



MINUTES
MANHATTAN BOARD OF ZONING APPEALS
City Commission Room, City Hall
1101 Poyntz Avenue
Wednesday, February 14, 2018
7:00 PM

MEMBERS PRESENT: Connie Hamilton, Vice Chairperson; Angie Danner; Brandi Nelson; and La Barbara Wigfall

MEMBERS ABSENT: Harry Hardy, Chairperson

STAFF PRESENT: Carol Davidson, Senior Planner; Doug May, Planner, Shauna Laauwe, Planner II

CONSIDER THE MINUTES OF THE DECEMBER 13, 2017, BOARD OF ZONING APPEALS MEETING.

Danner moved to approve the December 13, 2017 minutes which was seconded by Wigfall and passed with a vote of 4 – 0.

A PUBLIC HEARING TO CONSIDER AN EXCEPTION UNDER THE TERMS OF THE MANHATTAN ZONING ORDINANCE OF THE CITY OF MANHATTAN, KANSAS, TO ALLOW FOR THE INCREASE OF THE MAXIMUM LOT COVERAGE FROM THIRTY (30) PERCENT TO THIRTY-FIVE (35) PERCENT AS WELL AS THE REDUCTION OF THE MINIMUM REAR YARD SETBACK FROM TWENTY-FIVE (25) FEET TO FIFTEEN (15) FEET FOR A PROPOSED ADDITION TO AN EXISTING SINGLE FAMILY HOUSE LOCATED WITHIN AN R, SINGLE-FAMILY RESIDENTIAL DISTRICT, LOCATED AT 2921 HICKORY COURT. (APPLICANT: JOHN FRANKLIN & INGELIN LONO LESLIE)

FILE NO. EXC-17-110

May presented the staff report, which recommended approval with three condition of approval.

Hamilton asked if the rear setback is at an angle.

May replied that the house is positioned at an angle on the lot. One side of the addition will encroach the setback much further than the other side due to the angle of the setback line.

Hamilton asked if the wall runs parallel to the proposed setback.

May said it was perpendicular.

Hamilton clarified that she was referring to the stone wall.

May replied that the stone wall is parallel to the house and is a little off center of the rear yard setback.

Hamilton asked about the proposed wall on the west side of the property with the four foot roof to clarify that the proposed change was not under consideration of the board.

May replied that no action is necessary for the sloped roof but it does contribute to the lot coverage which is under consideration.

Hamilton asked if the 30-35% lot coverage includes the portion of that roof.

May replied yes.

Hamilton opened the public hearing.

John Leslie, owner/applicant, 2921 Hickory Court, has lived in the house since 1984 and was not the initial builder of the property. The stone wall in the back was constructed to level the yard from the natural drop. The original deed of the house shows fifteen (15) foot setbacks so the addition design was based upon those setbacks. The homeowners have always planned to fill in the yard that is on the level area because it is very difficult to maintain due to the slope. The gap in the existing stone wall was place there initially for yard work purposes and for future construction for an addition. Following the completion of the addition, the gap in the stone wall will be filled to have a complete retaining wall along the rear of the property.

Hamilton closed the public hearing.

Danner commented that considering the lot limitations this application seems like a reasonable request and supports it.

Wigfall commented that the maintenance of the rear yard would cause hardship for the homeowner in the future due to the grade change. She understands the justification for the exception and does not have a problem with the request.

Nelson commented that she likes the proposed gravel bed.

Hamilton said that she would rather not consider the hardship of mowing a reason for an exception of lot coverage but in this case the topography is so strong that they are dealing with more problems than many people.

Nelson made a motion to approve an EXCEPTION under the terms of the Manhattan Zoning Ordinance of the City of Manhattan, Kansas, to allow for the increase of the maximum lot coverage from thirty (30) percent to thirty-five (35) percent for a proposed addition to an existing single family house located within an R, Single-Family Residential District, with the following conditions of approval:

1. The addition shall be constructed as proposed.
2. All applicable permits shall be obtained.
3. The additional landscaping and gravel bed to collect stormwater shall be installed as indicated in the application.

