

Board of Zoning Appeals

MINUTES OF THE MEETING OF SEPTEMBER 10, 2007

MEMBERS PRESENT: Earl Ward, Chairperson
James Belew, Vice Chairperson
Tim Bailey

MEMBERS ABSENT: Don Judd
Kipp Riddle

OTHERS PRESENT: Tim Biggs, 1212 East Quincy, Pittsburg
Barbara Todd, 703 Elmwood Lane, Pittsburg
Amanda Sheets, 717 North Broadway, Pittsburg
Ruth Lemon, 110 East Carlton, Pittsburg
Todd Kennemer, Assistant Director of Public Works

The Pittsburg Board of Zoning Appeals met on Monday, September 10, 2007, at 5:15 p.m., in the City Hall Commission Room. Chairperson Earl Ward called the meeting to order at 5:15 p.m. with three (3) members present.

The first order of business was the approval of the minutes of the meeting of June 4, 2007. In this regard, Tim Bailey moved, seconded by Jim Belew, that the minutes be approved as submitted. Motion carried unanimously.

A **PUBLIC HEARING** was held, as advertised, to consider the following:

Case No. 07-8 - A request submitted by Betty Farris for a variance to allow apartments to be located on the ground floor in a CP-2 Planned General Commercial located at 1005 East 4th Street.

Chairperson Earl Ward opened the **PUBLIC HEARING** by stating the request and then asked the applicant to comment on behalf of said request. In this regard, Tim Biggs was present on behalf of Betty Farris, as he was in the process of purchasing the property from Ms. Farris. Mr. Biggs wants to convert the ground floor into apartments. There is currently an apartment unit upstairs that will remain. The first thing will be to clean up the property, haul off junk and repaint the building. There is also a mechanics garage at the back part that Mr. Biggs indicated he would be serving notice on the operator to vacate. The plans are for 4 or 5 1½-2 bedroom apartment units on the ground floor. The property consists of 5 lots being 40' wide by 142' deep for a total of 200 feet of frontage. There are no plans at this time for the remainder of the property, but if Mr. Biggs decided to do any other building he indicated it would probably be on the east side of the building.

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There being no one present to speak in opposition to the request, Chairperson Earl Ward closed the **PUBLIC HEARING** for the request.

After general discussion about the spirit and intent of the regulations, Tim Bailey moved, seconded by Jim Belew, that the variance be **granted**. Motion carried unanimously.

A **PUBLIC HEARING** was held, as advertised, to consider the following:

Case No. 07-9 - A request submitted by Loren and Barbara Todd for a variance to allow a fence higher than 3 feet to be built of solid building material in the front yard setback located at 703 Elmwood Lane.

Chairperson Earl Ward opened the **PUBLIC HEARING** by stating the request and then asked the applicant to comment on behalf of said request. In this regard, Barbara Todd indicated they were in the process of constructing a new fence on the property (known as the old Girl Scout property) when they were advised by the City that the type of fence being constructed (solid fence) could not be built in the front yard setback without a variance. They removed the old chicken wire that was originally in its place and replaced it with a new solid panel fence. The fence has been completed, but the reason was because they were not aware a variance would be required, so now Mrs. Todd was present to request the necessary variance for the fence. Mrs. Todd indicated she had gone to the area neighbors and told them of their plans for the fence and all were in favor of anything being done to improve the property.

There being no one present to speak in opposition to the request, Chairperson Earl Ward closed the **PUBLIC HEARING** for the request.

After general discussion about the intent of the regulations and that the fence went above and beyond minimum requirements and a major improvement to the area, Jim Belew moved, seconded by Tim Bailey, that the variance be **granted**. Motion carried unanimously.

The next Board of Zoning Appeals meeting is scheduled for October 1, 2007.

There being no further business to be discussed, Tim Bailey moved, seconded by Jim Belew, that the meeting adjourn. Motion carried unanimously and the meeting adjourned at 5:40 p.m.

Respectfully submitted,

Todd Kennemer
Assistant Director of Public Works