

**BOARD OF ZONING APPEALS**  
**PUBLIC HEARING**  
**Monday, May 11, 2009**  
**7:30 P.M.**

Chairman Jim Smith called the Public Hearing to order at 7:30 p.m.

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

Also in attendance was: Robert Pauley, Village Administrator/Zoning Inspector, Cindy Garber, Secretary to the BZA, Jeffrey Gaines, Deborah Gaines of Witt and Gaines, Inc. and Robert Hofelick, Chief of Operations at The Gordon Lumber Co.

The purpose of the hearing was to obtain public comment on variances to Section 153.339 Lot Area (A) Lot area/width and (C) Yards required and Section 153.342 Percentage of Lot Coverage for a proposed lot split of Parcel #1 requested by The Gordon Lumber Company, 128 S. Locust Street.

Chairman Smith administered the Oath to all present that wished to give testimony or make a statement.

Administrator Pauley explained the building in Parcel #1 did pre-exist at the time of the establishment of the zoning code and therefore is considered grandfathered. The areas that Gordon Lumber will need variances regarding Parcel #1 are:

**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

Mr. Hofelick explained that Gordon Lumber would be selling this parcel and this is a good opportunity for Mr. Gaines to be able to expand his business.

No further comment the hearing was adjourned at 7:39 p.m.



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Jim Smith, Chairman