Danner seconded the motion, which passed 4 – 0.

The Board made the following findings of fact for the EXCEPTION at 2921 Hickory Court:

PRESENT USE: Single family home

COMPLIANCE WITH ALL APPLICABLE REGULATIONS: The home is currently compliant with all applicable regulations.

PROBABLE EFFECT ON ADJACENT PROPERTIES: The addition would have minimal effect on adjacent properties. The addition is entirely in the rear of the property, and there are no directly abutting adjacent residential properties. The subject property backs up to Arbor Drive. There is one house on the south side of Arbor Drive, southeast of the subject property that would have a view of the proposed addition. However, the owners of this property, 2833 Arbor Dr., have included their signature of support for this proposal, which is included in the application.

The subdivision plat for Arbor Heights shows front and rear setbacks of fifteen (15) feet, which this proposal was initially designed to meet. Despite what is shown on the plat, Zoning Regulations take precedence, which require a minimum of twenty-five (25) foot rear and front yard setbacks, which is the reason for the rear yard setback reduction request. However, the proposal is consistent with the intentions of the original subdivision layout and does not present any anticipated adverse effects on adjoining properties.

EFFECTS ON PUBLIC HEALTH, SAFETY, MORALS, ORDER, CONVENIENCE, PROSPERITY, OR GENERAL WELFARE: The proposed addition is not anticipated to have any adverse effects on public health, safety, morals, order, convenience, or general welfare. The proposal remains outside of any utility easements or vision clearance triangles.

THE STRICT APPLICATION OF THESE REGULATIONS IS UNREASONABLE OR UNNECESSARY WHEN ALL FACTS AND CIRCUMSTANCES ARE CONSIDERED: The current house and accessory structures cover approximately twenty-seven (27) percent of the lot. The applicant does have approximately three (3) percent of lot coverage remaining to fit an addition and still comply with zoning regulations. However, the design the applicant has proposed would bring the total lot coverage to thirty-five (35) percent, which is the standard lot coverage for most residential districts in the City. The subject property is zoned R, which is usually intended for larger estate style lots. However, in this instance the subject property and those adjacent, have dimensional characteristics closer to an R-1 zoning district, which has a maximum lot coverage of thirty-five (35) percent. The proposed increased lot coverage would not seem out of place in this particular location. Additionally, the proposed addition would only be on the rear of the house, and this particular lot does not directly abut any other

residential properties. The only other residential property that would view the proposed addition is located across Arbor Drive, and the owners of that property have expressed their support of this proposal.

The applicants have indicated that an alternative to their proposal would be to add on to the home vertically, rather than horizontally, and build a second floor. However, according to the application, the current load bearing walls are not strong enough to support a full second story and would require a re-construction of much of the home. Additionally, the applicants wish to make the addition primarily on the same level as the existing house to make it more handicap accessible.

Considering all these facts and circumstances and the limited effect on adjacent properties, the strict application of the regulations seems unreasonable in this instance.

A PUBLIC HEARING TO CONSIDER AN EXCEPTION UNDER THE TERMS OF THE MANHATTAN ZONING ORDINANCE OF THE CITY OF MANHATTAN, KANSAS, TO ALLOW FOR THE REDUCTION OF THE MINIMUM REAR YARD SETBACK FROM TWENTY-FIVE (25) FEET TO FIFTEEN (15) FEET FOR A PROPOSED ADDITION TO AN EXISTING SINGLE FAMILY HOUSE LOCATED WITHIN AN R, SINGLE-FAMILY RESIDENTIAL DISTRICT, LOCATED AT 2921 HICKORY COURT. (APPLICANT: JOHN FRANKLIN & INGELIN LONO LESLIE)

FILE NO. EXC-17-110

The staff report recommended approval with three conditions of approval.

Nelson made a motion to approve an EXCEPTION under the terms of the Manhattan Zoning Ordinance of the City of Manhattan, Kansas, to allow for the reduction of the minimum rear yard setback from twenty-five (25) feet to fifteen (15) feet for a proposed addition to an existing single family house located within an R, Single-Family Residential District, with the following conditions of approval:

1. The addition shall be constructed as proposed.
2. All applicable permits shall be obtained.
3. The additional landscaping and gravel bed to collect stormwater shall be installed as indicated in the application.

