

MINUTES
MANHATTAN BOARD OF ZONING APPEALS
City Commission Room, City Hall
1101 Poyntz Avenue
Wednesday, February 13, 2008
7:00 PM

MEMBERS PRESENT: Connie Hamilton, Chairperson; Calvin Emig; Joe Aistrup;
La Barbara J. Wigfall; and, Harry Hardy.

MEMBERS ABSENT: None

STAFF PRESENT: Steve Zilkie, Senior Planner, AICP; Chad Bunger, Planner

CONSIDER THE MINUTES

Hardy moved to approve the January 9, 2008 minutes which was seconded by Emig and passed with a vote of 5-0.

A PUBLIC HEARING to consider a request for an VARIANCE to allow a driveway to be greater than twenty-four (24) feet in width and 960 square feet in area; and, reduce the minimum 75% landscaped open area required in the front yard, all for a proposed paved driveway for a new single-family dwelling in the R, Single-Family Residential District and AO, Airport Overlay District. The property is located at 1021 Park Shire Circle (Applicant/Owner: CBS Construction Co., Inc, Christopher B. Stephens).

Bunger provided the staff report recommending denial of the Variance request.

Emig asked when the pictured provided in the staff report were taken. Bunger said that the most recent photographs were taken on Monday, February 11th.

Hamilton opened the public hearing.

Christopher Stephens, applicant, provided information concerning the design of the driveway. He showed a landscaping design that would minimize the affects of the large driveway. Stephens also spoke about the benefits of the circle driveway by allowing drivers to drive forward onto the cul-de-sac, creating a safer environment. Stephens said that if the house was pushed back twenty-five (25) feet to accommodate the driveway, a large amount of backfill and retaining walls would be needed because of the natural ravine in the rear of the yard. He

also showed pictures of the foundation of the house and the depth of the natural ravine.

Emig asked if the driveway could be redesigned to meet the Zoning Regulations or come closer to the requirements. Stephens said that he could try and increase the landscaped bulb in the driveway, reduce the legs of the driveway and decrease the parking pad in front of the attached-garage.

Emig stated that if the driveway was redesigned to reduce the amount of concrete area, he may be supportive of the request. He suggested the item be tabled to allow the applicant to redesign the proposal.

Aistrup asked what is close enough for a Variance. Emig stated that one (1) over the required maximums would necessitate a Variance. Hardy said that the Board typically asked the applicant to look at all of the alternatives to the issue first before deciding upon the Variance request.

Aistrup stated that he wonders if any redesign of the driveway can meet the regulations and maintain the circle driveway.

Stephens explained the challenges of building a single-family home with a 3-car garage on a cul-de-sac because of the narrow front property line and limited space.

Judy Stephens, 916 Brierwood Drive, spoke in favor of the proposed design. She said that the circle driveway would create a safer environment in the cul-de-sac by allowing the driver to move forward onto the street, rather than back out onto the cul-de-sac.

With no further comments, Hamilton closed the public hearing.

Aistrup ask what the dimensions of the approved driveway were. Bunger said that the Zoning Inspectors have calculated area of the approved driveway and that he did not have the measurements.

Hamilton asked if staff could find the area and dimensions of the approved driveway. Bunger said that he would.

Emig stated that he liked the landscape plan to minimize the affects of the proposed driveway on the character of the neighborhood. He stated he would be support tabling the request so the applicant could redesign the driveway.

Hardy stated he liked the proposed concept and understood the affects the ravine has on the property. He also supported tabling the request to redesign the driveway and would consider safety and the sign of the front yard area created by the cul-de-sac.

Wigfall stated she was willing the table the item until the next monthly meeting.

Hamilton agreed with the Board in its decision to table the item.

Hardy moved to table the Variance request until the March 12, 2007 Board of Zoning Appeals meeting. Aistrup seconded the motion, which was approved 5-0.

BORAD OFFICER ELECTIONS

Hamilton recommended Harry Hardy as the new Chairperson of the Board of Zoning Appeals and made a motion to elect Hardy as the new Chairperson. Wigfall seconded the motion, which passed 5-0.

Hardy recommended Calvin Emig as the new Vice-Chairperson of the Board of Zoning Appeals and moved to elect Emig to the position. Hamilton seconded the motion, which passed 4-0. Emig did not vote.

ADJOURNED.

Respectfully Submitted,
Chad Bunger

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