

LEBANON BOARD OF ZONING APPEALS MEETING
TUESDAY, SEPTEMBER 2, 2008

TO: ALL BOARD MEMBERS
FROM: RECORDING SECRETARY
SUBJECT: MINUTES TO MEETING

Chairman Robert Duff called the meeting to order. Jim McVey was absent from the meeting. Minutes from the July meeting were approved.

The first item on the agenda was Debra Williams requesting a 2-foot side setback Variance for an addition to the garage located at 1110 Fordice Road. This property is Zoned SF-1, Single-Family. The required side setback is 10-feet. Larc Robertson representing Ms. Williams was present for the meeting. Charlie Campbell stated that there were two additions to the house proposed one is on the west side of the house which does not need a variance and the second is on the south side of the house which will be 8-feet from the property line that does need a variance. The property to the south is a large lot used for a side yard and the house is almost 60-70 feet from where the addition will be located. The request is acceptable as long as the property owner to the south doesn't have any problems with it. Mr. Robertson stated that the property already has a 2-car attached garage they plan to add another 2 car attached garage and match the exterior as close as they can to the existing. The front would be brick façade. Proof of publication and notice to neighbors was given. Comments from the audience: Larry Harker neighbor to the south stated that he had no problems with the proposed addition. George Piper made a motion to approve the 2-foot variance request. Bruce Pauley seconded the motion. All members voted to approve the request. Motion carries.

The second item on the agenda was Family Express Corporation requesting a 16-foot height and 82 sq. ft. Sign Variance to replace the pole sign located at 2430 N. Lebanon Street. This property is Zoned PBC-Planned Business Commercial. The permitted signage for this location is a monument sign which allows a height of 8-feet and 32 sq. ft. Tim Karnes attorney with Parr Richey Obremsky & Morton was present for the meeting along with Scott Jones with Family Express. Charlie Campbell stated that the sign ordinance does not allow for this type of sign. There are no provisions in the ordinance to allow for a large sign like this. Allow though there are several existing signs in this area like the sign proposed. Tim Karnes explained that Family Express tried to use the existing sign structure and reface that sign so it was still in compliance with the ordinance, but after it was completed they did not like the look there are gaps in the sides where the sizes do not match up. Family Express would like to have the same type of sign at the same location on the property just adjust the posts to conform to the typical dimensions they use. The sign is located in a low spot on the property and the road is much higher than the sign which is why they are requesting it to be 24-feet tall. There is also a sign to the north on the property displaying the Shaker Square apartment that is hard to see if the sign was lowered it would block the sign. Bruce Pauley stated that they just reviewed a sign variance request for Wal-Mart and only allowed them a 19-foot tall sign so he would not be in favor of granting anything taller than that. Would the applicant be willing to reduce the height and adjust the sign to accommodate the request? Scott Jones with Family express stated that he would be worried about lowering the sign because the clearance would have to be reduced which may cause blocked views. After a long discussion the board agreed that an 18-inch reduction in the height would be acceptable, and the square footage would be reduced by the same. Bob Duff made a motion to grant the sign variance for a height of 22 ½ feet and the square footage would be reduced as well. George Piper seconded the motion. All members voted to approve the request. Motion carries.

The third item on the agenda was Amanda Fogle Toney requesting a Conditional Use application to permit a dog hotel to be located at 417 S. East Street in the detached 1300 sq. ft. garage. This property is Zoned ID-Industrial District. Amanda Toney was present for the meeting. Charlie Campbell stated that he had been to the property and spoke to Mrs. Toney about the concerns of the business at this location and if she could properly address those concerns the building was in good condition and adequate room for the business. She lives at the property in the house next to the detached garage, which was once a Laundromat. There would be 6 dogs over night and 8 dogs at a maximum. The dog waste would be picked up daily and once a week sent

to Greencylce for recycling into fertilizer. The dogs would be kept in the kennels and let out three times a day for restroom breaks and to play. All customers would bring dogs in on leashed and the animals would not have the opportunity to run outside of the property. The back yard is fenced in. If dogs are bathed they will use a tub that will trap any hair so it is not going into the sewer system. The neighbor Chris Johnston who owns the two properties to the north sent a letter that stated she was not opposed to the business. Proof of publication and notice to neighbors was given. George Piper made a motion to approve the Conditional Use with 5 conditions 1) The yard and floors will be cleaned daily. 2) If noise becomes a problem for the neighbors the applicant will take any and all necessary precautions to fix the problem. 3) Hair is not deposited in the drain system. 4) If parking becomes an issue the applicant will agree to park their personal vehicles at the back or make other arrangements. 5) No more than 6 animals should ever be kept in the kennel or grounds overnight and no more than 8 animals should be kept any given day. Rob Bevington seconded the motion. All members voted to approve the application. Motion carries.

The fourth item on the agenda was other business is an update on the Library expansion project and the parking calculation requirement. Darren Chadd explained that the Library has been in communication for 2 to 3 months about wanting to occupy the third floor. Since the project started the third floor was not finished due to parking requirements. Since this time the ordinance has changed and made it possible for the Library to meet the parking standards and occupy the third floor.

Meeting Adjourned.

Submitted by Recording Secretary
Kristi Spencer

Chairman, Robert A. Duff

Secretary, Rob Bevington