

**MINUTES OF THE ZONING BOARD OF APPEALS MEETING HELD IN ROOM 204 AT
GREENFIELD CITY HALL ON THURSDAY, November 19, 2020**

1. The meeting was called to order by Mr. Stern at 5:35 p.m.

ROLL CALL:	Audrey Ellison (chair)	Excused
	Mike Gierl	Excused
	Donald Reid	Present
	Kevin Thomas	Excused
	David Schilz	Present
	John Rivera	Present

ALSO PRESENT: Andrew Stern - Planner

**2. Approval of the minutes from the February 26, 2020 meeting.
No quorum present, item tabled.**

**3. Approval of the minutes from the October 22, 2020 meeting.
No quorum present, item tabled.**

4. Zoning Special Exception petition for construction of two (2) single-family homes, to be located at 4133 & 4141 S. 90 St., submitted by Ryan Janssen, d/b/a Ryan's Buying, LLC. (Tax Key No. 569-1158-001)

Mr. Janssen has an offer to purchase the two vacant parcels at 4133 S. 90 St. and 4141 S. 90 St. Today these two parcels are combined as one (1) tax key number under the address of 9000 W. Plainfield Ave. The property owner simply needs to request a second tax key assignment from the Assessor's Office, as the lot is truly split into two (2) separate platted parcels. When/if these two parcels are issued permits, the new addresses will be 4133 S. 90 St. and 4141 S. 90 St. The properties are zoned R-3 Single-Family Residential Conservation District. Mr. Janssen is interested in building two (2) single-family homes on the vacant parcels but is in need of setback and lot coverage variances.

Lot 15 is the northern lot and is a legal non-conforming lot, which means it's platted and is a legal parcel, but does not conform to today's zoning lot size regulations for the R-3 District. Lot 15 is 50' x 100'. Lot 16 is the southern lot and also is a legal non-conforming lot. Lot 16 is 55' x 100'. The R-3 District requires (new) lots to be 75' x 100' and 9,000 sq. ft. in area. New corner lots are required to be 85' x 100'. A property owner may build on a legal non-conforming lot, but would need to meet the setbacks, lot coverage and other requirements of that zoning district.

The lot dimensional requirements for the R-3 Single-Family Residential Conservation District are as follows:

- Minimum front yard: 30 ft.
- Minimum side yard: 5 ft. to the north, 10 ft. to the south, 20 ft. on a corner lot
- Minimum rear yard: 25 ft.
- Maximum lot coverage: 30%

Mr. Janssen has explained in his variance request that the current zoning district setbacks do allow a large enough building pad to support a proposed two (2)-story dwelling; however, the regulations limit the size of the back yard and do not permit the best use of the limited space with the existing non-conforming lots he'd like to build on. In addition, Mr. Janssen has pointed out that the R-3 setbacks are not in line with the older existing homes and general subdivision layout of the neighborhood (see aerial photo with "year built" identified on the neighboring homes—today's setback regulations did not exist when neighboring homes were built in the 1940's and 1970's). Mr. Janssen is requesting a front yard setback equal to the average setback of the four (4) nearest homes that would line up with the new dwellings he'd like to build. The four (4) homes to the north and south have an average front yard setback of 21.55 ft. Mr. Janssen is requesting a 21.5 ft. front yard setback for both homes on Lot 15 and Lot 16. In addition, very few of the existing homes/parcels in the neighborhood meet the 30% maximum lot coverage. Parcels to the immediate north and west have lot coverages of 31%, 35%, 36% and 39%.

Janssen is requesting a lot coverage ratio of 40% for Lot 15 and for Lot 16 (40% each).

The proposed dwelling on Lot 15 would be constructed with an attached garage in the front. This allows the applicant to build and maintain the side yard and rear yard setback requirements of the R-3 District.

The proposed dwelling on Lot 16 would be constructed with a detached garage with a driveway onto W. Plainfield Ave. The proposed side yard setbacks for the home would meet the R-3 requirements (5 ft. to the north and 20 ft. to the south—it's a corner lot). Mr. Janssen is requesting a rear yard setback variance for the detached garage of three (3) ft. All detached garages in the neighborhood are within feet of the rear or side yard lot lines. Mr. Janssen took the average setback of the garages that are closest to Lot 16 and determined that their setbacks were 3.2 feet.

Both homes' architectural design include small front open porches. There are other homes in the neighborhood that have small front open porches that cover the front stoop as these proposed homes do. Staff does not object as the porch adds to the architectural style of the homes.

Staff does not have any objection to the proposed setback, lot coverage ratio, and front porch variance requests, on the basis that the requested setbacks, lot coverage ratio and small front porch/stoop coverings are consistent with surrounding dwellings/parcels, and on the basis that today's R-3 Zoning District regulations are very difficult to meet when constructing a new home on an existing non-conforming parcel. Staff recommends approval.

Motion by Mr. Schilz, seconded by Mr. Reid, to approve the Zoning Special Exception petition for construction of two (2) single-family homes, to be located at 4133 & 4141 S. 90 St., submitted by Ryan Janssen, d/b/a Ryan's Buying, LLC. (Tax Key No. 569-1158-001). Motion carried unanimously.

3. Adjournment.

**Motion by Mr. Schilz, seconded by Mr. Rivera, to adjourn the meeting at 5:44 p.m.
Motion carried unanimously.**

Respectfully Submitted,

Natalie Phillips
Administrative Assistant

Distributed December 4, 2020