



## Legislation Details (With Text)

<b>File #:</b>	ABZA 15-4	<b>Version:</b>	1
<b>Type:</b>	Appeal-BZA	<b>Status:</b>	Archived
		<b>In control:</b>	City Council
		<b>Final action:</b>	9/2/2015
<b>Title:</b>	Public hearing to consider the appeal of Daniel J. Thees to a decision of the Board of Zoning Appeals (BZA) approving a lot width variance in order to divide the parcel at 1916 Fairmount and create a buildable lot east of the existing house.		
<b>Sponsors:</b>	Chris Tolbert		
<b>Indexes:</b>			
<b>Code sections:</b>	Sec. 66.231. - Density and dimensional standards table.		
<b>Attachments:</b>	1. 1916 FAIRMOUNT - Appeal application and BZA Resolution, 2. 1916 FAIRMOUNT - staff report and minutes, 3. 1916 FAIRMOUNT - variance application and pictures of existing house' sunroom, 4. 1916 FAIRMOUNT - Opposition letters, 5. 1916 FAIRMOUNT - Support letter and applicants' narrative, 6. 1916 FAIRMOUNT - Site plan, survey and floor plan of proposed new house, 7. 1916 FAIRMOUNT - new house elevation plans, 8. 1916 FAIRMOUNT - Area maps, 9. 1916 FAIRMOUNT - Condition of BZA approval, 10. 1916 Fairmount - Site pictures, 11. 1916 FAIRMOUNT - 15.99 Letter, 12. Eckstein Email, 13. Rossman Email, 14. Snyder Kirchner Email, 15. Ballman email, 16. Lindsay - 1916 Firmont email, 17. Oelschlager - 1916 Fairmont Email, 18. Sekevitch - 1916 Fairmont Email, 19. Abler - 1916 Fairmont Email, 20. Harder - 1916 Fairmont Email, 21. Morrisette & Rosenberg - 1916 Fairmont email, 22. Amberg - 1916 Fairmont Email, 23. Warner - 1916 Fairmont Email, 24. DiPietro email, 25. Stapp - 1916 Faimont Email, 26. Romano - 1916 Fairmont Email, 27. comments, 28. Sabourin - 1916 Fairmont Email, 29. Olson - 1916 Fairmont Email, 30. Emails, 31. Gross - 1916 Fairmont Email, 32. Fifield - 1916 Fairmont Email, 33. Norman - 1916 Fairmont Email, 34. Madigan - 1916 Fairmont message, 35. Trost - 1916 Fairmont Email, 36. Arnosti - 1916 Fairmont Email, 37. Wroblewski - 1916 Fairmont Email, 38. Duffy - 1916 Fairmont Email, 39. Martinson - 1916 Fairmont Email, 40. Maloney - 1916 Fairmont Email, 41. ABZA 15-4		

Date	Ver.	Action By	Action	Result
9/2/2015	1	City Council	Granted	Pass

Public hearing to consider the appeal of Daniel J. Thees to a decision of the Board of Zoning Appeals (BZA) approving a lot width variance in order to divide the parcel at 1916 Fairmount and create a buildable lot east of the existing house.

The applicant requested a variance of the lot width requirement in order to split the parcel and create a buildable lot east of the existing house. The subdivision would result in a conforming Parcel "A" where the existing house would remain and a nonconforming Parcel "B" that is 40.9 feet wide (50 feet required) in the mid-section for a new single family dwelling. The applicant and his family would live in the new single family dwelling and sell the house on Parcel "A".

The applicant requested a variance of the lot width for parcel "B". Staff recommended denial of the variance and the district council was not in support of the variance. The matter was first heard on June 22, 2015 but the BZA did not reach a decision due to a tied vote (3 - 3) and the case was continued for 2 weeks. At the July 6 meeting, the BZA approved the variance subject to the condition that the new house is constructed as shown on the site plan included in the appeal document (page 41). The appellant, who is the owner of the property immediately to the east of the 1916 Fairmount has provided his basis for appeal in a document included in this application.

See attached documents.

Does this issue fall within the 60 day rule? Yes

If yes, when does the 60 days expire? July 27, 2015

Has an extension been granted? Yes

If so, to what date? September 25, 2015

Please explain.]

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