

City of Norton
BOARD OF ZONING & BUILDING APPEALS
Tuesday, September 15, 2015

The Board of Zoning & Building Appeals convened in Council Chambers at the Safety Administration Building. Chairman Don Welch called the meeting to order at 6:00 p.m.

I. ATTENDANCE:

PRESENT: Don Welch, Angie Wells, Nick Genis
Miriam Norris (Alternate)

EXCUSED: Marty West, Bill Helmick

ALSO PRESENT:

II. SWEARING IN:

Chairman Welch reviewed the procedural requirements for that night's hearing. Chairman Welch proceeded by stating that this was a quasi-judicial Board and asked that anyone wanting to speak needs to sign the attendance sheet and stand to be sworn in. Chairman Welch administered the oath to those intending to speak at the hearing.

III. PUBLIC HEARINGS:

- A. BZA - Application A7-2015**
Juston L. and Stacey R Grigsby - Owner
1180 Gardner Blvd.
PPN – 4605135
[To Construct A Garage on Side and Front of Property]

Chairman Welch announced anyone wishing to speak at tonight's meeting should please sign in at the front podium.

Chairman Welch announced the Application and stated the Application was filed August 28, 2015 and letters of notification were sent via first class mail, as required, per section 6.03 of the City Charter. Chairman Welch asked the applicant/agent to come forward and be sworn in, state his name and address for the stenographer, and present pertinent information regarding the application.

Mr. Juston Grigsby, 1180 Gardner Blvd., Owner, approached the podium. He stated he was asking the Board for a Variance on building a garage on the side and front of his lot. He stated his property has a few issues that need to be addressed. He said his property's backyard does not provide enough room to construct a garage. He said he also has a creek in the back yard that he has to work around. Chairman Welch asked what the purpose of the garage would be. Mr. Grigsby stated it would be used for storage,

vehicles and lawnmowers. Chairman Welch asked what type of build this would be. Mr. Grigsby stated this would be a traditional build. Chairman Welch stated a resident had phoned the office asking for a landscaping buffer from the Gardner Blvd. area. Chairman Welch asked if Mr. Grigsby would have a buffer. Mr. Grigsby stated he did and brought in a landscaping plat the Board could look at. Ms. Norris stated she was confused on the position of the garage. Mr. Grigsby stated the garage would be on the other side of the driveway. He said the garage doors would be facing each other. Mr. Grigsby asked to approach the bench and explain to the Board exactly where the garage would be sitting. There was general discussion to where the garage placement was, concrete areas, landscaping, set backs, etc. Ms. Wells asked if the garage would match the house colors. Mr. Grigsby stated they would match. He stated it would compliment the house and the landscaping would also match the house. Ms. Wells asked where rain water drainage would be directed on the property. Mr. Grigsby stated drainage from rain water and downspouts would be going into the creek. Ms. Wells asked if there would be any utilities in the garage. Mr. Grigsby stated he had no plans for utilities yet. Mr. Genis asked if Mr. Grigsby had considered building a smaller garage on his property. Mr. Grigsby stated he thought the garage size fit the property. He said it was a little larger than a two car garage and would like to have the extra bay.

Chairman Welch thanked the Applicant.

Chairman Welch asked any Board members if they had any other questions.

Chairman Welch asked if anyone wanted to speak for or against the application.

Mr. Terry Thomas 511 Parkway Blvd., Neighbor, approached the podium. He stated he lives on the other side of the creek from Mr. Grigsby. He stated he would like the Board to consider granting the Variance Mr. Grigsby was asking for tonight. Chairman Welch thanked him for his comments.

Chairman Welch asked if anyone else wanted to speak for or against the application.

Chairman Welch asked for the second time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for a third and final time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch closed the public portion of the meeting. **Hearing no other questions or discussion from the Board, Chairman Welch asked for a motion. Mr. Welch moved to Approve the Application with Conditions listed on BZA Resolution 7-2015: Ms. Norris seconded the Motion. ROLL CALL: Mr. Welch-Yes, Ms. Norris-Yes, Mr. Genis-Yes, Ms. Wells-Yes. Motion passed to Approve 4-0.**

- B. BZA - Application HO8-2015
Frank J. and Kathleen A. Kabasky - Owners
3667 Johnson Road
PPN – 4600726
[To Operate a Dog Grooming Business
Using the Existing Walk-Out Basement]**

Chairman Welch announced the Application and stated the Application was filed August 18, 2015 and letters of notification were sent via first class mail, as required, per section 6.03 of the City Charter. Chairman Welch asked the applicant/agent to come forward and be sworn in, state his name and address for the stenographer, and present pertinent information regarding the application.

