



MINUTES

DOUGLAS COUNTY BOARD OF ZONING APPEALS

Public Works/Zoning and Codes Building - Training Room, and by Zoom

3755 E 25th Street

Monday, June 21, 2021

10:00 a.m.

MEMBERS PRESENT: Charlie Thomas, Chair; Phil Metsker; Scott Eudaly; Jerry Wohletz; Rich Barr (all members in person)

MEMBERS ABSENT: All Present

STAFF PRESENT: Tonya Voigt, Zoning Director; Dre'VeL Taylor, Zoning Specialist; Ben Harris, Code Enforcement Officer

PUBLIC PRESENT: David Hollingsworth, Frank Meade. No other public present in person or by Zoom for comment.

Charlie called the meeting to order at 10:00 a.m.

Charlie called roll and a quorum was established.

ITEM NO. 1: MINUTES

Approve, revise, or approve with conditions the May 17, 2021 meeting minutes.

Jerry moved to approve the May 17, 2021 minutes, Phil seconded. Motion carried 5-0.

ITEM NO. 2: DISCLOSURE OF EX PARTE COMMUNICATIONS

Chair asks Board members for disclosure of any ex parte communications on the items on the agenda.

Charlie asks, all members attest to no communication.

VARIANCE REQUESTS

ITEM NO. 4: **ZBZA-2021-0014:** An application from David Hollingsworth for a variance request for a 20 ft. reduction of the required 30 ft. rear setback and a 10' reduction of the required 20' side yard setback on a lot zoned 'General Business', for the construction of a new 36 ft. x 36 ft. x 14 ft. barn, located at 1804 E 1500 Rd.

APPLICANT/OWNER: David Hollingsworth

LOCATION: 1804 E 1500 Rd. Plate 300316

AREA: 1.2 Acre

DATE OF PUBLIC HEARING: June 21, 2021, 10:00 am.
DATE PUBLIC NOTICE PUBLISHED: June 1, 2021
PRESENT LAND USE: Residential GB, General Business

SECTION AND REQUIREMENT OF ORDINANCE PERMITTING VARIANCE:

- 12-303-7.04 Dimensional Standards: Requires 20' side yard setbacks when adjacent to a residential use or residentially zoned property. Requires 30' rear setback.

STAFF RECOMMENDATION

- County Staff recommend approval of the variance request from David Hollingsworth for a 20 ft. reduction of the required 30 ft. rear setback and a 10' reduction of the required 20' side yard setback on a lot zoned 'General Business', for the construction of a new 36 ft. x 36 ft. x 14 ft. barn, located at 1804 E 1500 Rd.

10:01 Charlie introduces item.

Dre'Vel reviews staff report.

10:08 Charlie asks for questions.

David comments that he is trying to clean the place up and this will provide more setback than currently present.

Rich Barr, is property compliant with required setbacks?

Dre, no, the structures are grandfathered.

Scott asks if neighbor is okay with the setbacks.

David states that the neighbor (Dobski) came over and was in favor of the request.

Rich Barr motions to approve the variance request for a 20 ft. reduction of the required 30 ft. rear setback and a 10' reduction of the required 20' side yard setback on a lot zoned 'General Business', for the construction of a new 36 ft. x 36 ft. x 14 ft. barn, located at 1804 E 1500 Rd.

Phil Metsker seconds

10:14am Motion carried 5-0.

ITEM NO. 3: **ZBZA-2021-0013:** An application from Myers Services for a variance request for a 6 ft. reduction of the required 10 ft. side yard setback for a new 38 ft. x 13 ft. solar array on a lot zoned 'Lake Oriented Business', located at 1423 E 900 Rd.

APPLICANT/OWNER: Myers Services Inc, (Frank Meade)
LOCATION: 1423 E 900 Rd. Plate 400491
AREA: 20 Acres

DATE OF PUBLIC HEARING:	June 21, 2021, 10:00 am.
DATE PUBLIC NOTICE PUBLISHED:	June 1, 2021
PRESENT LAND USE:	Self-Storage Facility LB, Lake Oriented Business

SECTION AND REQUIREMENT OF ORDINANCE PERMITTING VARIANCE:

- 12-303-5.03 Dimensional Standards: Requires 10' side yard setback when adjacent to a non-residentially zoned or developed property.

STAFF RECOMMENDATION

- County Staff recommend approval of the variance request from Myers Services for a 6 ft. reduction of the required 10 ft. side yard setback for a new 38 ft. x 13 ft. solar array on a lot zoned 'Lake Oriented Business', located at 1423 E 900 Rd.

10:15 Charlie introduces item.

Dre'Vel reviews staff report.

10:22 Charlie asks for questions.

Frank Meade discusses why this project is best suited for the location proposed. Currently has a 3 phase and a 1 phase on the property.

Rich Barr asks where the meter is located.

Frank, North side of building that it will be adjacent to.

1000 ft of line would be cost prohibitive. He thinks they will make a very small margin. He is doing this because he thinks it is a good thing to do.

Jerry asks if other arrays are close to meters.

10:28 Frank, other arrays are within 40 ft of meters.

Jerry asks about roof pitch

Frank discusses why the slant of the roof and the direction of the buildings would reduce the output of the panels.

Jerry asks about the zoning to the North. Will this limit what the landowner North can do?

Frank – no, because of the proposed location of the panels, they could build on the property line and it would be fine.

Scott Eudaly makes motion to approve the variance request from Myers Services for a 6 ft. reduction of the required 10 ft. side yard setback for a new 38 ft. x 13 ft. solar array on a lot zoned 'Lake Oriented Business', located at 1423 E 900 Rd.

Jerry Wohletz seconds

10:33 Motion carried 5-0.

Scott Eudaly– Motions to adjourn.

10:39 – Jerry Wohletz – Seconds motion. Motion carried 5-0.