

MINUTES OF THE MEETING OF THE ZONING BOARD OF ADJUSTMENT

Tuesday, May 24, 2011 - 4:00 p.m.
Council Chamber
City Hall

Pursuant to notice, the Zoning Board of Adjustment of the City of St. Joseph met in the Council Chamber, City Hall, on Tuesday, May 24, 2011, at 4:00 p.m.

	<u>Name</u>	<u>Attendance</u> (mtgs attended-mtgs absent)	<u>Term of Office</u>
MEMBERS PRESENT:	Richard Meng	(2-0)	4/30/14
	Terri Lowdon	(2-0)	2/23/14
	Chad Gaddie	(2-0)	3/22/14
	Ken Beck	(2-0)	2/22/16
	Lasha M. Dalakishvili*	(1-1)	2/22/16
	Terry Hall, alternate	(2-0)	8/09/15

MEMBERS ABSENT: None

*Mr. Dalakishvili arrived after the meeting had been called to order and Mr. Hall was already seated. He was in attendance but did not participate in the hearing.

Quorum Present. Four members constitute a quorum (Four votes required to approve a request).

OTHERS PRESENT: Mike Kellam, City Planner
Ted Elo, Assistant City Attorney

Lowdon: Bring this meeting to order of the Zoning Board of Adjustment of May 24, 2011.
Roll call please.

Secretary: Ken Beck?

Beck: Here.

Secretary: Lasha Dalakishvili? Chad Gaddie?

Gaddie: Present.

Secretary: Terri Lowdon?

Lowdon: Present.

Secretary: Richard Meng?

Meng: Yes.

Secretary: Terry Hall?

Hall: Here.

Secretary: We have five members in attendance. That is enough for a quorum.

Lowdon: On the agenda today, we have Case number 2423. If there's anyone in attendance who requests to speak to the board with regard to that, we need to have everybody sworn in at once. It looks like there's one gentleman here, I believe. Earlier I inquired of him and that is, in fact, Bob Bohot. Correct?

Bohot: Bohot. Yes.

Lowdon: I'm going to read the following rules that are adopted by the board then I'll ask you to stand and be sworn in.

Bohot: Ok.

Lowdon: The following rules of conduct have been adopted by the Board. Give your name and complete address; no one may speak more than twice on the same item; no one may speak more than ten minutes at a time without permission from the Chairman; no one may speak a second time on a question until every person who wants to speak has done so; all submissions of evidence, i.e., photos, drawings, will be retained by the Board of Adjustment and will become a part of the permanent file. Don't submit anything that you want back. Do you want to stand and be sworn in? Raise your right hand. Do you swear to tell the truth, the whole truth and nothing but the truth?

Bohot: Yes.

Lowdon: Prior to starting this, were there any postponements or adjustments to the agenda that we should know about?

Kellam: No, ma'am.

Lowdon: I'll call Case number 2423 which is a request of Bob Bohot for an exception from the Zoning Code, Section 31-054(f) to increase the allowable height of a non-site obscuring fence from 4 ft. to 6 ft. in the front yard area of a business located at 1525 South 9th Street on property currently zoned M-2 Heavy Manufacturing District. May we have the staff recommendation?

Kellam: We do recommend approval. I don't have anything to add to the staff report at this time.

Lowdon: Do any of the board members have any questions of the staff after having reviewed the staff report?

Meng: Call the question.

Gaddie: Second.

Kellam: Madam Chairman?

Lowdon: Yes?

Kellam: If we could, I'd like to have the ordinances admitted into evidence. Chapters 11, 26 and 31 just so we could have that on the record.

Lowdon: We admit into evidence certified copies of Chapters 11, 26, and 31. Mr. Bohot, you've heard the recommendation and there is a motion for a vote. Do you wish to speak at this time?

Bohot: Ah, no.

Lowdon: Let's have a roll call vote on the issue, then.

Secretary: Do you want to vote separately on each of the four findings?

Lowdon: No, the one vote will include all of the findings. When we're voting, we're voting on all four findings. Roll call vote, please.

Secretary: Chad Gaddie?

Gaddie: Approve.

Secretary: Terri Lowdon?

Lowdon: Approve.

Secretary: Richard Meng?

Meng: Approve.

Secretary: Terry Hall?

Hall: Approve.

Secretary: Ken Beck?

Beck: Approve.

Secretary: The vote is five yeses. The motion passes.

Bohot: Thank you very much.

Lowdon: The next matter to come before the board is the approval of the meetings [minutes] of May 3. The members all have a copy of those meetings [minutes] in their packets. I understand everyone has reviewed those. Any discussion on those?

Meng: I move we vote.

Gaddie: Second.

Lowdon: So, for, roll call approval of the minutes. Everyone who wants to approve say "aye".

All: "Aye".

Lowdon: All opposed. There were all "ayes" and no opposed. They are approved. You also have something in your packet, the approval of the findings of fact for Case Number 2422 from May 3, 2011. Everyone has had the opportunity to review that as well. Are there any amendments or any discussion with regards to the approval of those findings?

Gaddie: Move to approve.

Lowdon: Is there a second?

Meng: Second.

Lowdon: All in favor?

All: "Aye".

Lowdon: Any opposed? I hear none. So approved. Do we have a report from the City Planner?

Kellam: I don't really have anything to add other than Mr. Dalakishvili, and I'm sorry if I've pronounced that wrong, but he has shown up and we welcome him to the board. This is the first time he's been able to make it, so if you get a chance, you might introduce yourself. But, other than that I'm done.

Lowdon: We'll do that right after the meeting is adjourned.

Meng: How do you say your name?

Dalakishvili: Dahla-kish-`vilee.

Kellam: There you go.

Lowdon: Is there any other business? Hearing none . . .

Meng: I move we adjourn.

Lowdon: So adjourned.

Meeting adjourned at 4:10 p.m.

The next regular meeting of the Zoning Board of Adjustment is schedule for June 28, 2011 at 4:00 p.m.

Transcript submitted by Debbie Cline.