

The following reviews the results of the Zoning Board of Appeals meeting on Tuesday, June 2nd, 2009.

09ZMJV-0032

1825 Dodge Avenue

An application by Richard Sylvester, on behalf of the Seventh Day Adventist Church, for an amendment to an existing special use permit (Ord. 95-O-77) due to the acquisition of additional lots and proposed construction of a 6,083 square foot addition to an existing 1,800 square foot structure on said lots. The proposed addition would require variances from Zoning Code Section 6-8-5-9 Impervious Surface (Maximum allowed is 55%, applicant requests 61%), and Section 6-8-5-7 Yard Requirements (Required 23' based on average of neighboring properties, applicant proposes 19.3 setback.) The Zoning Board of Appeals is a recommending body to the City Council who has final approval.

The Board voted to recommend approval of the amendment to the existing Special Use; and voted to recommend approval of the requested variance to the impervious surface requirement. However, the Board voted to recommend denial of the variance to the front yard setback. This was not an acrimonious vote as the applicant agreed with the Board that the proposed addition could be adjusted in a manner that would not require a front yard setback variance. The applicant stated they would have a proposal revision that would not require a front yard setback for presentation to the City Council. ZBA Member Sutton also recommended that the applicant conduct a traffic study to measure traffic on the alley. The alley would be the way parishioners access the improved parking lot. Member Sutton also recommended the applicant look at alternative materials that could assist in alleviating the impervious surface coverage.

09ZMJV-0037

1223-1225 Chicago Avenue

An Application by Urmish Patel, contract-lessee, to operate a Type II Restaurant 'Fruit Chill' at 1223-1225 Chicago Avenue. 1223-1225 Chicago Avenue is zoned B1 which allows a Type II Restaurant to be operated through a Special Use Permit. The Zoning Board of Appeals will hear this case to make a recommendation to the City Council. The City Council will be the determining body of the granting of a Special Use permit for this application at a future hearing to be determined.

The Board recommended approval of the special use permit with the provisions that the applicant adhere to the standard City litter plan.

2014 Orrington Avenue – Revisions to a proposed expansion of the facility. The revised proposed addition would be a partial two story brick addition (on the south part of the addition) and partial one story addition (on the south part of the addition) to the rear west elevation instead of the initially proposed full 2 story addition, and new wood ramp on the south side of the building (instead of the north side of the building as previously proposed). This revised project does not impact the required major variations for the maximum allowed lot coverage (30%) - proposed = 32%; maximum allowable impervious surface (45%) - proposed = 59%; the proposed addition

requires (15') setback from the north property line – proposed = 5.4'; the proposed addition requires (15') setback from the south property line – proposed = 9.5'

The case was continued to July 7th due to the applicant's counsel not being able to attend due to a last minute personal matter.