

CITY OF MANCHESTER
BOARD OF ADJUSTMENT MINUTES
June 14, 2018

ATTENDANCE

Chairman Kent Goddard – Present
Member Bill Ward – Present
Member Alan Nissenbaum – Present

Member Dan Miller – Present
Member J.D. Pohlman - Present

CITY OFFICIALS

City Attorney Patrick Gunn
Planning and Zoning Director Melanie Rippetoe

COURT REPORTER

Lauren Goodman

ATTENDEES

Todd Helton

CALL TO ORDER

Chairman Goddard called the meeting to order at 6:30 p.m. and asked Director Rippetoe to call the roll. The record of attendance is shown above.

APPROVAL OF MINUTES

A motion to approve the March 8, 2018 minutes as submitted was made by Member Nissenbaum and seconded by Member Miller. The minutes were approved 5-0.

OLD BUSINESS

None

NEW BUSINESS

CASE #18-V-002

Director Rippetoe gave the details of the variance case:

Madison Ellsworth and Andrew Clifton, owners, are requesting a variance for the location of a proposed fence to be located at 850 Hanna Road. The property is located in the R-4 Single-Family Zoning District and fronts on Hanna Road to the west and Brookvale Terrace to the south. The plans submitted show a six foot tall vinyl privacy fence located along the property line to the south along Brookvale Terrace. Although the address fronts on Hanna Road, the property is a corner lot and also has frontage along Brookvale Terrace.

Section 405.630.A.2 prohibits fences erected within the front yard. The building setback line is 20 feet in the R-4 zoning district, therefore a 20 foot variance will be required in order to install the proposed fence.

Testimony #1 – Madison Ellsworth summarized the project and the reason for the requesting the variance and answered questions of the City Attorney and Board members.

Testimony #2 – Andrew Michael Clifton clarified some questions about the terrain that prohibited fencing in the other side of the house.

With all the questions satisfactorily answered, Chairman Goddard asked for a motion. Hearing none, the variance was denied due to lack of a motion.

CASE #18-V-003

Director Rippetoe gave the details of the variance case:

Jenessa Shearer, owner, is requesting a variance for the location of a proposed fence to be located at 1116 Dauphine Lane. The property is located in the R-1 Single-Family Zoning District and fronts on Dauphine Lane to the north and Auber Drive to the east. The plans submitted show a six foot tall chain link fence located along Auber Drive to the east 5 feet from the property line. Although the address fronts on Dauphine Lane, the property is a corner lot and also has frontage along Auber Drive.

Section 405.630.A.2 prohibits fences erected within the front yard. The building setback in the R-1 Zoning District is 30 feet, therefore a 25 foot variance will be required in order to install the proposed fence.

Testimony #1 – Austin Shearer summarized the project and the reason for the requesting the variance, submitted letters from the neighbors, entered as exhibits 11A and 11B, and answered questions of the City Attorney and Board members.

With all the questions satisfactorily answered, Chairman Goddard asked for a motion. Hearing none, the variance was denied due to lack of a motion.

Mr. Shearer stated that they would be willing to change the location of the fence if that is a possibility. Discussion ensued.

With all the questions satisfactorily answered, Member Miller made a motion that to approve the 30 foot to 10 foot variance on the front lot line with a four foot tall fence instead of a 6 foot tall fence. The motion was seconded by Member Pohlman to approve the modified variance. Discussion ensued. The resulting vote was 5-0 in favor of the variance conditional that it was 10 feet from the property line and 4 feet in height.

CASE #18-V-004

Director Rippetoe gave the details of the variance case:

Steve Kirkpatrick, of Philadelphia Signs, on behalf of Regions Bank, owner, is seeking a variance required for approval of a permanent ground mounted sign for Regions Bank, located at 14204 Manchester Road, in the C-1 Commercial Zoning District. The proposed ground sign is the same as the sign approved on March 8, 2018 by the Board of Adjustment, except for a newly proposed location. It is shown to be overall 15 feet tall, and approximately 10 feet wide, with the actual face of the sign shown to be approximately 9 feet by 5 feet. It will display the business's name and logo. The applicant is requesting to change the location of the sign. It is now shown to

be 10.1 feet from the north property line along Manchester Road and will no longer require a variance from the front setback line along Enchanted Parkway.

Section 405.320.M. of the Sign Regulations states that pole signs shall be constructed entirely of non-combustible materials and shall conform to the requirements for ground signs, as the case may be.

Section 405.320.H of the Sign Regulations states that a ground sign shall not be set nearer to the street lot line than the established building line.

The established building line in the C-1 Commercial Zoning District is 30 feet along Manchester and Enchanted Parkway. The sign will require a 17.8 foot variance from the front building setback line along Manchester Road and a 19.9 foot variance along Enchanted Parkway. She stated that this sign can only be approved if granted the variance requested. Discussion ensued.

Testimony #1 –Joe Phillips, of Piros Signs, on behalf of Regions Bank, summarized the project and the reason for the requesting the variance and answered questions of the City Attorney and Board members.

With all the questions satisfactorily answered, Member Nissenbaum made a motion and seconded by Member Ward to approve the variance. The resulting vote was 5-0 in favor of the variance.

ADJOURNMENT

Chairman Goddard adjourned the meeting at 7:40 p.m.

Respectfully Submitted by:

Melanie Rippetoe, Director of Planning, Zoning and Economic Development