



Legislation Details (With Text)

File #: ABZA 17-4 **Version:** 3

Type: Appeal-BZA **Status:** Archived

In control: City Council

Final action: 4/5/2017

Title: Public hearing to consider the appeal of Wayne Fischer to a decision of Board of Zoning Appeals (BZA) denying a variance request to construct a three-car detached garage at 1560 Lincoln Avenue.

Sponsors: Chris Tolbert

Indexes:

Code sections: Sec. 63.501. - Accessory buildings.

Attachments: 1. 1560 Applications and Extension Letters, 2. 1560 Lincoln Plans, 3. 1560 Lincoln Staff Report, 4. 1560 Lincoln Resolutions, 5. 1560 Lincoln Minutes, 6. 1560 Lincoln Letters and Photos, 7. 1560 Lincoln Maps

Date	Ver.	Action By	Action	Result
4/5/2017	3	City Council	Granted	Pass

Public hearing to consider the appeal of Wayne Fischer to a decision of Board of Zoning Appeals (BZA) denying a variance request to construct a three-car detached garage at 1560 Lincoln Avenue.

See attached resolution.

On January 18, the Board of Zoning Appeals (BZA) did not have enough Board Members for a quorum. The BZA laid the matter over in order to have enough Board Members to hear and vote on the case. On January 30, 2017, the BZA duly conducted a public hearing where all persons interested were afforded the opportunity to be heard. The BZA's motion failed on a roll call vote of 3 - 1 and the case laid over to February 13, 2017. On February 13, the BZA denied the request on a 5 to 1 vote. The applicant is appealing the BZA's decision on grounds that the decision for denial was not based on facts, case had been laid over a couple of times and between the different hearing dates Board Members were not afforded the opportunity to hear the applicants testimony.

Does this issue fall within the 60 day rule? Yes

If yes, when does the 60 days expire? March 31, 2017

Has an extension been granted? Yes

If so, to what date? May 8, 2017

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