



**Forest Acres Zoning Board of Appeals
Minutes
June 10, 2024
City Council Chambers
6:00 PM**

I. Call to order

Robin O'Neil, chair, called the meeting to order at 6:03 PM.

- 1. Determination of a Quorum** – There was a quorum with the presence of Shirley Fawley, Robin O'Neil, Kate Usry, Derek Pace and Pete Balthazor. Will Owens and Jesse Smith were absent. Andy Smith, Assistant City Administrator/Finance Director, and Kendall Adams, Assistant to the City Administrator, were present.

II. Approval of Minutes

1. April 8, 2024

Ms. Usry made a motion to approve the April 8, 2024 minutes; Ms. Fawley seconded. Minutes were approved unanimously.

III. New Business

1. Variance request

6702 Formosa Dr.; TMS 14213-06-04. Four variance requests to build a fence over 8 feet in height and an accessory structure in the front yard and associated setbacks for accessory structure:

1. 17-inches (1.42 feet) over the allowed height of 8-feet for a fence.

2. Request to allow an accessory structure to be placed in the front of the principal structure.

3. 14-feet to reduce front setback side setback from 35-feet to 21-feet

4. 4-feet to reduce side setback from 5-feet to 1-foot

Ms. O'Neil introduced the topic and asked Mr. Smith to provide the basic information on the case. Mr. Smith noted that this is a request for several different variances associated with a single property to accommodate an accessory structure.

The applicant, Mr. Henry Hoppmann, introduced their request and plans for the accessory structure. He noted that there is no feasible space for the accessory structure other than the front yard, off to the side. He noted that the intent is to shield the structure from view with a privacy fence.

Ms. O'Neil noted that there is an empty lot adjacent to the property (on the side of the proposed accessory structure) that could potentially be developed. There was further discussion of the topographical changes in this area (i.e., that the yard slopes down to the adjacent lot and forward to the road).

Ms. Hoppmann noted that the intent for this proposal is to shield lawn equipment, a golf cart, and a vehicle from view, for safety reasons and aesthetics.

Mr. Balthazor asked for further clarification on the question of use (i.e., that accessory structures are allowed in R-1, but that they aren't otherwise allowed in the front of the principal structure).

Ms. Fawley initiated discussion about whether the proposed fence height is the least amount of variance needed, particularly given the grade change down to the vacant lot.

Ms. Usry asked if neighbors have provided any comment. Mr. Hoppmann noted that several neighbors have been pleased with the overall improvements, but not specifically about this proposal.

Ms. Usry asked about the extent to which the proposed fence and vegetation will screen the accessory structure. Mr. Balthazor noted his concern that this be adequately screened since it's proposed for the front yard. Ms. Fawley noted her concern with an accessory structure in the front yard, in principle.

Mr. Balthazor made a motion to approve the variances as requested due to the peculiar nature of the lot. He noted that the rear of the lot is not a viable location for an accessory structure, which would otherwise be allowed as a use in R-1, and the applicant has taken necessary steps to mitigate the impact of the structure in the front. **Ms. Usry seconded the motion.**

With no further discussion, the motion passed 3-1 (Ms. Fawley was opposed; Ms. O'Neil did not vote).

IV. Adjournment

Mr. Balthazor made a motion to adjourn. Ms. Fawley seconded. The meeting was adjourned at 6:39 P.M.

Respectfully Submitted,
Andy Smith, Assistant City Administrator/Finance Director
(Administrative support of Zoning Board of Appeals)