

Board of Zoning Appeals

Minutes

February 10, 2015

Members present: John Golzy (Chairperson), Lisa Carson, Betty Hollow, Joan Kraynanski, Kay Tousley, Ed Baum (alternate), Ellen Soltow (alternate).

City officials present: John Paszke (Zoning Administrator), Paul Eschenbacher (secretary)

The meeting was called to order at 7:02pm in Council Chambers, third floor of City Hall. The Chairperson introduced a video about the policies and procedures of the Board of Zoning Appeals. The Chairperson then swore in, under oath, those intending to give testimony.

Case #15-01V	71 Grosvenor Street	Zone R-1	Steve Mokris and Jaymie Strecker, appellants
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Appellant is requesting a variance from ACC 23.10, Table B, Off-Street Parking Requirements, to allow a single rental unit with two (2) tenants and one (1) parking space, where a minimum of two (2) parking spaces is required.

The Chairperson called on the Zoning Administrator to testify.

The Zoning Administrator said that the variance request is simple; two tenants and only one parking space. Ms. Hollow asked if this would be a new rental. The Zoning Administrator said that it would be. Ms. Hollow asked if the parking is grandfathered. The Zoning Administrator said that it is grandfathered only if still used as a private home.

Ms. Kraynanski asked to confirm that the appellants had originally asked for four tenants, then reduced it to two tenants. The Zoning Administrator said that this is correct.

The Chairperson called on the appellants to testify.

Ms. Strecker said that she and Mr. Mokris previously had lived there. She noted that the property has been for sale for a year and a half. Ms. Strecker said that when they lived there, they had two cars and usually found street parking. The Chairperson said that the appellants bought the property in 2012. Mr. Mokris corrected him, saying that he had owned the property since 2008.

Ms. Kraynanski asked about the appellants' original rental permit application requesting four tenants. Ms. Strecker said that they were confused about the zone the property is in, and

based their request on how much room there is in the house. Mr. Mokris added that there are four bedrooms in the house.

Ms. Soltow asked about other rental properties' parking on Grosvenor Street. The secretary estimated that over half of Grosvenor Street rentals do not meet current parking regulations, and that he did not recall any recent properties on the street converting to rental.

Ms. Kraynanski asked if the appellants are to be in charge of the rental. The appellants responded that they hope to still sell the house, with an approved rental permit.

Ms. Kraynanski asked the Zoning Administrator to confirm the difficulty of the Code Enforcement Office in checking for overcrowding. The Zoning Administrator said that he will not confirm that, and that the Code Enforcement Office does a good job on checking that.

The Chairperson said that the house has better use as a single family residence.

On a motion by Ms. Hollow, seconded by Ms. Kraynanski, the Board considered to grant a variance to the property at 71 Grosvenor Street from ACC 23.10, Table B, Off-Street Parking Requirements, to allow a single rental unit with two (2) tenants and one (1) parking space, where a minimum of two (2) parking spaces is required.

FINDINGS:

- 1.) **EXCEPTIONAL CIRCUMSTANCES:** The street has several sloped lots with similar problems. All R-1-zoned areas in town must be considered.
- 2.) **HARDSHIP AND DIFFICULTY:** Creating an extra space in front is not a good idea. No hardship if kept as single family home.
- 3.) **PRESERVATION OF EQUAL PROPERTY RIGHTS:** Other area rentals do not meet parking requirements but are grandfathered.
- 4.) **MINIMUM VARIANCE:** No, it can be sold. It has one use; as an owner-occupied home.
- 5.) **ABSENCE OF DETRIMENT:** Another vehicle parking would add to the street parking burden.
- 6.) **NOT OF A GENERAL NATURE:** Yes.

The Chairperson called for a vote: Yes—no votes. No—Carson, Golzy, Hollow, Kraynanski, Tousley. Motion denied; variance denied.

OTHER BUSINESS:

--*Disposition of minutes from December 9, 2014 meeting.* Minutes were amended as per Chairperson's request. On a motion by Ms. Kraynanski, the Board accepted the minutes as presented 6-0.

--*Annual Board Organizational meeting.* On a motion by Ms. Tousley, the Board voted to have John Golzy remain as Chairperson for the next 12 months. Motion approved 6-0.

The meeting was adjourned at 7:32pm.

John Golzy, Chairperson

Paul Eschenbacher, secretary