

## CITY OF LEBANON BOARD OF ZONING APPEALS MINUTES

DATE: February 5, 2014

TIME: 5:30 p.m.

Members present were: John Magness, Tom Siehl, and Robb Kaufman. Absent was Pat Clements, City Manager. Also present was Samuel Hill, City Planner.

The first order of business was the consideration of the minutes from the Board of Zoning Appeals meeting of November 6, 2013.

Without objection the minutes were approved, as presented.

The next item of business was an application submitted by Kaitlin & Tony Ridner, for an appeal of the administrative decision (1132.11) of the Planning and Development Department regarding the location of an existing split rail fence located within the front yard at 458 Little Creek Drive. Current regulations do not allow split rail fencing in the front yard of any residential property. After staff summarized the agenda item, a motion was made by Mr. Siehl and seconded by Mr. Magness to open the public hearing.

All members were in favor.

The public hearing was opened with Kaitlin Ridner of 458 Little Creek Drive and Hipolito Barron of 514 Lookout Ridge speaking for the agenda item and no one speaking in opposition of the request. Mr. Barron doesn't think the Ridner's should be punished for a mistake that the City of Lebanon should have taken care of. A motion was made by Mr. Siehl and seconded by Mr. Kaufman, to close the public hearing.

All members were in favor.

After further discussion, a motion was made by Mr. Kaufman and seconded by Mr. Siehl, to approve the appeal of the administrative decision of the Planning and Development Department regarding the location of an existing split rail fence.

The roll was called as follows: Mr. Siehl, No; Mr. Kaufman, No; Mr. Magness, No.

The Board of Zoning Appeals moved to uphold staff's interpretation of the zoning regulations prohibiting split-rail fencing within the front yard of 458 Little Creek Drive.

The next item of business was an application submitted by Jim Abel, on behalf of Mane, Inc. located at 1093 Mane Way, for a dimensional variance to exceed the maximum building height allowed for the development of a 78-foot spray dryer facility expansion to the existing industrial facility. After staff summarized the agenda item, a motion was made by Mr. Siehl and seconded by Mr. Magness to open the public hearing.

All members were in favor.

The public hearing was opened with Jim Abel, representing Mane, Inc. speaking for the agenda item and no one speaking in opposition of the request, a motion was made by Mr. Kaufman and seconded by Mr. Siehl, to close the public hearing.

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After further discussion, a motion was made by Mr. Kaufman and seconded by Mr. Siehl, to approve the dimensional variance to increase the maximum building height to 78 feet for expansion to the existing industrial facility located at 1093 Mane Way, subject to the following condition:

- (1) All required City and County permits shall be obtained prior to beginning any construction activity at the subject site.
- (2) The building height increase approval only applies to the site plan submitted for this dimensional variance.

Upon calling the roll, the motion was approved unanimously.

Staff noted that no items have been submitted so a Board of Zoning Appeals meeting has not been scheduled for March or April 2014.

There being no further business, the meeting was adjourned.

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Chairman