

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – August 8, 2016

The City of Portage Zoning Board of Appeals meeting was called to order by Jeffrey Bright at 7:00 p.m. in the Council Chambers. Seven people were in the audience.

MEMBERS PRESENT: John Byrnes, Michael Robbe, Jeffrey Bright, Alexander Philipp, Lowell Seyburn and Phillip Schaefer.

MEMBERS EXCUSED: Chadwick Learned, Jay Eichstaedt and Randall Schau

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

APPROVAL OF THE MINUTES: Byrnes moved and Schaefer seconded a motion to approve the July 25, 2016 minutes as submitted. Upon voice vote, the motion was approved 6-0.

NEW BUSINESS:

ZBA #16-4, Adam & Sarah Beuker, 2611 Woodbine Avenue: Chairman Bright explained that since there were only six Board members present, the applicant had the option to either move forward with Board consideration of the request tonight or request postponement to the next regularly scheduled meeting when seven members were present. The applicant stated he would like to request a postponement. A motion was made by Seyburn, seconded by Byrnes to postpone the item until the September 12, 2016 meeting. Upon voice vote the motion passed 6-0.

ZBA #16-5, Abdallah Alwane, 1001 Karendale Drive: Mais summarized the request for a variance to construct a 1,350 square-foot dwelling where a minimum 1,600 square feet is required. Mr. Alwane was present to answer questions.

A public hearing was opened. No one spoke for or against the request and the public hearing was then closed.

A motion was made by Seyburn, seconded by Schaefer, to grant a variance to construct a 1,350 square-foot dwelling where a minimum 1,600 square feet is required for the following reasons: There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district which include: the applicant's property is the only lot in the subdivision that the 1,600 square-foot minimum applies to and the proposed dwelling size is consistent with other houses in the neighborhood; the variance is necessary for the preservation of a substantial property right - the right to build a residence compatible with others in the neighborhood; the immediate practical difficulty causing the need for the variance was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood; and the variance will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting material, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and action of the Board be final and effective immediately. Upon roll call vote: Philipp-yes, Bright-Yes, Schaffer-yes, Robbe-yes, Seyburn-Yes, Byrnes-Yes. The motion passed 6-0.

OTHER BUSINESS:

STATEMENT OF CITIZENS:

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:24 p.m.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator