



**BOARD OF BUILDING AND ZONING APPEALS
MINUTES OF THE PROCEEDINGS OF THE PUBLIC HEARING
February 22, 2022**

The hearing was called to order at 7:30 P.M. by Chairman Baesel

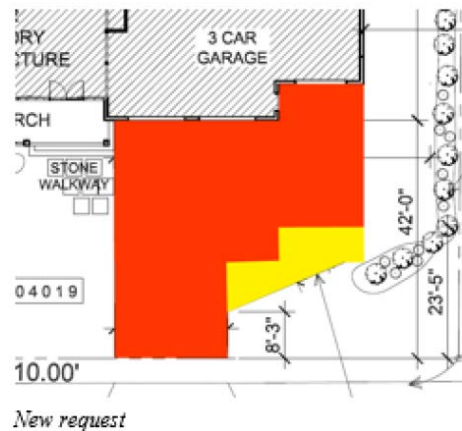
PRESENT: Karen Alfred, Bryan Baesel, Robert Swisher, Cynthia Nolde
ABSENT: Brad Lamb
ALSO PRESENT: Clerk of Commissions Nicolette Sackman and Westlake Law Director Michael Maloney

DOCKET

Nick Ross 2022-03, tabled 1/25/22
892 Richmar Dr., PP# 21204052, Ward 3

Requesting install an oversized driveway, at variance with 1221.11(3)(b): the location of parking areas shall typically be in front of and not wider than the garage for the residence with the maximum width of the driveway limited to 20' when not within 25' of the garage. **REVISED:** *Variance required for the portion of the proposed driveway is wider than 20' when not within 25' of the garage.*

Mr. Ross, sworn in by Mr. Maloney, explained he revised the proposal by eliminating the driveway along the side of the garage. There will be a three car garage and due to the limited layout location for the house and garage, he will still need a variance for the turning radius into the third garage bay. The creek in the rear of his yard limits where the house and garage can be located. The proposal was discussed and it was noted that the 2/8/22 memo prepared by Planning Director Jim Bedell shows the specific area that requires the variance (in yellow).



After a careful review of the evidence and testimony, the Board made the following findings of fact:

1. Whether the property in question yield a reasonable return or whether there can be any beneficial use of the property without a variance – no
2. Whether the variance is substantial – no
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance – no
4. Whether the variance would adversely affect the delivery of governmental services – no
5. Whether the property owner purchased the property with the knowledge of the zoning restriction – n/a

6. Whether the property owner's predicament feasibly can be obviated through some other method other than a variance –no
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance – yes

Motion: Mr. Swisher moved, seconded by Ms. Alfred to approve a variance for the portion of the proposed driveway that is wider than 20' when not within 25' of the garage as submitted and described in the 2/8/22 memo prepared by Planning Director Jim Bedell.

ROLL CALL:

Yeas: Baesel, Alfred, Swisher, Nolde

Nays: None, motion carried

MISCELLANEOUS

None

APPROVAL OF MINUTES

Motion: Mr. Swisher moved, seconded by Ms. Nolde to approve the minutes of the January 25, 2022 Board of Building and Zoning Appeals meeting.

ROLL CALL:

Yeas: Baesel, Alfred, Swisher, Nolde

Nays: None, motion carried

ADJOURNMENT

Mr. Baesel adjourned the meeting at 7:40 P.M.

Bryan Baesel, Chairman

Clerk of Commissions Nicolette Sackman, MMC

Approved: March 29, 2022