

These minutes are subject to formal approval by the Wyoming Zoning Board of Appeals at their regular meeting on November 3, 2014.

MINUTES OF THE WYOMING BOARD OF ZONING APPEALS
HELD AT WYOMING CITY HALL

October 6, 2014

The meeting was called to order at 1:30 P.M. by Chairman VanderSluis.

Members present: Beduhn Dykhouse Lomonaco Palmer
 Postema VandenBerg VanderSluis

Other official present: Tim Cochran, City Planner

A motion was made by Postema, and seconded by Palmer to approve the minutes of the September 2, 2014 Board of Zoning Appeals meeting.

Motion carried: 7 Yeas 0 Nays

PUBLIC HEARING:

Appeal #V140027 P.P. #41-17-34-280-016

Greg Lubbers
1838 Durango Ct.
Zoned R-1

The application requesting a variance from the City of Wyoming Zoning Code was read by Secretary Lomonaco.

Zoning Code Section 90-891 Residential District Regulations specifies a minimum 35 foot rear yard setback in this R-1 Single Family Residential zoning district. The petitioner proposes to construct an addition to the residence that would extend to 31 feet from the rear property line. The requested variance is a 4 foot reduction to the required 35 foot rear yard setback.

Chairman VanderSluis opened the public hearing.

Greg Lubbers, 1838 Durango Ct., said the proposed addition would be a sunroom. It would improve the value of the property as well as the appearance. There will be no negative impact on the neighboring properties because of the location of the property on the cul-de-sac.

There being no further remarks, Chairman VanderSluis closed the public hearing.

Tim Cochran, City Planner agreed with the applicant. The property backs up to an undeveloped area of the City' Gezon Park. Because of the angle of the proposed addition, it

will not be in the sight line of other homes. The variance request is reasonable, and staff has developed finding of facts to support approval of the variance.

A motion was made by VandenBerg and seconded by Palmer that the request for a variance in application no. V140027 be granted, accepting staff's Finding of Facts.

Dykhouse asked if the detached garage was in compliance.

Cochran answered that he had not evaluated of the existing garage, so he did not know.

(Editor's note: the detached garage was built with the benefit of a permit. The square footage of the attached garage and the detached garage was less than the 1,000 square foot maximum allowed by code. The owner had received permission to place the structure in the easement.)

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or class of use in the same vicinity and district because the property is located at the end of the cul-de-sac on Durango Court. Behind the lot is the undeveloped area of Gezon Park. The proposed addition is set at an angle to the rear property line and protrudes into the required 35 foot setback to a minor degree. The reduction of 4 feet to the rear yard setback will not be discernable to the adjoining residences due to their angled orientation to this residence.
2. That such variance is necessary for the preservation and enjoyment of substantial property rights because the proposed addition allows the property owners to enhance their property and increase their enjoyment of it.
3. That the granting of such variance will not diminish the marketable value of adjacent land and improvements, or unduly increase congestion in the public streets because the addition will increase the value of the property which will improve the marketable value of the adjoining properties. The reduction of the rear yard setback will not be discernable to adjoining properties. No additional congestion will occur on the public streets with the approval of this variance.
4. That the condition or situation of a specific piece of property, or the intended use of said property, for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation because the property is at the end of a cul-de-sac with a large and open public park behind.

Motion carried: 7 Yeas 0 Nays (Resolution #5568)

There were no public comments at the meeting.

There were no new business items. The regular scheduled meeting for October 20, 2014 had been canceled. The next scheduled meeting will be November 3, 2014, one application has been submitted.

Canda Lomonaco
Secretary

CL:cb