Danner seconded the motion, which passed 4 – 0.

The Board made the following findings of fact for the EXCEPTION at 2921 Hickory Court:

PRESENT USE: Single family home

COMPLIANCE WITH ALL APPLICABLE REGULATIONS: The home is currently compliant with all applicable regulations.

PROBABLE EFFECT ON ADJACENT PROPERTIES: The addition would have minimal effect on adjacent properties. The addition is entirely in the rear of the property, and there are no directly abutting adjacent residential properties. The subject property backs up to Arbor Drive. There is one house on the south side of Arbor drive, southeast of the subject property that would have a view of the proposed addition. However, the owners of this property, 2833 Arbor Dr., have included their signature of support for this proposal, which is included in the application.

The subdivision plat for Arbor Heights shows front and rear setbacks of fifteen (15) feet, which this proposal was initially designed to meet. Despite what is shown on the plat, Zoning Regulations take precedence, which require a minimum of twenty-five (25) foot rear and front yard setbacks, which is the reason for the rear yard setback reduction request. However, the proposal is consistent with the intentions of the original subdivision layout and does not present any anticipated adverse effects on adjoining properties.

EFFECTS ON PUBLIC HEALTH, SAFETY, MORALS, ORDER, CONVENIENCE, PROSPERITY, OR GENERAL WELFARE: The proposed addition is not anticipated to have any adverse effects on public health, safety, morals, order, convenience, or general welfare. The proposal remains outside of any utility easements or vision clearance triangles.

THE STRICT APPLICATION OF THESE REGULATIONS IS UNREASONABLE OR UNNECESSARY WHEN ALL FACTS AND CIRCUMSTANCES ARE CONSIDERED:

The current house and accessory structures cover approximately twenty-seven (27) percent of the lot. The applicant does have approximately three (3) percent of lot coverage remaining to fit an addition and still comply with zoning regulations. However, the design the applicant has proposed would bring the total lot coverage to thirty-five (35) percent, which is the standard lot coverage for most residential districts in the City. The subject property is zoned R, which is usually intended for larger estate style lots. However, in this instance the subject property and those adjacent, have dimensional characteristics closer to an R-1 zoning district, which has a maximum lot coverage of thirty-five (35) percent. The proposed increased lot coverage would not seem out of place in this particular location. Additionally, the proposed addition would only be on the rear of the house, and this particular lot does not directly abut any other residential properties. The only other residential property that would view the proposed addition is located across Arbor Drive, and the owners of that property have expressed their support of this proposal.

The applicants have indicated that an alternative to their proposal would be to add on to the home vertically, rather than horizontally, and build a second floor. However, according to the application, the current load bearing walls are not strong enough to support a full second story and would require a re-construction of much of the home. Additionally, the applicants wish to make the addition primarily on the same level as the existing house to make it more handicap accessible.

Considering all these facts and circumstances and the limited effect on adjacent properties, the strict application of the regulations seems unreasonable in this instance.

A PUBLIC HEARING TO CONSIDER A CONDITIONAL USE UNDER THE TERMS OF THE MANHATTAN ZONING ORDINANCE OF THE CITY OF MANHATTAN, KANSAS, TO FOR A PROPOSED ANIMAL HOSPITAL WITHIN AN EXISTING BUILDING LOCATED IN THE C-5, HIGHWAY SERVICE COMMERCIAL DISTRICT, LOCATED AT 530 MCCALL ROAD. (APPLICANT: BEN MOORE, BEN MOORE STUDIOS; OWNER: DREILING REAL ESTATE, LLC)

FILE NO. CUP-17-111

May presented the staff report, which recommended approval with three conditions of approval.

Nelson asked what will happen if the doggie daycare closes.

May replied that would violate the conditions of the conditional use so they may have to come back before the board. By zoning regulations definition, an animal hospital is allowed to have animals overnight but this facility may not have the physical capacity to do that so changes would probably have to be made.

