

**Zoning Board of Appeals Minutes
November 15, 2016**

ZBA MEMBERS	ZBA MEMBERS ABSENT	STAFF PRESENT
Kenneth Ying Lawrence Aronow Bryan Patchan Tom Overbey Shuan Butcher	Jim Racheff	Gabrielle Collard – Division Manager for Current Planning Rachel Depo – Assistant City Attorney Jessica Murphy – Administrative Assistant

I. ANNOUNCEMENTS:

NONE

II. GENERAL PUBLIC COMMENT:

There was no general public comment.

III. APPROVAL OF MINUTES:

Approval of the **September 27, 2016** Zoning Board of Appeals Meeting Minutes as published:
Approval of the **November 10, 2016** Zoning Board of Appeals Field Trip Minutes as published:

MOTION: Mr. Butcher moved to postpone the approval of minutes until the December ZBA meeting.

SECOND: Mr. Aronow

VOTE: 3-0

IV. PUBLIC HEARING-SWEARING IN:

“Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Zoning Board of Appeals will be the whole truth and nothing but the truth.” If so, answer “I do”.

V. OLD BUSINESS:

NONE

VI. NEW BUSINESS:

A. ZBA16—802CU, Conditional Use, 1417 Grouse Court

Ms. Collard entered the entire staff report into the record. There was no public comment.

Zoning Board of Appeals Action:

MOTION: Mr. Butcher motioned for approval of case ZBA16-802CU with the 6 findings of fact: that the proposed use provides alternative living options for the elderly and is deemed a conditional use in the R6 zoning district as such, is in harmony with both the City's Comprehensive Plan and Land Management Code, respectively. Based on the information provided by the Applicant, there will be no increase in traffic to the site beyond that typically associated with a residential dwelling unit and as such, the proposed use will not generate any greater impact on the surrounding community than that which would be normally associated with a permitted use not requiring conditional use approval. The Applicant proposes no expansions or architectural modifications to the exterior of the existing home and has testified that there will be no increase in traffic or noise, which will adversely affect the character of the community. The Applicant will obtain all required State approvals and licenses for the assisted living use. The Property is surrounded by other residential uses and is located within a residential setting on local roads and as such, the residents of the facility will be equally as protected from noise, traffic, and air pollution as the surrounding residential uses. Based solely on the square footage of the lot, the maximum number of beds permitted per §841 is 10; however, the Applicant has limited themselves to five (5) beds based on the documentation and testimony provided. The motion is made with the following three conditions;

1. The Applicant must maintain the integrated garage space for the parking of vehicles only.
2. Visitors to the site shall be required to park onsite either within the garage or within the onsite parking spaces.
3. The Applicant provides the City with documentation of the state approvals and licenses for the use.

SECOND: Mr. Aronow.

VOTE: 4-0.

Meeting adjourned approximately 7:53 p.m.

Respectfully Submitted,

Jessica Murphy
Administrative Assistant