

## DECEMBER 16, 2019 BZA HEARING MINUTES

Mr. Miller- Good afternoon, and welcome to the board of zoning appeals. Our purpose is to review and decide request for zoning code variances administrative reviews and request for modification of the home occupations requirements for handicapped individuals. If you intend to testify today, we ask that you sign the register on the table. Staff will first show slides of the site followed by staff findings and discussion. I will then call the applicant, then those in favor and then those opposed. The board does reserve the right to talk and right to call back the applicant in case we have any questions which have arisen over today's testimony. I will then close the public portion of the hearing and the board will vote to approve or deny the request. Our vote is final unless appealed to the city council within 10 days. I would like to introduce our board from the Department of Safety and inspections on my far right is Yaya Diatta, Matthew Graybar, board members Daniel Miller, Joyce Maddox, Staff Attorney Peter Warner, Luis Rangle Morales, will be attending, Robert Clarksen, Danielle Swift, Gloria Bogen, Diane Trout-Oertel. Kaozouapang Yang from the Department of Safety and inspections as well.

We will take the cases in order that they appear on the agenda unless there is opposition those cases with opposition present will be moved to the bottom of the agenda. The board reserves the right to limit speaker time.

Our first order of business is the approval of the minutes from December 2, 2019, Move by Bogen; Second by Clarksen. All in favor "I" opposed like sign. All in favor.

### **Old Business:**

**966 Mississippi River Blvd. S. 19-096470** Second order of business will be the approval of resolution as amended on November 18th, 2019. Moved by Bogen; Second by Swift. All in favor "I" opposed like sign. All was in favor.

Do you want to see if there's anyone here for opposition present for under new business and we can figure out the order then? All right, so we'll skip ahead to new business and just you know, if there's anyone here to speak in opposition in the venue that I just to get a sense of the people here. Is there anybody in opposition for 550 Vandalia Street, just raise a hand. Nobody in opposition. Is anybody here in opposition to 499 Burlington Road? I don't see any is anybody here in opposition to 1858 Sargent Avenue. Not seeing anyone is anyone here in opposition to 754 Payne Avenue. Is anyone here in opposition to 273 Goodhue? Anyone in opposition to 969 Rice Street? Anyone in opposition to 1827 Highland Parkway. Anyone here in opposition to 883 Front Avenue. Okay.

**35 Winthrop Street North 19-097169** the applicant recently applied a parking pad in the front yard without city approval. He's requesting variance from the parking regulations that prohibit off-street parking spaces within the front yard and the paving regulations that prohibit driveways from expanding four feet wider than the garage door. We took public testimony about this two weeks ago. It reached a 3/3 ruling and we had laid it over for two weeks to allow more board members to be able to come today and perhaps break the deadlock. So is there any discussion Bogen, I'm going to start by Moved for denial of the variance based on findings three

and six. The motion is to deny based on the staff recommendations three and six. Is there a second on the motion? There's the second by Ms. Maddox.

Is there any discussion on the motion? hearing no discussion. Can I have a voice roll call.

Bogen-Yes; Clarksen-Yes; Trout-Oertel-Yes; Maddox-Yes; Miller-Yes; Swift-No; Morales-No. That motion however does succeed 5-2 so unfortunate that the variance have been denied the ruling will become final unless you appeal within 10 days to City Council. You can address any questions to city staff either after today's hearing or you can make a time to meet with them after today.

**Move by: Bogen / Second by: Maddox**

**Denied**

**5-2**

Submitted by Maxine Linston and Kaozouapang Yang

Approved by:

Matthew Graybar

Daniel Miller, Secretary