Hamilton asked about the condition of obtaining all applicable permits and licensing; if it extends beyond just building permits.

May replied that he is not familiar with the permits and licensing required for an animal hospital but it would include building permits and licensing or permits that are required for an animal hospital.

Hamilton asked if the condition could say all applicable permits, licenses, and certifications need to be obtained. She'd like to assume that everything is operating as it should because other agencies are task with that responsibility but the board wants to approve a conditional use that is operating completely according to the law.

May said he would broaden that condition.

Hamilton commented that the condition stating that the development shall be developed as proposed should be written as will be developed and operated as indicated in the application.

Hamilton opened the public hearing.

Ben Moore, architect, 513 Leavenworth, offered to answer any questions about operational procedures. The conditional use request is to help the business model to be able to do major surgeries at the facilities in addition to more simple procedures when the animal can return home the same day. It gives the business the option for overnight stays if necessary. A normal vet clinic and outpatient clinics are allowed in the ordinance but the extended stay is not allowed. This helps the vet's ability to observe animals following major surgeries. There is currently no proposed tenant in the other portion of the building.

Hamilton closed the public hearing.

Wigfall said she remembered the previous application and the board felt it was a good use for the vacant building but knew there was some vacant space left for development. It's nice to see them moving forward with the building remodel by introducing an appropriate use.

Danner thinks the use benefits both the daycare and the vet clinic and doesn't change anything in the area so it is something to support.

Hamilton said it seems like a good location for the use because it won't interfere with residential properties which the board has run into before.

Wigfall made a motion to approve a CONDITIONAL USE under the terms of the Manhattan Zoning Ordinance of the City of Manhattan, Kansas, to for a proposed animal hospital within an existing building located in the C-5, Highway Service Commercial District, with the following conditions of approval, as modified which read:

1. Any animal requiring an overnight stay shall stay at Woof's doggie daycare, located next door.
2. All applicable permits, licenses, and certifications shall be obtained.
3. The proposal shall be developed and operated as indicated in the application documents.

Danner seconded the motion, which passed 4 – 0.

The Board made the following findings of fact for the CONDITIONAL USE at 530 McCall Road:

PRESENT USE: Multi-tenant commercial building containing a doggie daycare

COMPLIANCE WITH ALL APPLICABLE REGULATIONS: The property is currently compliant with all applicable regulations. The property previously received a Conditional Use Permit to allow for a doggie daycare as well as an Exception to allow for parking in the front yard setback.

PROBABLE EFFECT ON ADJACENT PROPERTIES: The subject property is zoned C-5 Highway Service Commercial District. The surrounding properties are entirely light industrial or commercial in nature. To the north is Menards home improvement store, K-State Superstore, zoned PUD, Planned Unit Development. To the east is Murdock Chevrolet, zoned C-5. To the south are light industrial uses zoned C-6, Heavy Commercial District and C-5. To the west is GTM Sportswear, zoned I-2 Industrial Park District.

The proposal is not anticipated to have any adverse effects on adjacent properties. Considering the light industrial and commercial nature of the surrounding area and the fact that a doggie daycare already exists in the same structure, the impacts should be minimal. Additionally, the clinic will not house any animals overnight. All overnight patients will be kept in the neighboring doggie daycare, which was already approved to do so with a Conditional Use permit. The applicants held the required neighborhood meeting, but no property owners

attended.

DOMINATION BY USE OVER NEIGHBORING PROPERTIES:

- 1. Location, nature, and height of physical improvements:** The physical improvements consist of renovating 2,230 square feet in the southwest portion of the building. The western façade of the structure is currently being renovated. No other physical improvements are proposed. Above the entrance to the proposed clinic, the applicants are proposing a wall sign with the business name: 'Fur Family Animal Hospital'. The sign will measure in total approximately three (3) feet ten (10) inches tall and five (5) feet wide.
- 2. Landscaping and screening:** No new landscaping is proposed. The previous Conditional Use for the doggie daycare included requirements for landscaping in the parking lot as required in the Manhattan Zoning regulations: at least nine (9) trees of at least two and one half (2.5) caliper in size within each 5,000 square feet, per Section (7-102(E)(2)).

