

RECORD OF PROCEEDINGS

Minutes of Board of Zoning Appeals

Held February 6, 2024

Public Hearing - BZA 2024-02

Mr. Kempe opened the Public Hearing regarding BZA case 2024-02 at 6:00 PM

Staff Report

BZA 2024-02

Mr. Sorice explained the applicant is Joshua Potter, and the location is 3955 Infirmary Road, City lot 4846, in the R-2 Zoning district. He noted the applicant requests an appeal to Moraine Codified Ordinance Sections 1181.04 (b) which says an accessory building may be erected detached from the principal building and no detached accessory building shall be erected in any required yard except a rear yard. He reported in this case, the applicant requests to add a 30 x 60 x 12 1,800 square foot pole barn in the front yard of the 2.28 acre property, which is zoned R-2. He stated the pole barn is proposed to be located in the south portion of the front yard with trees to surround 3 sides of the pole barn with the driveway portion to the north open to the existing driveway, and added this location was proposed by the applicant due to the extreme sloping of the rear yard. He said the rear or west end of the pole barn would align with the front of the single-family structure, and added that a minimal amount of trees would be removed for the placement of the pole barn. He reported a letter went out to neighboring property owners on January 8, 2024, and added he received a phone call from a neighbor at 3990 Infirmary Road on January 17, 2024. He explained the neighbor expressed concern about the front yard pole barn becoming an eyesore, and also expressed concern about decreasing property values. He added this neighbor also questioned if it would be used in the future for business use or storage of heavy equipment. He reported that after reviewing the application by the Technical Review Committee (TRC), they found no objections to the proposed pole barn location as outlined in the description and map included in the packet.

Mr. Kempe commented that he was reviewing a page in the packet that indicates a 16-foot-high eave on the building blueprint, and noted in the Ordinances there is a comment relating to the height of such structures being 15 feet. He asked if that was accurate on the blueprint and if it were true, would it change the decision.

Mr. Sorice replied, it wouldn't change the decision, but it would be up to the BZA members to determine if they would find that acceptable. He noted it would not change the decision of the TRC.

Opponents/Proponents

Close Public Hearing - BZA 2024-02

With no further comments, Mr. Kempe closed the Public Hearing regarding BZA case 2024-02 at 6:07 PM.

Call to Order

Board of Zoning Appeals Meeting Call to Order at 6:07 PM

Jim Kempe	Chair	Present
Patricia Bond	Member	Present
Sharon Duff	Member	Present

Staff Members Present: City Manager Michael Davis, City Planner Nick Sorice, and Clerk of Council Amy Brown

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Approval of Minutes

Board of Zoning Appeals Meeting Minutes - January 2, 2024

Mr. Kempe asked if there were any changes or corrections to the January 2, 2024 Board of Zoning Appeals meeting minutes. Hearing none, the minutes were approved as submitted.

Business

Decision - BZA 2024-02

Mrs. Duff made a motion to approve the application for BZA case 2024-02.

RESULT: Passed, *(Yes 3, No 0, Abstained 0)*
MOVER: Sharon Duff
AYES: Jim Kempe, Sharon Duff, Patricia Bond
NAYS: None

Adjournment

Adjournment at 6:08 PM


James Kempe


ATTEST: Clerk of Council Amy Brown