

**BOARD OF ZONING APPEALS**

**May 11, 2009**

**8:00 P.M.**

Chairman Jim Smith called the Board of Zoning Appeals meeting to order at 8:00 P.M.

The following members were present: Donna Wendt Elliott, Anne Risch, Mayor Fred Conley, Scott Gluth and Jim Smith.

Also in attendance were Robert Pauley, Village Administrator/Zoning Inspector, Cindy Garber, and Secretary to the BZA.

**PUBLIC HEARING PARCEL #1 FOR 128 S. LOCUST STREET TO GRANT THE FOLLOWING VARIANCES:**

Section 153.339 LOT AREA, WIDTH AND YARD REQUIREMENTS.

(A) Lot area and width, Parcel #1, lot frontage and width of 96' in lieu of 100' required in the LI (Light Industry) District, lot area of .3164 acres, in lieu of one acre required.

(C) YARD REQUIRED.

Front yard setback – 2' in lieu of 100' required, building setback is nonconforming as building was pre-existing at time of establishment of land use regulations for LI District.

Side yard setback – left side 20' in lieu of 25' required, building side yard setback is nonconforming as building was pre-existing at time of establishment of land use regulations for LI District.

Side yard setback – right side 25', 25' required, compliant.

Rear yard setback – 22', in lieu of 75' required, building rear yard setback is nonconforming as building was pre-existing at time of establishment of land use regulations for LI District.

Section 153.342 PERCENTAGE OF LOT COVERAGE

Lot coverage is 5,777 square feet of .3164 acres (13,782 sf) is 41.9%, in lieu of 40% maximum allowed, lot coverage is nonconforming as building was pre-existing at time of establishment of land use regulations for LI District

A motion was made by Scott Gluth to grant the variance requests for the front yard, left yard and rear yard setbacks and the percentage of lot coverage. Donna Wendt Elliott seconded the motion. On roll call all voted in favor of the motion. Motion carried.

**PUBLIC HEARING PARCEL #2 FOR 128 S. LOCUST STREET TO GRANT THE FOLLOWING VARIANCES:**

Section 153.339 LOT AREA, WIDTH AND YARD REQUIREMENTS.

*(C)* YARD REQUIRED

Side yard setback - left side is 5' in lieu of 25' required, building side yard setback is nonconforming as building was pre-existing at time of establishment of land use regulations for LI District.

Side yard setback – right side is 20' in lieu of 25' required, building side yard setback is nonconforming as building was pre-existing at time of establishment of land use regulations for LI District.

Rear yard setback – is 0' in lieu of 75' required, building rear yard setback is nonconforming as building was pre-existing at time of establishment of land use regulations for LI District.

A motion was made by Donna Wendt-Elliott to grant the variance requests for the left side, right side and rear yard setbacks. Anne Risch seconded the motion. On roll call all voted in favor of the motion. Motion carried.

No further business the meeting was adjourned at 8:06 p.m.



Jim Smith, Chairman