

CITY OF AURORA, OHIO
BOARD OF ZONING APPEALS
Meeting Minutes
October 14, 2009

The Aurora Board of Zoning Appeals met in a regularly scheduled meeting Wednesday, October 14, 2009 in the Council Chambers at City Hall. The meeting was called to order at 7:30 p.m. by Chairman Don Arbuckle.

ROLL CALL: Present: Scott Friedler
Peter French
Terese Fennell
Bernard McCarrell
Don Arbuckle
Absent: Tony Gramm
Also Present: Chad Murdock, Legal Advisor
Denise Januska, City Planner
Susan Dombeck, Clerk

WORK SESSION:

Mr. Arbuckle explained the procedure for the work session and meeting.

OLD BUSINESS:

Tabled 09-09-09.

AURORA BOARD OF EDUCATION, 102 EAST GARFIELD ROAD [0908012]

Two variance requests:

- 1. A variance from Section 1153.04(e)(2)(A)(2) of the Aurora Codified Ordinances to allow a fence eight feet high rather than the maximum allowed four foot height*
- 2. A variance from Section 1153.04(e)(2)(A)(2) of the Aurora Codified Ordinances to allow a solid stockade fence instead of a fence with uniform openings aggregating at least 50% of the surface*

Mr. Arbuckle stated that no new information has been received. Therefore, this item would remain on the table.

NEW BUSINESS:

CHELSEA PROPERTY GROUP, 549 SOUTH CHILLICOTHE [0909014]

Two variances from the Aurora Codified Ordinances. Those variance requests are:

- 1) From Section 1159.08(c)(5)(B) which requires that the sign may only be posted on the wall of the principle building and not on a light pole*
- 2) From Section 1159.08(c)(5)(D) which requires that the proposed sign may only be displayed for fourteen (14) consecutive days, four (4) times a year with at least thirty (30) days between displays, not continuously.*

Mr. Arbuckle briefly reviewed the variance requests.

AURORA VFW, 1033 NORTH AURORA ROAD [0909015]

Three variances from the Aurora Codified Ordinances. Those variance requests are:

- 1) *From Section 1159.16(b)(3)(A)(1) to allow a sign that exceeds the allowed sign area for the property by 6.23 square feet*
- 2) *From Section 1159.14(a)(3) to allow structural supports and architectural elements to exceed the allowed square footage by 13 square feet*
- 3) *From Section 1159.05(b) to allow a sign with changeable copy*

Mr. Arbuckle explained the requests for the proposed sign.

STEVE GANG (FOR CROSSINGS CAFÉ), 329 EAST GARFIELD ROAD

Discussion and decision regarding comparable sign interpretation before review of variance request

- [0909016] - *A variance from Section 1159.05(k) of the Aurora Codified Ordinances to allow a wall sign 6 feet into the right-of-way*
- [0909017] - *A variance from Table 1155.01 to allow a building awning 6.5 feet into the right-of-way instead of having a 50 foot front setback*

Mr. Arbuckle stated that a decision must be made on the staff's interpretation before the variances could be considered.

DANIEL SPRADLIN, 370 EAST GARFIELD ROAD [0909018]

A variance from Section 1153.04(b)(2)(B) of the Aurora Codified Ordinances to allow an accessory structure over the maximum area allowed by 367.5 square feet instead of the limit of 50% of the floor area of the house

Mr. Arbuckle briefly reviewed the request.

MISCELLANEOUS:

There was no miscellaneous business.

MEETING:

Mr. Murdock gave the oath to the staff and audience members that planned to speak during the meeting.

AMENDMENTS TO THE AGENDA:

There were no amendments to the agenda.

APPROVAL OF MINUTES:

MOTION: To approve the minutes of the September 9, 2009 meeting as printed.

Mrs. Fennell moved for approval; Mr. McCarrell seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mrs. Fennell, Mr. McCarrell, Mr. Friedler, Mr. French, Mr. Arbuckle
Nays: None

OLD BUSINESS:

Tabled 09-09-09.

AURORA BOARD OF EDUCATION, 102 EAST GARFIELD ROAD [0908012]

Two variance requests:

- 1) *A variance from Section 1153.04(e)(2)(A)(2) of the Aurora Codified Ordinances to allow a fence eight feet high rather than the maximum allowed four foot height*
- 2) *A variance from Section 1153.04(e)(2)(A)(2) of the Aurora Codified Ordinances to allow a solid stockade fence instead of a fence with uniform openings aggregating at least 50% of the surface*

Mr. Arbuckle stated that since no new information has been received, this item would remain on the table.

