

Board of Adjustments

April 4, 1996

7:00 PM

Chairman Maxfield called the meeting to order at 7:03 PM. Mr. Flischel made a motion to accept the previous minutes, as distributed, the Motion was seconded by Mr. Lucas. Chairman Maxfield called a vote:

Maxfield- Y
Flischel- Y
Lucas- Y
Tretter- Y

Mr. Meece introduced Cary Bushman to the Board of Adjustments, Mr. Bushman was appointed to finish Mr. Darpel's term; Mr. Darpel had resigned in January for personal reasons.

Chairman Maxfield asked for nominations for Officers, this should have been done at a meeting in January and/or February, however, inclement weather canceled those sessions. Mr. Lucas nominated Paul Maxfield for Chairman, seconded by Mr. Flischel; Paula Tretter nominated Mr. Flischel for Vice-Chair, the motion was seconded by Mr. Bushman; Mrs. Tretter nominated Ed Meece, CAO, to serve as Secretary, seconded by Mr. Flischel. Mr. Maxfield closed the nominations and asked for a vote:

Maxfield- Y
Flischel- Y
Tretter- Y
Lucas- Y
Bushman- Y

Chairman Maxfield asked if there was any Old Business prior to starting the Public Hearing. Mr. Lucas asked Mr. Meece to investigate the operations hours of the BP station. Mr. Lucas stated that he thought that the BOA had conditioned approval of several applications made by the Deters Company on the fact that the station would close at midnight. Mr. Meece stated he would research the matter, and follow-up at the next meeting.

There being no other business, Chairman Maxfield convened the Public Hearing portion of the meeting.

PUBLIC HEARING # 1

Mr. Bowling, Building Inspector, explained the technical aspects of the application, including data related to the type of zone involved, the size of the variance requested, and his understanding of the situation that exists.

Mr. Friedrich, Ausara Company, gave a brief overview of his application for a dimensional variance, and why it was needed to allow the present tenants of his building (Quick Cash) to expand their operations. Chairman Maxfield asked Mr. Meece if all of the uses in the building were a Permitted Use in the NC Zone. Mr. Meece responded that the Quick Cash establishment came about as the result of Mr. Finnell's interpretation of the Permitted Uses in the zone. This interpretation was done without the consult of the City Commission or City Administrator, and was somewhat controversial after it happened.

Martha Curran, 4808 Taylor Mill Road, stated that if the building is allowed to come any closer to her property it will subtract from the value of her property. Mrs. Curran also complained of the unsightly storage of garbage on the site, and bothersome citizens using the pay phone located on the side of the parking lot closest to her home.

Mr. Flischel asked if the garbage trucks would still be able to make their pick-ups in the current location, and if the pad would continue to hold the dumpster. Mr. Friedrich stated that the dumpster would still fit, and the trucks could continue to access the dumpster as they do now. Mr. Flischel also asked if the new portion of the building would include a new exterior door. Mr. Friedrich stated that there would only be interior access to the new space.

Mrs. Curran then asked the Board if they could require Mr. Friedrich to allow her to tap his sewer line as part of the approval process. Mr. Meece stated that he did not believe that the BOA had the authority to require such an action as part of this application, Mr. Maxfield agreed. Mr. Friedrich stated that he had no problem with the tap if the Sanitation District would approve it. Mr. Meece stated that he would have a letter drafted on the part of the City Commission to be sent to the Sanitation District requesting that an exception be made to allow this tap; and he promised to speak with Jeff Egger about the situation.

Mr. Maxfield asked that a final decision on the matter be postponed until the May meeting, to allow for time to send a letter to the Sanitation District and resolve the sewer matter. Mr. Flischel made a motion to continue the meeting until May and Mrs. Tretter seconded. Mr. Lucas agreed with the action. Chairman Maxfield asked for a vote:

Maxfield- Y
Lucas- Y
Tretter- Y
Flischel- Y
Bushman- Y

The meeting was suspended until the first Thursday in May.