



**BOARD OF BUILDING AND ZONING APPEALS  
MINUTES OF THE PROCEEDINGS OF THE PUBLIC HEARING  
April 25, 2023**

The hearing was called to order at 7:30 P.M. by Chairman Baesel

PRESENT: Bryan Baesel, Karen Alfred, Cynthia Nolde, Brad Lamb, Robert Swisher  
ALSO PRESENT: Clerk of Commissions Nicolette Sackman and Assistant Law Director  
Nathalie Supler

**DOCKETS**

*Colette Gibbons 2023-08  
28841 Weybridge Dr., PP#21613016, Ward 6  
Requesting to construct an 8' high fence. §1211.04(b)(3): fences may be permitted along  
the side or rear lot lines to a height of not more than 6' above the average finished  
grade; **a 2' height variance.***

4/21/23 - request from Colette Gibbons, 28841 Weybridge Dr. to table the variance request to the May 30, 2023 hearing.

Motion: Mr. Swisher moved, seconded by Ms. Alfred to table Colette Gibbons 2023-08 to the May 30, 2023 public hearing.

ROLL CALL:

Yeas: Alfred, Basel, Nolde, Lamb, Swisher

Nays: none, motion carried

*Kate Richardson 2023-09  
1905 Marshfield Blvd., PM21108017, Ward 6  
Requesting to construct an addition 46'- 4" from the front property line. §1211.09: the  
minimum yard dimension of a front yard is 50', a **3'-8" front yard setback variance.**  
Additionally, the addition is 7'-9" off the side property line and which will result in the  
sum total of the two side yards on this lot being 2'-4". §1211.08(e): the width of either  
side yard of a lot shall be not less than the respective dimensions as set forth in §1211.09  
(15'). The total width of both side yards of a lot... shall be not less than the total width set  
forth in Section §1211.09 (30); **variance for 7'- 3" for the side property line setback and  
6'-8" for the sum total of side yards on this property.***

Ms. Richardson, was sworn in by Ms. Supler, explained she would like to construct an addition. The garage will be setback 46'4" from the front property line and the side yard setback will follow the same setback as the existing house. The existing house was constructed in the 1950s and has not been update and part of the update is to increase the area of the house. The slope of the addition will tie into the existing roof line and will be no taller than the existing height of the roof. The adjacent neighboring houses to the north face Detroit Rd. so her property runs along

the rear of the adjacent properties. She noted that there is a bam in the neighbor's yard.

Members of the board discussed the following: if the trees along the northern property line will be removed; the pitch of the roof; the front setback is minor; if the addition was considered to be a square shape rather than an "U" shape so the length of the addition would not be as long; and landscape and screening.

Ms. Richardson explained the following: the "U" shape was designed so she can have a courtyard with a garden; changing the design is not conducive to the existing layout of the house; there is an existing fence on the property line and a tree, which are not on her property; and she presented pictures of the property.

After a careful review of the evidence and testimony, the Board made the following findings of fact:

1. Whether the property in question yield a reasonable return or whether there can be any beneficial use of the property without a variance - yes
2. Whether the variance is substantial - yes
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance - no
4. Whether the variance would adversely affect the delivery of governmental services - no
5. Whether the property owner purchased the property with the knowledge of the zoning restriction - n/a
6. Whether the property owner's predicament feasibly can be obviated through some other method other than a variance - no
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance - yes

Motion: Mr. Lamb moved, seconded by Mr. Swisher to grant a 3'-8" front yard setback variance.

ROLL CALL:

Yeas: Alfred, Basel, Nolde, Lamb, Swisher

Nays: none, motion carried

Motion: Mr. Swisher moved, seconded by Ms. Nolde to grant a variance for 7' - 3" for the side property line setback with the condition that screening is provided to visually block the north elevation of the addition.

ROLL CALL:

Yeas: Alfred, Basel, Nolde, Lamb, Swisher

Nays: none, motion carried

Motion: Mr. Lamb moved, seconded by Mr. Swisher to grant a 6' - 8" for the sum total of side yards on this property.

ROLL CALL:

Yeas: Alfred, Basel, Nolde, Lamb, Swisher

Nays: none, motion carried

## **MISCELLANEOUS**

None

**APPROVAL OF MINUTES**

Motion: Ms. Alfred moved, seconded by Ms. Nolde to approve the minutes of the March 28, 2023 Board of Building and Zoning Appeals hearing.

ROLL CALL:

Yeas: Alfred, Basel, Nolde, Lamb, Swisher

Nays: None, motion carried

**ADJOURNMENT**

Mr. Baesel adjourned the meeting at 7:51 P.M.

\_\_\_\_\_  
Bryan Basel, Chairman

\_\_\_\_\_  
Clerk of Commissions Nicolette Sackman, MMC

Approved: \_\_\_\_\_