

Taylor Mill Board of Adjustment Meeting
Thursday, June 9, 2016
7:00 p.m.

Agenda

1. Roll Call
2. Confirmation of Quorum
3. Adoption of Minutes
4. Public Hearing BOA1604-0002
 - a. Confirmation of Notification
 - b. Declaration of Conflicts
 - c. Declaration of Site Visit
 - d. NKAPC Staff Report
 - e. Comments from Applicant
 - f. Comments from Proponents
 - g. Comments from Opponents
 - h. Discussion by Board Members
 - i. Motion/Second Regarding Findings of Facts
 - j. Vote
5. Adjournment

**Taylor Mill Board of Adjustments
Regular Meeting
June 9, 2016**

Chairman Lucas called the meeting to order at 7:00 p.m. The City Clerk called the roll.

Chairman Lucas	Here
Mr. Fuller	Here
Mr. Meyer	Here
Mr. Osterhage	Here
Mr. Singleton	Here

Chairman Lucas stated that a quorum was present.

Mr. Fuller made a motion to accept the minutes from the April 7, 2016 Board of Adjustments meeting as submitted. Mr. Meyer made a second. The City Clerk called roll.

Mr. Fuller	Yes
Mr. Meyer	Yes
Chairman Lucas	Yes
Mr. Osterhage	Yes
Mr. Singleton	Yes

MOTION CARRIED

PUBLIC HEARING

Chairman Lucas stated the purpose of the meeting and reviewed for the applicant the procedure process.

APPLICANT: FLORAL HILLS MEMORIAL GARDENS PER ROBERT GARNER

LOCATION: 5336 Old Taylor Mill Road

REQUEST: To seek a conditional use permit for the expansion of the off-street parking area within the R-1C and R-1D Zones; the applicant proposes to add twenty-four additional off-street parking spaces to the existing parking lot.

CONFIRMATION OF NOTIFICATION: Chairman Lucas stated that all interested parties had been notified of the meeting and packets sent out.

DECLARATION OF CONFLICTS: None

DECLARATION OF SITE VISITS: No specific site visit but Board of Adjustment Members are familiar with the site.

Chairman Lucas gave a brief explanation of the hearing process for everyone present.

STAFF REPORT AND REVIEW: Planning Development Services Associate Planner, Chris Schneider, presented and read aloud the professional staff report, which had been previously distributed to all board members. He went over in depth the site description and zoning requirements (see attached report).

STAFF RECOMMENDATION: To approve the conditional use permit to construct twenty-four additional off-street parking spaces with the following conditions:

1. Meet all landscaping requirements of the Taylor Mill Zoning Ordinance.
2. All new off-street parking areas shall be paved with asphalt concrete or Portland Cement concrete.

SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION:

1. The existing funeral home and burial grounds is a necessary and desirable land use which provides a service that contributes to the general well-being of the community. Allowing the parking area to expand will allow the funeral home to accommodate the needs of their clientele as they continue to grow their business.
2. The size and scale of the proposed improvements to the site in question are consistent and compatible with the existing land uses in the surrounding areas.
3. Allowing for the construction of twenty-four new off-street parking spaces will not alter the established character and form of the surrounding areas.
4. The parking lot expansion will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

Mr. Schneider stated issues regarding drainage and water runoff are addressed during the permitting stages of the project by PDS staff or Sanitation District One in accordance with the regional storm water rules and regulations set forth by Sanitation District One.

Mr. Osterhage asked Mr. Schneider if there is a preference on the parking area being paved with asphalt or cement concrete.

Mr. Schneider stated the zoning code only requires one or the other.

Mr. Osterhage asked if there are regulations on how many parking spots in a parking lot can be serviced by one ingress and egress.

Mr. Schneider stated he doesn't believe it's an issue and the parking spaces are required to be a minimum of nine feet wide and eighteen feet long, which is indicated on the site plan.

Mr. Schneider stated the structure of the funeral home is not changing.

Mr. Osterhage asked why the request came before the Board of Adjustments.

Mr. Schneider stated in the R-1C and R-1D Zones, where the funeral home is located, any expansion or change to conditional use requires approval from the Board of Adjustments. Mr. Schneider stated anytime the funeral home wants to do any type of expansion, it will come before the Board of Adjustments.

Mr. Fuller asked what the zone typically is for a cemetery.

Mr. Schneider stated R-1 zones. Mr. Schneider stated funeral homes and cemeteries are typically conditional uses in whatever zone they are located in.

Mr. Fuller asked if it would be an easier process for the funeral home to apply for a zone change where they would not have to come before the Board of Adjustments for future expansions.

