

Approved: 6/ /08  
Clerk: 6/ /08

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**MINUTES OF THE REGULAR MEETING  
BOARD OF ZONING APPEALS  
May 8, 2008 7:30 P.M.  
South Precinct Conference Room - 3400 S. Cedar Street**

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**I. ROLL CALL**

The meeting was called to order by Chairman Burgess at 7:45 p.m. Chairman Burgess read the BZA introduction. Roll call was taken.

**Present:**

B. Burgess                      G. Swix                      E. Horne                      G. Hilts

**Absent:**                      M. Mayberry                      B. McGrain                      A. Frederick

**Staff:**                      S. Stachowiak                      H. Stanley

A.      A quorum of four members was present, allowing voting action to be taken at the meeting.

**II APPROVAL OF AGENDA**

**G. Hilts moved, seconded by e. Horne to approve the agenda with the addition of "Excused Absence" under new business.**

**On a voice vote, the motion carried 4-0.**

**III. HEARINGS/ACTION**

**A. BZA-3924.08, 1425 Lyons Avenue**

This is a request by Jeff Deehan for a variance to permit the recently enclosed front porch at 1425 Lyons Avenue with a front yard setback of 13.9 feet. Section 1250.07 of the Zoning Ordinance requires a minimum front yard setback of 20 feet in the "C" Residential zoning district, which is the designation of the property at 1425 Lyons Avenue. A variance of 6.1 feet to the front yard setback requirements is therefore, being requested Staff recommended approval of the request on a finding that the variance would be consistent with the practical difficulty criteria of Section 1244.06 (c) and the impact criteria of Section 1244.06 (e), as detailed in the staff report for this application.

Mr. Burgess asked if anyone wished to address the Board. Seeing none, the Board moved into the Committee of the Whole.

Ms. Horne asked about the construction of the foundation under the house.

Ms. Stachowiak stated that she did not know the answer to Ms. Horne's question but that the porch will have to comply with all building codes before the permit is finalized.

Ms. Horne asked if the porch will be a rental.

Ms. Stachowiak stated that the applicant rents some of the houses that he rehabilitates and sells some of them as well. She said that she does not know what the applicant plans to do with the subject property.

The Board members agreed that the variance would maintain the established setback in the area.

**G. Swix moved to approve BZA-3924.08, a variance of 6.1 feet to the front yard setback requirement to permit an enclosed porch on the front of the house at 1425 Lyons Avenue, on a finding that the variance would be consistent with the practical difficulty criteria of Section 1244.06 (c) and the impact criteria of Section 1244.06 (e), as detailed in the staff report for this application. Seconded by G. Hilts.**

| VOTE    | YEA | NAY |
|---------|-----|-----|
| Burgess | X   |     |
| Horne   | X   |     |
| Swix    | X   |     |
| Hilts   | X   |     |

Motion carried, 4-0, BZA-3924.08, was approved.

**VI. OLD BUSINESS**

- A. Rules of Procedure - No action
- B. BZA-3817.04, 1014 S. Pennsylvania Avenue - No action

**VII. PUBLIC COMMENT - None**

**VIII. APPROVAL OF MINUTES**

**A. Minutes of Regular Meeting held April 10, 2008**

G. Swix moved, seconded by G. Hilts to approve the minutes of April 10, 2008, as printed.

On a voice vote, the motion carried unanimously (4-0).

**IX. NEW BUSINESS**

**Excused Absence**

- A. G. Hilts moved, seconded by E. Horne to grant an excused absence for A. Frederick for the May 8, 2008 meeting.

On a voice vote, the motion carried unanimously (4-0)

- B. E. Horne moved, seconded by G. Hilts to grant an excused absence for B. McGrain for the May 8, 2008 meeting.

On a voice vote, the motion carried unanimously (4-0)

- X. ADJOURNMENT AT 7:55 p.m.

Respectfully submitted,

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Susan Stachowiak, Zoning Administrator