ADEQUATE PROVISION OF PARKING AND LOADING: No changes are proposed to the parking lot, which was approved by City Staff with the previous Conditional Use permit. The parking lot contains a total of sixty-three (63) parking spaces, including three (3) ADA spaces. The existing doggie daycare uses sixteen (16) of those spaces, eleven (11) spaces will be for the proposed vet clinic, and the remaining thirty-six (36) spaces will be for future a future tenant(s). The parking is calculated as a business/commercial establishment use, which requires one (1) parking space for every 200 square feet. After subtracting hallways, restrooms, and mechanical rooms from the square footage, 1,861 square feet remain, which requires eleven (11) parking spaces.

ADEQUATE PROVISION OF DRAINAGE, AND OTHER PUBLIC UTILITIES: The proposal makes no physical changes to the exterior of the site. The current property connects to existing sanitary sewer and water lines along McCall Road. As part of the renovation of the building with the previous Conditional Use for the doggie daycare, the electrical service was upgraded. An eight (8) foot wide utility easement runs along the south property line starting from the east property line and running 235 feet to the west. Because no exterior physical changes are proposed at the site, nothing will interfere with this easement.

No changes are proposed to the current drainage patterns of the site. There is a drainage ditch on the west side of Enoch Lane, which this site drains into.

ADEQUATE PROVISION OF ACCESS: Because the subject property is a corner lot, it is accessed from two streets. There is a curb cut and entrance to the parking lot on the north side of the property from McCall Road and another curb cut and entrance to the property from Enoch Lane. The parking lot surrounds the structure on three sides, with vehicle access to all

three sides. The vet clinic itself will be accessed from an entrance on the west side of the building.

A PUBLIC HEARING TO CONSIDER A CONDITIONAL USE TO ALLOW FOR THE RENOVATION OF AN EXISTING TWO-FAMILY DWELLING, A LEGALLY NON-CONFORMING USE, LOCATED WITHIN AN R-1/TNO/UO, SINGLE FAMILY RESIDENTIAL DISTRICT WITH TRADITIONAL NEIGHBORHOOD OVERLAY, LOCATED AT 1623 FAIRCHILD AVENUE. (APPLICANT: DOUG SCHWARTZ & MARY ELLEN AVERY – SPRING CREEK PROPERTIES, LLC)

FILE NO. CUP-17-112

May presented the staff report, which recommended approval with two conditions of approval.

Danner asked what the ceiling height in the attic is.

May replied that he does not know the ceiling height in the attic but the applicant is in attendance and he may know.

Hamilton asked for a reminder as to why there was a conditional use in 2002.

May replied that the reason the conditional use was required was because in the R-2 district one of the two units had to be smaller than 600 square feet, if it's greater than 600 square feet then it is a conditional use.

Hamilton asked if the downzone happened in 2000.

May confirmed.

Hamilton asked if the downzone in 2000 placed the restriction on the second unit.

May replied yes.

Hamilton asked if that was the reason the conditional use was needed.

May replied yes.

Hamilton asked if the new zoning made it legally nonconforming.

May replied yes, it is currently R-1 which only allows single-family.

Hamilton asked if it was legally nonconforming because it's a two unit but also because it was granted a conditional use allowing the second unit to be greater than 600 square feet.

May replied yes, it allowed the second unit to be bigger than 600 square feet but only through a conditional use.

Hamilton commented that the current application continues two units and continues the number of bedrooms in the two units, but it's actually increasing the square footage of at least one of the units because the attic is being renovated.

May responded that the applicants are spreading the units out across the structure more; however, since it's no longer R-2, the square footage requirement isn't relevant anymore. We would just consider it legally nonconforming. The square footage of the units doesn't play a part at this point because the zoning district has changed to R-1. If it was still R-2 and had the requirement that the second unit be less than 600 square feet then it would be a part of the findings but in this case since it's R-1 the square footage of the units isn't relevant.

