



Meeting Minutes
Board of Adjustment

Tuesday, January 24, 2017

5:00 PM

Council Chamber

4:30 - 5:00 PM - Work Session for Agenda Review

Chairman Moore opened the work session at 4:30pm.

Mrs. Rees introduced case BOA 17-001 for a request of an appeal to install a sculpture in the required front yard that does not meet the allowed dimensions. Mrs. Rees briefly presented a powerpoint showing a rendering of the proposed sculpture and dimensions. A discussion was held by the Boardmembers. Mrs. Rees then moved forward to present a powerpoint for case BOA 17-002, a request of an appeal to install a circular driveway that does not meet the required dimensions. The applicant, Kristin Brown, and the homeowners of 4512 Stanhope Ave were present for the work session. Mrs. Rees explained that there was not a property hardship and the Zoning Ordinance is currently under review to make revisions to parking. The Boardmembers held a brief discussion regarding the setbacks, total lot coverage, and alternatives for parking on this lot. No action was taken.

The work session was closed at 4:56pm.

Call to Order

Chairman Moore called the meeting to order at 5:00pm.

Introduction of Board Members

Present: 5 - Chairman Eddy Moore, John Jackson, Darrell Lane, Bobby Womble and Eurico Francisco

Excused: 2 - Clay Snelling and Jeff Barnes

Absent: 1 - Ann Shaw

Seated: 2 - Kevin Maguire and Jim Hitzelberger

Staff in Attendance

Patrick Baugh, Community Development Director,
Jessica Rees, City Planner,
Cecilia Mena, Planning Technician,
Rob Dillard, City Attorney.

The Board of Adjustment of the City of University Park will conduct a public hearing in the Council Chamber. Consideration will be given to the following item(s):

[BOA 17-001](#)

Request an appeal under Section 18-101 of the comprehensive zoning ordinance, to install a sculpture in the required front yard measuring 112 cubic feet, where a maximum of 20 cubic feet is allowed.

Chairman Moore asked Boardmember Jackson to read each case then opened the public hearing and swore-in those persons wishing to speak to the items. Chairman Moore requested for anyone to speak on behalf of BOA 17-001. With no one to speak, Chairman Moore then requested for anyone to speak in opposition to approach the podium.

Randall Fojtasek, resident and owner of 6815 Baltimore Dr and 7028 Turtle Creek Blvd, expressed his dislike in the size of the sculpture, the change of the complexion to front yards in the city, and the precedent that will be to others moving forward. With no one else to speak, Chairman Moore closed the public hearing for this item.

No further questions or comments were made by the Boardmembers.

A motion was made by Chairman Moore, seconded by Boardmember Lane, that this Appeal be denied. The motion carried by a unanimous vote.

[BOA 17-002](#)

Request an appeal under Section 18-101 of the comprehensive zoning ordinance, to install a circular driveway that does not meet the required dimensions that are stated in the Zoning Ordinance.

Chairman Moore requested for anyone to speak in favor. Howard Watkins, homeowner at 4512 Stanhope Ave, approached the Board and introduced the case to install a circular drive. He indicated that he was concerned for the safety of his neighbors and the issues that could arise in the event of an emergency situation. He explained that his wife and himself are the only residents on their block that park on the street on a nightly basis and do not have a parking solution. Mr. Watkins shared copies of an e-mail from Scott Head, a neighbor who lives across the street, who explained that the Watkins vehicles block the view of oncoming traffic which is a concern to parents of all of the children who play in the neighborhood.

Kristin Brown, contractor and applicant, approached the podium and voiced the difficulty of having to park on the street. Ms. Brown offered to show video footage of the street and limited parking that was available on multiple occasions. Ms. Brown also mentioned that the Watkins were soon to have limited access to the alleyway due to upcoming alley construction. Jessica Rees confirmed that alley construction was not currently underway or scheduled to commence. A discussion was made between the homeowner and Ms. Brown about the different driveways that were not fit for their lot in their opinion. Ms. Brown questioned what revisions were proposed to the Zoning Ordinance and Chairman Moore explained that although the Zoning Ordinance is currently under review, he could not confirm what revisions to parking and lot width were in place at this time.

Chairman Moore asked if any of the Boardmembers had questions. Boardmember Lane and Ms. Brown discussed what type of material would be considered for the proposed circular driveway. Boardmember Lane also mentioned that the new fire trucks were going to be built six inches narrower. Boardmember Francisco was curious as to why the Watkins were not able to use their garage for parking and Mr. Watkins explained that the dimensions of their garage would not allow either of their vehicles to fit inside.

Chairman Moore requested for anyone to speak on behalf of the Watkins.

Chairman Moore swore in Clayton Sporich, resident at 4508 Stanhope. Mr. Sporich expressed his opinion that a circular driveway would make the most sense because of the many children that will soon become new drivers. Boardmember Lane gave an explanation for the turning radius and the other dimensions of the circular driveway. Mr. Sporich explained that if the circular driveway was approved than it would provide them with the opportunity to adjoin driveways in the future which could potentially solve the turn radius issue.

With no one else to speak in favor or in opposition, Chairman Moore asked Mrs. Rees to approach the podium to answer questions.

Mrs. Rees explained the reasoning behind each of the required dimensions

for a circular driveway on a minimum fifty-six foot lot. A discussion was held by the Boardmembers.

With no one else to speak, Chairman Moore closed the public hearing for this item.

A discussion was held by the Boardmembers regarding the legality of approving or denying this appeal of the building official, the required setbacks, and the fact that this particular situation does not fall as a property hardship because this lot is not a unique. Chairman Moore encouraged the homeowners to communicate with Mrs. Rees and Mr. Baugh and seek a different route.

A motion was made by Boardmember Jackson that this Appeal be denied. A motion was made by Boardmember Womble that this Appeal be tabled. The motion carried by a unanimous vote.

Consider the previous meeting minutes with or without corrections:

[16-166](#)

Minutes for the Board of Adjustment meeting dated August 23, 2016.

A motion was made by Chairman Moore that this Minutes be approved. The motion carried by a unanimous vote.

ADJOURNMENT: With their being no further business before the Board, Chairman Moore adjourned the meeting at 5:49pm.

Approved by:

Chairman Eddy Moore

Date