

MINUTES OF ZONING AND PLANNING COMMISSION / ZONING BOARD OF APPEALS MEETING

March 14, 2013

7:30 P.M.

1. Roll Call/Call to Order
2. Approval of minutes of Zoning and Planning Commission / Zoning Board of Appeals meeting held on February 28, 2013
3. Case Number 13 P-01 / 135-149 N. Addison Conditional Use and Associated Variations (PIN(s) 06-02-221-003 & 004)
Request for Conditional Use Permit and Associated Yard Setback Variations for the purpose of constructing a six (6) story mixed-use parking garage with retail and office space.
Public Hearing Continued from 2/28/2013--All properties within 500 feet have been notified
Note: The Applicant has requested a continuance to April 11, 2013.
4. Case Number 13 ZBA-03 / Spiller Variation 141 N. Larch
Request for Front Yard Setback Variation for the purpose of constructing an unenclosed front porch.
Public --All properties within 500 feet have been notified
5. Case Number 13 ZBA-04 / Dettman Variation 310 S. Prospect
Request for Rear Yard Setback Variation for the purpose of constructing an attached garage.
Public --All properties within 500 feet have been notified
6. Case Number 13 P – 02 / Chic-Fil-A Conditional Use and Associated Variations
Request for Conditional Use Permit for the purpose of constructing and operating a drive-through restaurant with Pylon Sign, and associated variations for wall sign area(s).
Deliberation – Public Hearing Held 2/28/2013
7. Other Business

Commission Members Present: Brinkmeier, Callaway, Corrado, Hill, Mushow, Whistler

Commissioner Members Absent: Frolik, McCoyd, Torcasso

City Staff Present: Werner

After a roll call establishing a quorum, Chairman Whistler requested a motion to approve the Zoning and Planning Commission/Zoning Board of Appeals meeting minutes for February 28, 2013.

Commissioner Brinkmeier moved to approve the minutes of the February 28, 2013 Z&P Commission /ZBA meeting as written. Commissioner Corrado seconded and, with a voice vote being all ayes, the motion passed.

Chairman Whistler stated that the Applicant for Case # 13P-01 / 135-149 N. Addison Conditional Use and Associated Variations has requested a continuance of the Public Hearing to April 11, 2013. Chairman Whistler requested a motion to continue the Public Hearing to April 11, 2013. Commissioner Corrado moved to continue Case # 13P-01/135-149 N. Addison Conditional Use and Associated Variations to April 11, 2013. Commissioner Hill seconded, and with a vote being all ayes, the motion passed.

Chairman Whistler opened the Public Hearing for Case # 13ZBA-03/Spiller Variation – 141 N. Larch. This is a request for a Front Yard Setback Variation for the purpose of constructing an unenclosed front porch. After all testimony was received from the Applicant and one person in the audience who expressed support for this petition, Chairman Whistler closed the Public Hearing portion of this case.

Chairman Whistler opened the Public Hearing for Case # 13ZBA-04/Dettman Variation – 310 S. Prospect. This is a request for a Rear Yard Setback Variation for the purpose of constructing an attached garage. After all testimony was received from the Applicant, and there being no one person in the audience concerned with this petition, Chairman Whistler closed the Public Hearing portion of this case.

Chairman Whistler opened the deliberation for Case # 13P-02/Chic-Fil-A Conditional Use and Associated Variations. The Commission discussed the request for Conditional Use Permits for the proposed drive-through and pylon sign and noted that the Applicant has met all of the Standards for Conditional Use. The Commission discussed the request for Variation to wall sign area and noted that the Applicant has met all of the Standards for Variation. The Commission voted unanimously to recommend that the City Council approve the request as presented.

Chairman Whistler opened the deliberation for Case # 13ZBA-03/Spiller Variation – 141 N. Larch. After review of the request, the Board of Appeals voted unanimously to recommend that the City Council approve the request as presented.

Chairman Whistler opened the deliberation for Case # 13ZBA-04/Dettman Variation – 310 S. Prospect. After review of the request, the Board of Appeals voted unanimously to recommend that the City Council approve the request as presented.

Other Business –Mr. Werner briefed the Commission on upcoming cases.

The meeting was adjourned at 8:50 P.M.

Submitted by: Nathaniel J. Werner AICP, Planning and Zoning Administrator