NEW BUSINESS:**CHELSEA PROPERTY GROUP, 549 SOUTH CHILLICOTHE [0909014]**

Two variances from the Aurora Codified Ordinances. Those variance requests are:

- 1) *From Section 1159.08(c)(5)(B) which requires that the sign may only be posted on the wall of the principle building and not on a light pole*
- 2) *From Section 1159.08(c)(5)(D) which requires that the proposed sign may only be displayed for fourteen (14) consecutive days, four (4) times a year with at least thirty (30) days between displays, not continuously.*

Mr. Arbuckle reviewed the variance requests. Claude Hopkins represented the applicant. He stated that when the addition was added in the back, they had banners on the light poles. About 3 or 4 years ago they removed them per the zoning requirements. He said that they would like to put the banners back up. All of the poles that are to have banners would be at least 300 feet from the right-of-way, and the ones in the rear would be in the parking area and unable to be seen by neighboring properties.

Per an inquiry by Mr. Arbuckle, Mr. Hopkins explained that they have 25 poles staggered in the parking lot and they would like to place two banners on each pole. He mentioned that the site plan shows the locations of the poles. There was a brief conversation on those locations.

There was a short discussion on the first set of banners installed. Mr. Arbuckle asked if the proposed banners would have the stores' names or be generic. Mr. Hopkins stated that currently they are generic, but if a store asks to have its name on a banner they would follow through with it.

Mrs. Fennell asked how often the banners would change, and Mr. Hopkins responded that they could be changed throughout the year. Mrs. Fennell wondered if the applicant would have to return to this board whenever the signs were changed. Mr. Murdock said that the content of the

sign is not a concern of this board. Mr. Freidler pointed out that if one of the banners is changed to have the name of a store on it, it might be considered an off-site business identification sign. Mr. Murdock replied that the board would have to determine that since it is the nature of this variance. He added that the applicant is asking for two banner signs per pole and, to the extent that the content is relevant within the code, the board has to make that determination because there could be some limitations.

Mr. Arbuckle stated that if the banner is identified as a "sign", then anytime there is a change the applicant must return for that sign request. He noted that it could get complicated and costly. Mrs. Januska referred to Section 1159.08 and read aloud that "any change of the existing sign face or faces . . . any alteration to the color . . ." would require a permit. She explained that it is considered a "banner sign", or a type of sign. Mr. Friedler said that if that is the nature of the ordinance, then the board should see specific examples of the banner signs. Otherwise the board has no reference point if the applicant should change the signs.

Mr. Arbuckle told Mr. Hopkins that if they plan to put two banner signs on each pole, it totals 50 individual signs. He remarked that, since this board does not do "blanket" variances, each one would require an individual permit and variance, which could be very costly. Mrs. Januska confirmed that the staff's interpretation was that each light pole would require an individual permit and variance.

Mrs. Fennell stated that the applicant seems to think that this variance is for all of the light poles when, in fact, it is for only one. Mrs. Januska verified that this board does not do "blanket" variances. Mr. Arbuckle told Mr. Hopkins that even if the request was approved at this meeting, it would only be for one pole. He would have to return with a request for each one later. He added that this board has always treated the outlets as a "retail island" unto itself. Mr. Arbuckle felt that there should have been more thought and planning to this idea. He asked Mr. Hopkins if he wanted the board to go ahead with a vote or wait for the next meeting. There was a brief conversation on the need for publicity and Mr. Arbuckle felt that the outlets is a well known location and wondered if the banners were really necessary.

Resident George Mazzaro noted that the application is for multiple banners, not just one. He said that the proposal is for the interior of the site and will not affect the exterior area. He noted that the site is a commercial one, the proposal is for the interior area, and the applicant has done an excellent job of maintaining the signs and exterior of the property. Mr. Mazzaro thought that this request should be approved.

Jim Vaca, Councilman for Ward 1, agreed with Mr. Mazzaro. He pointed out that the banners will not be seen from the road and referred to other banners that he has seen in the city.

