

CITY OF LEBANON BOARD OF ZONING APPEALS MINUTES

DATE: August 6, 2014

TIME: 5:30 p.m.

Members present were: John Magness and Tom Siehl. Absent were Robb Kaufman and Pat Clements, City Manager. Also present were Samuel L. Hill, City Planner and Theresa A. Scott, Administrative Assistant - Planning.

The first item of business was the consideration of the minutes from the Board of Zoning Appeals July 2, 2014.

Without objection the minutes were approved, as presented.

The next item of business was an application submitted by Eric Wolf, for a dimensional variance to decrease the minimum side and rear yard setbacks, to construct an accessory structure at 411 S. East Street. After staff summarized this 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 property owner, Eric Wolf, was present for the public hearing. Mr. Showen had questions about the proposed accessory structure.

A motion was made by Mr. Magness and seconded by Mr. Siehl to close the public hearing.

All members were in favor.

After further discussion, a motion was made by Mr. Siehl and seconded by Mr. Magness, to approve the dimensional variance to decrease the minimum side yard and rear yard setback to four (4) feet, for the property located at 411 S. East Street, subject to the following conditions:

- (1) No part of the structure shall be permitted to encroach within the public utility easement.
- (2) The proposed accessory structure (detached two-car garage) shall not be used as a residential dwelling or as the location of a commercial business.
- (3) All required City and County permits shall be obtained prior to beginning any construction activity at the subject site.

Upon calling the roll, the motion was approved unanimously.

The next item of business was a request made by Thomas Bentley, for a dimensional variance to expand a legal non-conforming property located at 235 Harmon Avenue, in the Harmon Industrial Park, by reducing the minimum rear and side yard setbacks. After staff summarized this agenda item a motion was made by Mr. Siehl and seconded by Mr. Magness to open the public hearing.

All members were in favor.

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The property owner, Thomas Bentley, was present for the public hearing.

A motion was made by Mr. Siehl and seconded by Mr. Magness to close the public hearing.

All members were in favor.

After further discussion a motion was made by Mr. Magness and seconded by Mr. Siehl, to approve the variance to allow the addition to the legal non-conforming structure and reducing the rear yard setback to five (5) feet, the left side yard setback to two (2) feet and the right side yard setback to twelve (12) feet, at 235 Harmon Avenue, subject to the following conditions:

- (1) A retaining wall shall be installed once the deteriorated structure at the rear of the property is removed.
- (2) All required City and County permits shall be obtained prior to beginning any construction activity at the subject site.

Upon calling the roll, the motion was approved unanimously.

The next item of business was a request made by the City of Lebanon, for a dimensional variance to increase the maximum height allowed for the installation of a fence with the front yard for the property located at 601 W. Silver Street. After staff summarized this 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 property owner, Leslie Shimer, was present for the public hearing.

A motion was made by Mr. Siehl and seconded by Mr. Magness to close the public hearing.

All members were in favor.

After further discussion a motion was made by Mr. Magness and seconded by Mr. Siehl, to approve the variance to allow the installation of a four (4) foot decorative wrought iron fence within the front yard for the property located at 601 W. Silver Street, subject to the following conditions:

- (1) All required City permits shall be obtained prior to beginning any construction activity at the subject site.

Upon calling the roll, the motion was approved unanimously.

The next item of business was a request made by the City of Lebanon, for a dimensional variance to increase the maximum height allowed for the installation of a fence with the front yard for the property located at 525 W. Silver Street. After staff summarized this agenda item a motion was made by Mr. Siehl and seconded by Mr. Magness to open the public hearing.

All members were in favor.

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A motion was made by Mr. Siehl and seconded by Mr. Magness to close the public hearing.

All members were in favor.

After further discussion a motion was made by Mr. Siehl and seconded by Mr. Magness, to approve the variance to allow the installation of a four (4) foot decorative wrought iron fence within the front yard for the property located at 525 W. Silver Street, subject to the following conditions:

- (2) All required City permits shall be obtained prior to beginning any construction activity at the subject site.

Upon calling the roll, the motion was approved unanimously.

OTHER BUSINESS

- (1) Staff noted that no meeting had been scheduled for September or October.

There being no further business, the meeting was adjourned.

Chairman