Hamilton asked that it isn't that you can have an R-2 unit in an R-1 as a conditional use but in this particular case because it had a conditional use, it was legally nonconforming. So in an R-1 TNO, you couldn't apply for a conditional use to divide a single-family house into two units.

May replied that was correct.

Hamilton asked if this was different.

May replied yes.

Hamilton opened the public hearing.

Doug Schwartz, owner/applicant, 4305 Ladasa Circle, shared that he was before the board about a year ago for renovations to 1307 Poyntz which was another big house that was rundown and wanted to do a similar thing to make the house at 1623 Fairchild better for the community and better for the tenants. When the house was purchased it had tenants in it and he was forced to evict them due to violence and drug abuse, then new tenants were evicted shortly after due to nonpayment. The house has potential to be great and the attic space is a great opportunity for additional living space. When the house was originally built, there were 30 bunk beds in the attic. It's a large and very usable space. The ceilings are 8 foot across and then sloped downward. At 8 foot there is a collar tie that hooks the roof pieces together, the collar ties will be left exposed and sheetrock will run all the way to the peak to make the space feel bigger. It will be an 11 foot opening but you still have the 8 foot collar tie cords running across the space making it more unique. The goal is to add more bathrooms and better living spaces for the tenants. The kitchen in the basement is dark and cold, but he can give tenants a big, open kitchen on main floor and in the attic. The attic offers a large, open space with a lot of light and the original hardwood floors. There was an old deck that wasn't shown in any of the photos that came out of the attic to a stairwell. A new staircase will be added that offers access to the second floor and the attic. All the mechanical parts on the property are shot and need to be replaced throughout but structurally it was built well. Pavers will be added to the driveway and possibly the parking lot like done at 1307 Poyntz. He wants to improve the neighborhood and get better tenants. Other property owners in the area are also looking to make improvements to their homes.

Danner asked if the property will be leased by the unit or by the bedroom.

Schwartz said it would be leased by the unit.

Danner asked if each person would be responsible for the entire unit.

Schwartz said it would be a group of tenants per lease. The property is close to campus so it will probably be student housing but as nice as it will be, a family could move in. It is difficult if you have a family in one unit and students in the other but with the new separation of the units it could be a possibility.

Schwartz brought up the topic of the bushes along the driveway.

Hamilton replied that according to the conditional use, if granted, Schwartz would not be required to keep the bushes.

May commented that there is also a one and a half foot curb along the driveway that should prevent people from pulling into the yard but the proposed landscaping plan does show the bushes being replaced.

Schwartz commented that he wanted to modernize the landscaping and avoid putting the bushes in the grass by putting them in flower beds along the driveway.

Hamilton closed the public hearing.

Nelson commented that the request was reasonable.

Danner commented that it seemed like a better use for the space and if it is going to stay a two unit rental this is the best scenario for it.

Hamilton said it would be a vast improvement.

Wigfall commented that it is clear that the applicant loves the house, the neighborhood, and the community.

Nelson said that if the electrical needs replaced, renovations might as well happen.

Hamilton commented that the property at 1307 Poyntz is very nice and is a more concrete idea of the goals of this renovation.

Hamilton noted that she was the sole dissenting vote in the 2002 conditional use and still stands by her concerns. A lot has changed in the zoning and the conditional use that was before the board in 2002, there was fear of the property being abused but that is not a fear at this time because it's operating as an R-1. It was purchased as a legally nonconforming, so you have a right to do this. Even though there is still concern because if a structure is being renovated you'd typically like it to follow the downzone instead of maintaining what it there. There is a vast improvement in the housing in this area and that may have a larger impact than

the reduced density. If there is housing that looks good, is maintained well, and is safer; that all seems to be an asset and a reason to support this.

Danner made a motion to approve a CONDITIONAL USE to allow for the renovation of an existing two-family dwelling, a legally non-conforming use, located within an R-1/TNO/UO, Single Family Residential District with Traditional Neighborhood Overlay, with the following conditions of approval:

1. All applicable permits shall be obtained.
2. The property shall be renovated as proposed in the application documents.

Wigfall seconded the motion, which passed 4 – 0.