Mr. Friedler said that he checked the plan and there are 11 light poles that perimeter the front section of the property from 300 feet back to the interior area, and 13 poles that nobody will see because the buildings are around the parking lot. He stated that there are poles that could be seen from adjacent properties in the front along the service drive, behind Malley's, by Saks, etc. He mentioned that the poles could also be seen by those in Independence Village and the housing development to the south.

Mr. Arbuckle noted that the two citizens commented that the poles are located in the interior area of the site and cannot be seen from the road. He said that made him wonder why the banner signs would be necessary to advertise an area to customers that are already there.

Mr. Hopkins reiterated that no one on the north side of the site would be able to see those poles and invited anyone to walk that drive with him to check it.

Mrs. Fennell began a short conversation on the need to request a variance for each one individually, and Mr. Friedler stressed that the board should know what information is going to be on each banner. Mr. McCarrell suggested having this item tabled so that the information could be submitted.

Mr. Arbuckle again asked Mr. Hopkins whether he wanted this board to vote on the request or table it. Mr. Hopkins said that he would prefer to have it tabled so that he could bring in a banner and some renderings for the board to review.

Mr. Murdock told Mr. Hopkins that the staff characterized the signs as banner signs, which has a specific definition. As long as the signs meet the criteria, a permit can be issued. However, what the board is concerned about is that if the criteria are not met, and the signs can be considered a different type of sign, they will have to appear before this board each time. He stressed the importance of staying within the criteria for banner signs.

Mr. Arbuckle suggested that the applicant give some thought to whether they really want the signs up continuously, because that may be something that the board would have a tough time considering.

Mr. Hopkins asked that the board table the request.

MOTION: To table this item.

Mr. Friedler moved for approval; Mrs. Fennell seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mr. Friedler, Mrs. Fennell, Mr. McCarrell, Mr. French, Mr. Arbuckle

Nays: None

AURORA VFW, 1033 NORTH AURORA ROAD [0909015]

Three variances from the Aurora Codified Ordinances. Those variance requests are:

- 1) From Section 1159.16(b)(3)(A)(1) to allow a sign that exceeds the allowed sign area for the property by 6.23 square feet*
- 2) From Section 1159.14(a)(3) to allow structural supports and architectural elements to exceed the allowed square footage by 13 square feet*
- 3) From Section 1159.05(b) to allow a sign with changeable copy*

Mr. Arbuckle reviewed the variance requests. Kenneth Reik, Commander of the VFW Post 2629, spoke on their behalf. He stated that the post would like to install a new sign. He explained that

the current sign is not high enough to be seen from the road when there are some cars parked in the lot. Mr. Reik said that it does not obstruct the view for traffic. He noted that the veterans are very proud of the post and want to make sure its location is known.

Chris Serafino, representing the sign company, stated that the sign would be erected in the same location as the old sign. He said that he felt the post needed a sign with the non-illuminated message center. He added that they needed to be able to post information when needed. Mr. Serafino said information would not be posted very often. Mr. Reik said that there are a few events every year or a district meeting once in a great while that would need to be posted. Mr. Arbuckle wondered why a changeable sign is necessary at this point.

Mr. Serafino said that the post could benefit from having events listed on the sign. He then gave some background on how the design was decided. He said that the spotlights currently on each side of the sign will remain for the new sign.

Mr. French felt having the message center would be an improvement over small signs being put in front of the building.

Mr. Serafino said that boards with the individual event messages would be made so they can be used repeatedly. He reiterated that the messages would not be changed very often.

Mr. Arbuckle questioned the amount for the variance request, and Mrs. Januska said she would have to check the calculations. After a long discussion, it was decided that the calculations were correct.

Mr. Vaca thought the sign would be an improvement. He did not think it would create a sight line problem since it is set back far enough, and he agreed that the sign is not high enough to be seen properly. He noted that the fire station next door also has a message sign.

Mr. Mazzaro supported Mr. Vaca's comments and agreed that the new sign would be an improvement.

Mr. Arbuckle began a review of the checklist for a variance. He asked others for questions or comments during the review. Regarding whether or not there will be an appreciable effect on the business if the variance is denied, Mr. Arbuckle felt that there probably would not be. Referring to whether or not the variance was substantial, Mr. Arbuckle felt it was subjective. He said that the applicant is asking for less than they really need, so he felt it was a non-issue.