Ms. Kathy Kabasky, 3667 Johnson Road, Owner, approached the podium. Ms. Kabasky stated she would like to operate a small dog grooming business. She said she was recently laid off and her husband is disabled. She stated she would like to be home more. She said only one client at a time would be at the business. She said she doesn't anticipate having more than 3 to 4 dogs per day. Chairman Welch asked what type of signage would be on the property. Ms. Kabasky stated she would be calling the business Barking Barber. She said she would have just a small sign on her property. Chairman Welch asked if she would be boarding any dogs. Ms. Kabasky said she would not board dogs. She stated they did live upstairs and have a full bathroom downstairs where the dogs would be groomed. Chairman Welch asked if the property was septic and well. Ms. Kabasky said she was septic and well. Mr. Genis stated she would need to be careful with dog hair in her septic tank. Ms. Kabasky said she had filters that she would use to catch the dog hair. Mr. Genis read the rules of a Home Occupation Ordinance aloud to Ms. Kabasky. Ms. Kabasky stated she was aware of the working hours, parking, etc. Mr. Genis asked if there would be any retail sold at her dog grooming business. Ms. Kabasky stated she would be only selling dog biscuits that she makes herself. Mr. Genis asked if there would be any outside kennels. Ms. Kabasky stated there would be no outside kennels. Mr. Genis asked if the business would have any employees, or future thought of employees. Ms. Kabasky stated there would be no employees.

Chairman Welch thanked the Applicant.

Chairman Welch asked any Board members if they had any other questions.

Chairman Welch asked if anyone else wanted to speak for or against the application.

Ms. Phyllis Grubb, 3677 Johnson Road, Neighbor, approached the podium. She stated the Kabasky's were good neighbors and would like the Board to consider approving this application. Chairman Welch thanked her for her comments.

Chairman Welch asked if anyone else wanted to speak for or against the application.

Chairman Welch asked for the second time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for a third and final time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch closed the public portion of the meeting. **Hearing no other questions or discussion from the Board, Chairman Welch asked for a motion. Mr. Genis moved to Approve the Application: Ms. Wells seconded the Motion. ROLL CALL: Mr. Genis-Yes, Ms. Wells-Yes, Mr. Welch-Yes, Ms. Norris-Yes. Motion passed to Approve 4-0.**

IV. OLD BUSINESS:

Chairman Welch asked if there was any old business. There was none.

V. NEW BUSINESS:

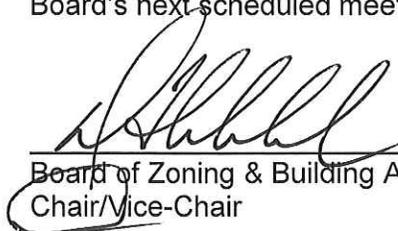
Chairman Welch asked if there was any old business. There was none.

VI. CONSIDERATION OF MINUTES:

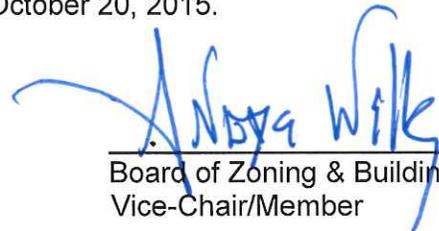
Chairman Welch asked if there were any additions or corrections to the minutes of Wednesday, August 18, 2015. **Hearing none, the Chairman called for a motion. Ms. Wells moved to approve the minutes as written, seconded by Ms. Norris. ROLL CALL: Ms. Wells-Yes, Ms. Norris-Yes, Mr. Welch-Yes, Mr. Genis-Yes. Motion carried 4-0 to accept the minutes as written.**

VII. ADJOURNMENT:

There being no other business before the Board, the Chairman adjourned the meeting at 7:19pm. The Board's next scheduled meeting will be Tuesday, October 20, 2015.



Board of Zoning & Building Appeals
Chair/Vice-Chair



Board of Zoning & Building Appeals
Vice-Chair/Member

04/19/2016
Date

*** ORIGINAL SIGNED DOCUMENTS ON FILE WITH THE CLERK OF COUNCIL ***