The Board made the following findings of fact for the CONDITIONAL USE at 1623 Fairchild Avenue:

PRESENT USE: Two-family dwelling

COMPLIANCE WITH ALL APPLICABLE REGULATIONS: The subject property is currently compliant with all applicable regulations.

PROBABLE EFFECT ON ADJACENT PROPERTIES: The property is currently zoned R-1/TNO/UO Single Family Residential District with the Traditional Neighborhood Overlay and the University Overlay. Properties to the west, south, and east are also zoned this way. Properties to the north are zoned R-3/UO Multiple Family Residential District with the University Overlay. The neighborhood is almost entirely residential, except for AT&T Offices located northwest of the site. According to Riley County Appraisal Data, all directly adjacent residential properties, except for one, have at least two (2) dwelling units. Directly to the northeast of the subject property are two apartment buildings. The applicants held the required neighborhood meeting as part of the Conditional Use application process, but no one attended.

The proposal should have minimal effect on adjacent properties. While a significant portion of the neighborhood has been down-zoned to a single family district, many of the residential properties still contain more than one dwelling unit. Granted, this proposal does not align with the zoning district, it does represent investment into the neighborhood. The applicants are not proposing to increase the number of dwelling units or the number of bedrooms.

DOMINATION BY USE OVER NEIGHBORING PROPERTIES:

1. **Location, nature, and height of physical improvements:** The proposed improvements are primarily on the inside of the structure. The applicants are proposing to completely remodel the structure and rearrange the two dwelling units, which each contain four (4) bedrooms. The proposal includes removing the kitchen and living room from the first unit from the basement and relocating them to the

main floor, as well as relocating the kitchen and living room from the second floor to the attic. The shed in the southeast corner of the property is proposed to be removed. The shed on the east side of the structure will remain.

2. **Landscaping and screening:** The site currently contains two large walnut trees on either side of the sidewalk leading to the front door, as well as two cedar trees in the northeast corner of the lot surrounding a small bench. A pine tree on the eastern edge of the front yard is proposed to be removed. One of the conditions of approval on the previous Conditional Use was that a row of shrubs should be planted along the east side of the driveway to deter tenants from parking on the front lawn. The applicants are proposing to replace these shrubs with a new row of shrubs. Additionally, there is a one (1) foot tall concrete curb between the driveway and the front yard which would prohibit pulling from the driveway onto the yard. The applicants also propose to install a sidewalk around the perimeter of the home that leads from the front sidewalk and driveway to the rear parking area. The area between the sidewalk and the house is proposed to be landscaped with flower beds. The front portion of the front lawn slopes down to the public sidewalk and is proposed to be landscaped with “low maintenance ground cover”, such as ivy or something similar.

ADEQUATE PROVISION OF PARKING AND LOADING: The property currently contains a gravel parking area in the rear of the site with enough space for seven (7) vehicles. The Manhattan Zoning Regulations require two (2) parking spaces for each dwelling unit of a duplex, four (4) parking spaces total. The site exceeds the requirements for parking. The applicants are proposing to pave the parking area and the gravel driveway that is accessed from Fairchild Avenue with brick pavers.

ADEQUATE PROVISION OF DRAINAGE, AND OTHER PUBLIC UTILITIES: The applicants are not proposing to make any substantial changes to the exterior of the site except for new landscaping. Therefore, current utilities accessing the site are Drainage is currently adequate and is anticipated to remain so.

ADEQUATE PROVISION OF ACCESS: The property is currently accessed via a driveway along the west side of the property from Fairchild Avenue. A sidewalk leads from the public sidewalk to the front door. The applicants are proposing new sidewalks that will lead from the front sidewalk and driveway to the rear parking area.

CAPITAL IMPROVEMENT PLAN PROJECT IDENTIFICATION

Hamilton said the board often doesn't have many suggestions for this topic but wants the staff to have the most up to date technology to make their jobs easier but that may not fall into a CIP project.

May commented that he appreciated that.

Hamilton adjourned the meeting at 8:00 p.m.

Respectfully submitted by,
Lesley Frohberg, Planning Intern