Another item considered was if the essential character of the neighborhood would be altered, and Mr. Arbuckle stated that other retail establishments in that area are more than compatible with the surrounding areas. Mr. Arbuckle did not think there would be any effect on governmental services.

Regarding whether the property owner knew the zoning regulation when the property was purchased, Mr. Arbuckle commented that there is no guarantee of that and things do change over time. About having the applicant's predicament solved through another feasible way, Mr. Arbuckle pointed out that the proposal is for a replacement sign that is a vast improvement over the current one.

Mr. Arbuckle stated that the sign is suitable and appropriate for its proposed location. He commented that the applicant did demonstrate that the sign will enhance the property. He added that the sign complies with all of the other requirements other than the requested variances, and that it establishes desirable signage for the city.

MOTION: To grant to the Aurora VFW, for the property at 1033 North Aurora Road, in a C-1 district, a 6.23 square foot variance from Section 1159.16(b)(3)(A)(1) of the Aurora Codified Ordinances, which limits ground signs to an area no larger than 18 square feet to allow a ground sign of 24.23 square feet as shown on the application.

Mr. Friedler moved for approval; Mr. McCarrell seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mr. Friedler, Mr. McCarrell, Mrs. Fennell, Mr. French, Mr. Arbuckle
Nays: None

MOTION: To grant to the Aurora VFW, for the property at 1033 North Aurora Road, in a C-1 district, a 13 square foot variance from Section 1159.14(a)(3) of the Aurora Codified Ordinances, which limits ground sign frames to an area no larger than 12.5 square feet, to allow a ground sign frame of 25.5 square feet as shown on the application.

Mr. Friedler moved for approval; Mr. McCarrell seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mr. Friedler, Mr. McCarrell, Mrs. Fennell, Mr. French, Mr. Arbuckle
Nsys: None

MOTION: To grant to the Aurora VFW, for the property at 1033 North Aurora Road, in a C-1 district, a variance from Section 1159.05(b) of the Aurora Codified Ordinances, which prohibits changeable copy on ground signs, to allow changeable copy on their ground sign as shown on the application.

Mr. Friedler moved for approval; Mrs. Fennell seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mr. Friedler, Mrs. Fennell, Mr. McCarrell, Mr. French, Mr. Arbuckle
Nays: None

STEVE GANG (FOR CROSSINGS CAFÉ), 329 EAST GARFIELD ROAD

Discussion and decision regarding comparable sign interpretation before review of variance request

[0909016] - A variance from Section 1159.05(k) of the Aurora Codified Ordinances to allow a

wall sign 6 feet into the right-of-way
[0909017] - *A variance from Table 1155.01 to allow a building awning 6.5 feet into the right-of-way instead of having a 50 foot front setback*

Mr. Arbuckle stated that the proposed sign is the type that was referred to as a blade sign by this board in the past. However, the code does not have a definition or provisions for a blade sign. He asked Mrs. Januska to explain what this board needs to review and decide.

Mrs. Januska stated that the staff decided to review the application as a wall sign because a blade projection sign is not defined in the code. Under the comparable sign interpretation, as long as this board agrees with the staff's interpretation, then the variance requests can move forward.

Per a request by Mr. Arbuckle, Mrs. Januska verified that there is nothing in the code that would come closer to the definition than a wall sign. She then explained that she reviewed the minutes of a previous meeting where this same situation happened, and the motion that was made did not cover future interpretations, only that one. It was also mentioned in the minutes that if this situation came up again then the board would do another review of the interpretation. Mrs. Januska said that, if the board is in agreement, a motion can be made so that this type of review does not have to happen each time this situation arises.

Mr. Murdock said that the board needs to accept the type of sign proposed as a wall sign, if that's their decision, so this issue does not have to be addressed every time a similar sign is submitted.

MOTION: To accept the interpretation for this sign and others as a wall sign.

Mr. French moved for approval; Mr. McCarrell seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mr. French, Mr. McCarrell, Mrs. Fennell, Mr. Friedler, Mr. Arbuckle
Nays: None

Jack Burge, of Holsman Sign Services, represented the applicant. He said that the applicant is opening a café in Aurora, and introduced the business owner Jim Mehallis and the general manager Ray Jobin.

