



Mrs. Woithe's presentation

Applicant is seeking to replace an existing shed that is located in the front yard; per city code accessory structures are not allowed in the front yard, therefore a variance would be required for approval of the shed permit. The proposed shed would be 15' feet from the property line, and the required front yard setback is 25'.

Mrs. Woithe stated that although a permit could not be located for the existing shed that it is not to say one was not issued, but that it would've been issued in error since city code states that no accessory structures should be in the front yard.

Ms. Joy inquired about the reasoning for replacing the shed. Mrs. Woithe explained that the existing shed is in older shape.

Chair Iaboni opinioned about the property being on a corner lot and asked if that could be consideration for the lot to be unusual. Mrs. Woithe stated that the section in the code references unusual circumstances that are not found in other areas within that district, but that could be considered as a hardship.

Phillip Baker (home owner)

The documents that Mr. Baker passed out to the Board have been added into the record.

Mr. Baker mentioned that if the shed was moved that it would cause a hardship in having access to their boat and the shed would be in the middle of his back yard; which would limit pleasure of using his backyard. Mr. Baker mentioned that the existing shed was placed twenty seven years ago. Discussion ensued regarding Mr. Baker's discussion with his neighbors regarding the process of the variance and that he received support from them on having the shed in the current location. Mr. Baker stated that the reason for replacing the existing shed is that it is dilapidated and is continuing to deteriorate.

Mrs. Tarman inquired about the allowance for replacing the shed. Mrs. Woithe stated that with a non-conformity, repairs can be made but a replacement or expansion of the non-conformity wouldn't be allowed.

Mr. Baker mentioned that the existing shed and the proposed placement shed are both 12'x12' and are the same height (proposed shed may be a little smaller in height).

Ms. Joy observed the existing shed and stated that it did not stick out and that the shed looked in okay condition to her. Mrs. Joy opinioned that moving the shed into the back yard would take up most of Mr. Baker's backyard and would take away from his personal enjoyment. Ms. Joy also stated that another slab would have to be poured if the shed location changed and there are several oak trees that could hinder doing so.

**Motion:**                      **Ms. Joy moved, Mr. Price seconded, and the motion carried 5-0 to approve the request for VAR 2016-04.**

## 5. Old Business

### Moratorium Update

Mrs. Woithe explained that in December the moratorium will come before the Planning and Zoning Board as an ordinance and for the Board's recommendation to City Commission.

Documents presented to Board have been added into the record.

Mrs. Woithe explained that a new district will be created, that would limit vehicle repair and industrial uses. The other code changes that were previously discussed, such as open storage, those updates will happen later on. Mrs. Woithe mentioned that the existing businesses that are located in the new district and that are in the category that is now limited, will still be able to operate but if the business ceases to operate for 180 days, then they would have to follow the new guidelines that will be in place.

## 6. New Business

Chair Iaboni adjourned the meeting at 6:25 PM

Minutes approved: December 15, 2016