as currently on the home. Board questioned if the existing carport would be removed with

the construction of the garage. Ms. Head stated if addition would exceed the lot coverage it would be removed. Dr. Veitschegger questioned what the standard side setback is. Atlee stated it would be 30' rear and 10' side however due to the double frontage from the corner lot there is a 30' setback on the 4th Ave. side. Chairman Poole questioned the relocation of the electric line. Atlee confirmed that the electric department had a work order for the relocation and was aware.

Chairman Poole asked for a motion. Carolyn Woodard moved to approve the Variance request. The motion was seconded by Carolyn Sherrod, passed by a 5-0 roll call vote.

2.3 Interpretation of zoning map boundaries in reference to properties on Memorial Blvd. and 17th Avenue Property; Community Development Director David Brewer stated that in Chapter 4 of the zoning ordinance gives the Board of Zoning and Appeals authority to establish zoning lines. In 1996 a rezoning was presented and approved by the planning commission. When the map was hand drawn a mistake was made and perpetuated in digital map and perpetuated the error up until the present time. He stated the Board has the ability to redefine the lines as long as it is within 500'. Staff recommends the Board interpret the lines to be adjusted to follow the property lines as originally intended.

Chairman Poole questioned if a motion was required for the interpretation. Mr. Brewer confirmed a motion would be needed. Brewer explained the location of the parcels and the boundaries as they are now and the proposed interpretation. Brewer explained the city prefers to follow property lines and no longer split properties. Board questioned if the interpretation would go before Board of Mayor and Alderman. Brewer stated it would not.

Chairman Poole asked for a motion. Larry Simmons moved to approve the interpretation request. The motion was seconded by Carolyn Sherrod, passed by a 5-0 roll call vote.

3.0 Old/Other Business

Next BZA meeting is July 12, 2022

BZA Training to follow conclusion of meeting.

Adjournment

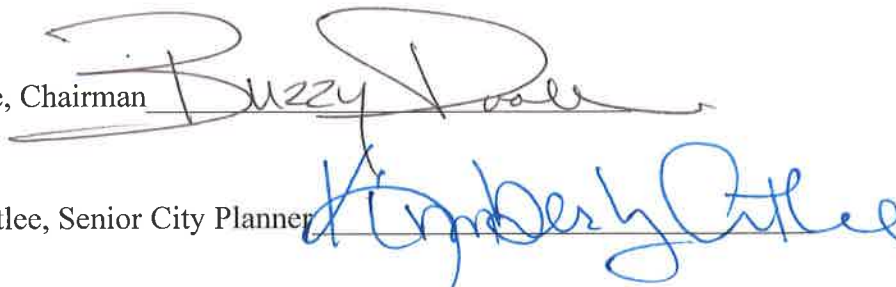
Chairman Poole calls for a motion to adjourn. The motion was approved with all in favor.

Board of Zoning Appeals adjourned at 5:41 P.M.

Buzzy Poole, Chairman

Attest:

Kimberly Atlee, Senior City Planner

The image shows two handwritten signatures. The first signature is in black ink and appears to be 'Buzzy Poole'. The second signature is in blue ink and appears to be 'Kimberly Atlee'. Both signatures are written over horizontal lines that serve as baselines for the text.