Mr. Burge stated that the variance requests are for a projecting sign and an awning. He explained that the building sits in the right-of-way on East Garfield. There is a sidewalk and a handicap access ramp on the front of the building. Mr. Burge said that the awning is a canvas awning, rounded in shape, and the sign will be attached to the building above the awning and will project out from the building so it can be seen from both ways.

Mr. Burge felt that the practical difficulties were obvious because of the building's location. He said that the proposed sign and awning enhance the neighborhood, and do not go against the spirit and regulations of the code. He stated that they are justifiable variances.

Per an inquiry by Mr. Arbuckle, Mr. Burge said that the awning is a permanent one. He explained that it is to decorate the front of the building and to protect the inside patrons sitting at the window

from the sun. He added that the sign is identical on both sides and was approved as a non-illuminated sign. In the future, if they decide to expand for dinner hours, they might consider spotlights above the awning to flood up onto the sign.

Mr. Arbuckle began a brief conversation about the parking on the site.

Mr. Mazzaro said that the plan is a good idea and the business would help renew that area.

Mr. Vaca asked about the motion made regarding blade signs being considered as wall signs, and wondered if that would need to be approved by City Council as a change to the code. Mr. Murdock explained that there is now a provision in the code that allows the director to make a determination as to whether a sign, that isn't defined in the code, is comparable to one that is defined. That is what occurred earlier. Mr. Murdock continued by stating that under the same section of the code, this board is to review the director's determination and decide if they agree. The board agreed earlier in the meeting that this type of sign, should the director in the future find it to be comparable, is to be reviewed as a wall sign.

Mr. Vaca questioned whether that was circumventing the code that has to have City Council approval. Mr. Murdock replied that there is a section in the code that allows the director to use that comparable analysis. He said that Council, through the Planning Commission, can define the projection signs, and include and regulate them into the code, which would then take that determination away from the director.

Mr. Vaca mentioned that, had he not been at this meeting, he or any other councilman would not have known of the situation. He reiterated his question about all ordinances, codes and everything that pertains to legislation and running the city going to City Council for review and approval. He stated that he had no problem with what this board decided, but it seems like a temporary fix for a situation that keeps coming up. Mr. Vaca felt that it should be incorporated into the code and brought to Council so they can review and approve it.

Mr. Friedler commented that all this board is doing at this point is directing the staff to continue to interpret blade signs as wall signs until there is some action taken.

Mr. Vaca understood and mentioned that he felt the plan submitted is a good one that enhances the area.

Mr. Arbuckle began the checklist review. Regarding the property having a reasonable economic return or any beneficial use if the variance is denied, Mr. Arbuckle said that without the sign no one would know about the business there. He stated that the building is located within the right-of-way, so whether or not the variance is substantial, there is really nothing that could be done about the building's location.

Mr. Arbuckle, referring to the character of the neighborhood, said that this is a new neighborhood with recent retail additions and improvements.

As to government services, Mr. Arbuckle stated that this would not affect government services.

Mr. Arbuckle said that so much has happened over so long a period that it's pointless to consider whether the property owner purchased the property with knowledge of the zoning regulations. As to the property owner's predicament being feasibly solved through another method, Mr. Arbuckle did not think it could. He said that there is either a sign and awning or the front of the building is left blank, which would not be good for the business.

Mr. Arbuckle said that the sign is suitable and appropriate to the location, and that the applicant demonstrated that the use to which the sign relates cannot be properly identified without the sign.

Mr. Arbuckle commented that since the building is in the right-of-way, there is really no other alternative for the sign.

Mr. Arbuckle then told the applicant that a license from City Council would be needed before the sign could be installed. Mr. Burge acknowledged that they were aware of the requirement.

MOTION: To grant to Steve Gang (for Crossings Café), for the property at 329 East Garfield Road, in a C-1 district, a variance from Section 1159.05(k) of the Aurora Codified Ordinances, which prohibits signs within the public right-of-way, and a 16.5 foot variance from Section 1159.10(a) of the Aurora Codified Ordinances, which requires signs to be at least 10 feet from any public right-of-way, to allow the construction of a wall sign 6.5 feet in the right-of-way of East Garfield Road as shown on the application, conditioned upon the applicant obtaining a license from City Council.