Mr. Schneider stated not being aware of any zone that permits cemeteries outright but will have to research. Mr. Schneider stated the applicant has the option to apply for a zone change.

Mr. Meyer asked why cemeteries were put in that zone.

Mr. Schneider stated he cannot speak to that.

Chairman Lucas stated it gives the Board of Adjustments the option to allow or to not allow conditional uses.

The Board of Adjustments had a discussion regarding the first time Floral Hills came before the board to expand into a funeral home in 2007.

Mr. Fuller asked if Floral Hills will have to come before the Board of Adjustments when they develop their remaining land into burial plots.

Mr. Schneider stated yes. Mr. Schneider stated if they were to expand the current cemetery into the vacant land that is not the cemetery then that is an expansion of the use that will require a conditional use.

PRESENTATION/COMMENTS BY APPLICANT:

Mr. Robert Garner of 5336 Old Taylor Mill Road addressed the Board of Adjustments. Mr. Garner stated business at Floral Hills has picked up in the last twenty-two months since

transitioning from another funeral home. Mr. Garner stated most funerals have seventy-five cars or more. Mr. Garner stated the current parking spaces do not hold it. Mr. Garner stated renting golf carts on funerals to help visitors up and down the hill. Mr. Garner stated with the increase in business, he felt they needed to do something to help the people be closer and more level to the main entrance.

Chairman Lucas asked the general capacity of the funeral home.

Mr. Garner stated three hundred and eighty.

Mr. Osterhage asked about lighting.

Mr. Garner stated no lighting will be put up.

Mr. Osterhage asked about the surface of the parking lot.

Mr. Garner stated asphalt.

Mr. Fuller asked why only twenty-four spots.

Mr. Garner stated having several blacktop companies come out and without doing a lot of excavating of the land, twenty-four would be the least expensive to help them out. Mr. Garner stated as they get busier they will continue to rent the golf carts as needed.

Mr. Osterhage stated this is not addressed here but there is obligation to provide a landscape barrier between the lot and Taylor Mill Road.

Mr. Garner stated eight flowering plum trees will be put in. Mr. Garner stated in between the plum trees are a type of shrubbery. Mr. Garner stated on the end part of the parking lot are two more flowering plum trees.

Mr. Schneider noted five percent of the interior pavement area has to be landscaped according to the zoning regulations.

Chairman Lucas asked if any letters have been received regarding the expansion.

Ms. Forsyth stated no.

Mr. Schneider stated no.

COMMENTS FROM PROPONENTS:

Mr. Fuller stated a resident approached him and stated he was for the expansion.

Mr. Garner stated two residents inquired about the expansion and were fine with it due to the location.

Mr. Schneider stated approximately fifty letters were mailed to adjacent property owners.

Mr. Phil Peace of 5360 Millstone Court addressed the Board of Adjustments. Mr. Peace stated attending a funeral in the winter at Floral Hills and parking was a mess. Mr. Peace stated he can absolutely see the need to expand.

COMMENTS FROM OPPONENTS:

No comments from opponents.

CLOSED PUBLIC HEARING: Chairman Lucas thanked those who have shown up to voice their opinion and the public hearing portion closed at 7:24 p.m.

The Board members discussed the request.

Mr. Fuller made a motion to approve the conditional use permit to construct twenty-four additional off-street parking spaces and to adopt the Staff Recommendations subject to the following conditions:

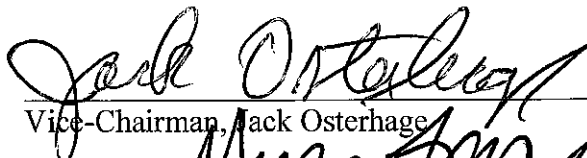
1. Meet all landscaping requirements of the Taylor Mill Zoning Ordinance.
2. All new off-street parking areas shall be paved with asphalt concrete or Portland Cement concrete.

In support of this motion, the Board further finds that the proposed conditional use would contribute to the general well-being as part of the findings and facts of the committee and that it is not detrimental to the health, safety, or general welfare of the community of Taylor Mill. Mr. Meyer made a second. The Clerk called role.

Mr. Fuller	Yes
Mr. Meyer	Yes
Chairman Lucas	Yes
Mr. Osterhage	Yes
Mr. Singleton	Yes

MOTION CARRIED

There being no further business to come before the Board, Mr. Fuller made a motion to adjourn at 7:28 p.m. Mr. Singleton made a second. All Board Members present were in favor. The meeting is now adjourned.


 Vice-Chairman, Jack Osterhage

ATTEST: 
 Gena Forsyth, Asst. City Clerk

DATE: 3-2-2017