

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – March 9, 2009

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Henry Kerr at 7:00 p.m. in the Council Chambers. One person was in the audience.

MEMBERS PRESENT: Henry Kerr, H. Lincoln Lewis, Rob Linenger, Lowell Seyburn.

MEMBERS EXCUSED: David Felicijan, Betty Schimmel, Mariana Singer, Wayne Stoffer

MEMBERS ABSENT: Robert Atkins

IN ATTENDANCE: Jeff Mais, Zoning and Codes Administrator, Charlie Bear, Assistant City Attorney

APPROVAL OF THE MINUTES: Linenger moved, and Seyburn seconded a motion to approve the February 9, 2009 minutes with two corrections. Upon voice vote, motion was approved 4-0.

NEW BUSINESS:

ZBA# 08-18, Portage Soccer Club, 8201 Cox's Drive: Staff summarized the request for a 12-month extension of a Temporary Use Permit granted on March 10, 2008 to operate six outdoor soccer practice fields during daylight hours at 8201 Cox's Drive between April and October 2009. David Rice was present to explain the request and answer any questions of the Board. Kerr inquired if the applicant should now be requesting a Special Land Use permit from the Planning Commission instead of a Temporary Use Permit extension. Staff indicated the applicant did not use the facility in 2007 as anticipated, and 2008 was the first year for which the facility was used for soccer practice fields under a Temporary Use Permit. Seyburn inquired if there have been any complaints regarding the facility. Staff indicated no. Seyburn inquired if six inches of gravel was installed. Rice indicated a gravel base still existed from the previous field use which was graded and then covered with a layer of roto-milled asphalt.

A public hearing was opened. As no public comments were received, the public hearing was closed.

A motion was made by Seyburn, supported by Linenger, to approve a 12-month extension of a Temporary Use Permit granted on March 10, 2008 to operate six outdoor soccer practice fields during daylight hours at 8201 Cox's Drive between April and October 2009 with the following conditions: 1) no capital improvements of a structural nature shall be erected on site, including artificial illumination; and 2) the vehicular gravel base shall continue to be maintained and shall conform in all other respects to the off-street parking standards set forth in Section 42-521, 3) after 2009, the Temporary Use Permit will expire and the use will subsequently have to be reviewed by the Planning Commission. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at the hearing are to be incorporated in the record and the action of the Board shall be final and effective immediately. Upon roll call vote: Linenger-Yes, Kerr-Yes, Lewis-Yes, Seyburn-Yes. Motion carried 4-0.

OTHER BUSINESS: None.

STATEMENT OF CITIZENS: None.

ADJOURNMENT: There being no further business, the meeting was adjourned at approximately 7:13 p.m.

Respectfully submitted,

Jeff Mais
Zoning and Codes Administrator