Mrs. Fennell moved for approval; Mr. French seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mrs. Fennell; Mr. French, Mr. Friedler, Mr. McCarrell, Mr. Arbuckle
Nays: None

MOTION: To grant to Steve Gang (for Crossings Café), for the property at 329 East Garfield Road, in a C-1 district, a 56.5 foot variance from Section 1155.02(c) and the 1155.01 Table of the Aurora Codified Ordinances, which prohibits structures within the front setback, to allow the construction of an awning 56.5 feet in the front setback (6.5 feet in the right-of-way of East Garfield Road) as shown on the application, conditioned upon the applicant obtaining a license from City Council.

Mr. French moved for approval; Mrs. Fennell seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mr. French, Mrs. Fennell, Mr. Friedler, Mr. McCarrell, Mr. Arbuckle
Nays: None

DANIEL SPRADLIN, 370 EAST GARFIELD ROAD [0909018]
A variance from Section 1153.04(b)(2)(B) of the Aurora Codified Ordinances to allow an accessory structure over the maximum area allowed by 367.5 square feet instead of the limit of 50% of the

floor area of the house

Mr. Arbuckle explained the variance request.

Mr. Spradlin stated that he works for the city, as Assistant Facilities Manager for the Waste Water Department, and is on call 24 hours a day. He has a city truck that he drives every day, and uses whenever there is a problem at the facility. He noted that getting a call in the middle of the night during bad weather can make it very difficult. Mr. Spradlin told the members that he would like to have a building large enough to park the city truck and their two personal vehicles, as well as a motorcycle and their lawn equipment.

Mr. Spradlin explained that the existing small shed would be turned into a planting/gardening shed for his wife. He said that the exterior materials for the new building would match the house. There was a discussion on the location and design of the building. Mr. Spradlin stated that there are other large buildings in the neighborhood, some 2 stories high, and that the proposed building would not be out of character with the area.

During a brief conversation on when the building would be constructed, Mr. Arbuckle noted that the variance is good for one year.

Per an inquiry by Mr. French, Mr. Spradlin said that the new building would be the only indoor storage area for the vehicles.

Mr. Vaca stated that the applicant does go out on nights when there is a problem at the facility. Referring to the restored vehicle owned by the applicant, he said he also does restoration on old vehicles and Mr. Spradlin's personal truck should not be stored outdoors. Mr. Vaca said he liked the design of the proposed building. He then pointed out that the lot size is just a very small amount shy of one acre, If the lot had been an acre the variance would not be necessary. He felt the building would be a good addition to the property and it does conform to the neighborhood.

Mr. Mazzaro supported Mr. Vaca's remarks. He stated there is plenty of space on the lot for the building.

Mr. Spradlin informed the board that his lot is only .1 under an acre.

Mr. Arbuckle began a review of the checklist. A reasonable economic return is really not an issue since he only wants an enclosed area to store vehicles. He said that the variance is substantial since it is well over the 50% guidelines. However Mrs. Fennell did not think it was substantial since the lot is only .1 under an acre and he would not need a variance if it was 1 acre.

Mr. Arbuckle said that since many homes in that area have large out-buildings it would not alter or be a detriment to the neighborhood. He noted that no government services would be affected. Mr. Arbuckle said that the property owner, having purchased the property years ago, probably did not consider the need for a large accessory building at that time and so did not realize the zoning regulation.

Regarding whether the situation can be solved through some other method, Mr. Arbuckle said that

it could not and that it would also benefit the city to have its vehicle stored inside.

Mr. Arbuckle referred to the spirit and intent of the code and stated that the building is necessary to protect the vehicles and give quick access for emergency calls.

MOTION: To grant to Dan Spradlin for the property at 370 East Garfield Road, in an R-2 district, a 367.5 square foot variance from Section 1153.04(b)(2)(B) of the Aurora Codified Ordinances, which requires, on a lot having an area of less than 1 acre, an accessory building not exceeding 50% of the floor area of the dwelling, to allow the construction of a 936 square foot accessory building as shown on the application.

Mrs. Fennell moved for approval; Mr. McCarrell seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mrs. Fennell, Mr. McCarrell, Mr. Friedler, Mr. French, Mr. Arbuckle

Nays: None

MISCELLANEOUS:

There was no miscellaneous discussion.

ADJOURNMENT:

Mrs. Fennell moved to adjourn at 9:05 p.m.; Mr. French seconded, and the motion carried, 5-0, on a voice vote.

Don Arbuckle - Chairman

Susan Dombeck - Clerk
AUDIO TAPE ON FILE