

**MINUTES OF THE MEETING  
OF THE  
DECATUR ZONING BOARD OF APPEALS**

Thursday, February 14, 2019, 4:00 P.M.  
City Council Chamber, Decatur Civic Center

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**I. Call to Order and Determination of a Quorum**

The February 14, 2019 meeting of the Decatur Zoning Board of Appeals was called to order at 4:00 P.M. in the City Council Chamber, Third Floor of the Decatur Civic Center, by Acting Chairman Kim Aukamp who determined a quorum was present.

Members Present: Robert Brice, Chris Brodnicki, Julie Lamb,  
Zane Peterson, Leslie Risby, Kim Aukamp

Members Absent: None

Staff Present: Ray Lai, Joselyn Stewart, David Greenwell,  
Amy Waks, Scott Dedert, Janet Poland

**II. Approval of Minutes: January 31, 2019**

It was moved and seconded (Lamb/Peterson) to approve the minutes of the January 31, 2019 meeting of the Zoning Board of Appeals. Motion carried unanimously.

**III. New Business**

**Case No. 19-01 Petition of FANNIE COLE, for a variance in the provisions of the Zoning Ordinance (Ordinance #3512, as amended, Sections VII.C.3. and VII.C.4.) to reduce the minimum front yard building setback from twenty-five (25) feet to ten (10) feet and reduce the rear yard building setback from twelve (12) to zero (0) feet to allow construction of two additions to the existing single-family residence at 1090 West Tuttle Street. Said premise is zoned R-3 Single-Family Residence District.**

Mr. Scott Dedert was sworn in by Mrs. Janet Poland.

Mr. Dedert discussed and presented slides of the site and surrounding properties (available for viewing upon request) along with staff's recommendation for denial of the rear yard setback request and its recommendation of approval of the front yard setback, based on the staff report distributed to the Zoning Board of Appeals prior to the meeting. (Staff report is on file and is available for reviewing by request)

Ms. Julie Lamb asked if staff knew the year the setbacks were established in the Ordinance. Mr. Dedert stated there was an Ordinance amendment 2005. He was not sure if it was for the setbacks. Ms. Lamb stated the porch was probably built before the setbacks were established in the Ordinance.

Mr. Ray Lai stated the house, setbacks and lot are all non-conforming. Once the homeowner wants to make a change they must comply with current requirements.

Mr. Darrell Reynolds, representative for the petitioner, was sworn in by Mrs. Poland.

Mr. Reynolds said he did not know how long the front porch had been there. The petitioner wants to add a bedroom, extend the bathroom at the back of the house and remove the porch to extend the living room in the front of the house.

Acting Chairman Aukamp asked how large the addition in the back will be. Mr. Reynolds stated the addition would be ten (10) feet by twenty (20) feet. Mr. Lai clarified this would make the proposed addition one (1) foot or less away from the property line. This does not allow for any buffer or green space. The petitioner does own the home on the other side of the property line, however, they could possibly sell one of the properties in the future.

Acting Chairman Aukamp asked if these properties were combined at some time would they be able to build the addition. Mr. Lai stated the Zoning Ordinance does not allow two main structures on one (1) property.

Mr. Chris Brodnicki asked if there was any thought to building the addition as a second floor. Mr. Reynolds stated the petitioner wants one (1) level.

There were no objectors present.

It was moved and seconded (Brodnicki/Brice) to approve Case. No. 19-01 as recommended by staff.

Upon call of the roll, Commission members Robert Brice, Chris Brodnicki, Julie Lamb, Zane Peterson, Leslie Risby and Acting Chairman Aukamp voted aye. Acting Chairman Aukamp declared the motion carried.

#### **IV. Appearance of Citizens**

No citizen expressed comments.

#### **V. Comments and Information from Commission Members**

Mr. Ray Lai stated elections for the Zoning Board would be held next month as there is vacancy for the Chairman.

#### **VI. Adjournment**

There being no further business, it was moved and seconded (Lamb/Peterson) to adjourn the meeting. Motion carried unanimously. Acting Chairman Harrison declared the meeting adjourned at 4:23 P.M.