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The Board of Zoning Appeals (BZA) met in the Council Chambers at 5:30 p.m., members present: Aquila, Throckmorton, Southern and Hoffmann (Klapper and Neher were absent).

APPROVAL OF MINUTES: None at this time.

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

--Roach presented a list of finalized meeting dates for 2018.

PETITIONS:

- V-29-17 **Austin Goodman**
724 W. 3rd St.
Request: Variance from side and rear yard building setback standards to allow for a porch addition.
Case Manager: Jackie Scanlan

Jackie Scanlan (Sr. Zoning Planner) presented the staff report. The subject property is located on the north side of West 3rd St., between South Maple and S. Fairview Streets. The property is 0.05 acres in size and zoned Residential Core (RC). The GPP designation is Core Residential. The surrounding land use is single-family residential in nature. The property currently contains a single-family house. The petitioner is requesting a variance from side and rear yard building setback standards to allow the addition of a screened in porch on the rear or north of the property. Photos submitted by the petitioner show existing conditions behind the house include multiple decks and concrete pads as well as gravel areas around the property. The petitioner is requesting to remove the existing improvements and replace it with a newly constructed screened in porch. The minimum lot size in the RC zoning district is approximately .17 acres. Again, the petition site is 0.05 acres. The proposed porch is roughly 177 square feet on the north side of the house. Variance is necessary because the proposed porch encroaches approximately 4 feet into the side yard setback and 11 feet, 3 inches into the rear yard setback. Scanlan noted that the proposed porch would provide useable living space as well as coverage for the existing cellar door. Staff found practical difficulty in the limits inherent in the Lot size combined with the orientation of the existing development on the Lot. The existing placement of the house maximizes the width of the 30-foot wide parcel. The minimum Lot width in the zoning district is 55 feet. Staff finds peculiar condition in that the existing basement access is at the corner of the house and any protection of that door requires encroachment into the setback. The addition, however, does not increase the intensity of the encroachment already established by the house's western building wall. The property is quite undersized in comparison to other homes in the zoning district. Doing the addition causes encroachment into the 25-foot setback requirement. The purpose of the rear yard setback requirement is to provision is to benefit the relationship between the rears of two adjacent properties. Most rear yard setback areas immediately abut adjacent rear yard setback areas. The petition site backs up to the side of the adjacent property to the north, which has a 6-foot setback requirement. Holding the addition to the rear yard

setback standard is onerous on typical development of this uniquely situated and undersized Lot. Scanlan said the proposal is compatible with surrounding development and Staff finds that the requested variances are appropriate. Staff recommends approval of V-29-17 based on the written findings, including the following conditions:

1. Variance is approved for the screened porch addition, including architecture, as submitted only.
2. Variance is approved related to the submitted site plan only. Any subsequent encroachments would require a variance.
3. The petitioners must obtain a building permit prior to construction.

Austin Goodman, petitioner, stated he would like to create a more functional living space.

No public comment.

****Hoffmann moved to approve V-29-17 based on the written findings, including the three conditions outlined in the staff report. Throckmorton seconded. Motion carried 4:0 by voice vote.**

Meeting adjourned.