

Board of Zoning Appeals
October 20, 2016
Minutes

Chairman Feick called the meeting to order at 4:30 PM. The following members were present: Chairman John Feick, Mr. John Mears and Mr. Kevin Zeiher. Also present were Ms. Casey Sparks from the Planning Department, Mr. Trevor Hayberger from the Law Department and Debi Eversole as Clerk from Community Development. Dr. William Semans was excused from the meeting and Mr. Walt Matthews was absent.

There were three voting members present.

Mr. Zeiher moved to approve the minutes from the Aug 18, 2016 meeting. Mr. Mears seconded the motion. The motion passed, all in favor.

Chairman Feick swore in audience and staff members that wished to speak for or against any application.

Ms. Sparks stated that Cedar Point, LLC is requesting a variance of 45.75' for the required height of a main structure at **One Cedar Point Drive**. The applicant is proposing to construct a 158 room expansion of Hotel Breakers. Section 1137.09 prohibits the height of any building in a commercial district to exceed 2 stories or 40 feet in height. It is the opinion of Planning Staff that the increased height of the building would be in keeping with the intent of the code as the building expansion will be in line with the current buildings on site. The hotel is located on the peninsula which does contain different uses generally not found in commercial zoning districts. Staff would recommend approval of the 45.75' variance to construct a six story addition.

There were no comments in the audience for or against this application. Chairman Feick noted that there was already a 10 story building in the proposed area already and this application is for a 6 story addition. He does not believe this would block any views of the area.

Mr. Mears moved to approve the variance. Mr. Zeiher seconded the motion. With no further discussion, the motion passed, all in favor.

Ms. Sparks stated that Cross View Bay, Ltd. has submitted an application for a variance of 9' to the required front yard setback for a monument sign at 1231 First Street. The applicant is proposing a 6' front yard setback for the sign whereas Section 143.09(d) requires a sign to be no closer than fifteen feet or one-half the required front yard setback which would be 15' in this case. Planning Staff does not believe the sign will create a line of site issue and staff recognizes that similar variances have been issued for signage along First Street, as such Staff is recommending approval.

Mr. Matt Lehrer with Hoty Enterprises stated that there are similar signs within the proposed area. He added that this would be similar to the SonRise, LEWCO and WT Realty signs nearby. If approved, they would not need to move the security fence that is installed and there will be room to mow and maintain the area.

Ms. Sparks stated that a surrounding property owner showed concern, but once the application was explained to her and she went to the site, she is now satisfied and does not feel there is a line of site issue.


Mr. Zeiher moved to approve the variance. Mr. Mears seconded the motion. With no further discussion, the motion passed, all in favor.

Ms. Sparks stated that there are at least two applications for a November 17 meeting.

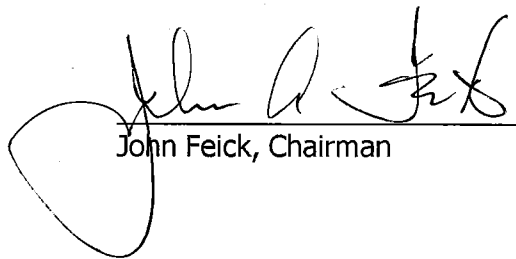
Chairman Feick asked if there was any further business. There were several audience members that appeared to hear an application that had been withdrawn on **Fourth Street**. Ms. Sparks stated that the applicant withdrew the application and told Staff that he would reduce the height of the fence to 4'. Ms. Sparks stated that she would follow up with anyone that wished to leave their contact information.

With a motion and a second to adjourn, Chairman Feick adjourned the meeting at 4:47 PM.

Approved:



Debi Eversole, Clerk



John Feick, Chairman