

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Manuel Paredes Appeal Case 2022-163
146 HARRIS ST
Map Parcel: 05201002000
Zoning Classification: OR20 Council District: 9

ORDER

This matter came to be heard in public hearing on 2/2/2023, before the Metropolitan Board of Zoning Appeals, upon application for an Item D appeal. The appellant is seeking to obtain a permit for an addition to a nonconforming structure.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 D of the Metropolitan Code.
- (3) The appellant HAS satisfied all of the conditions for enlargement of a nonconforming structure under Section 17.40.660.C.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant’s request shall be GRANTED.

UPON MOTION BY: Mr. Pepper Seconded By: Ms. Karpynec

Result: 5-2
Ayes: Bradford, Davis, Karpynec, Newton, and Pepper
Nays: Cole and Lawless
Abstaining:
Absent:

ENTERED THIS 2nd DAY OF February, 2023.

METROPOLITAN BOARD OF ZONING APPEALS

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Colin Peterson Appeal Case 2023-008
2324 GOLDEN OAK CT
Map Parcel: 051140A01800CO
Zoning Classification: R10/OV-RES PUD Council District: 8

ORDER

This matter came to be heard in public hearing on 2/2/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance from rear setback requirements. The appellant is seeking to replace the existing deck with a screened porch.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 B of the Metropolitan Code.
- (3) The appellant HAS satisfied all of the standards for a variance under Section 17.40.370 of the Metropolitan Code.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be GRANTED.

UPON MOTION BY: Mr. Lawless

Seconded By: Mr. Newton

Result: 7-0

Ayes: Bradford, Cole, Davis, Karpyniec, Lawless, Newton, and Pepper

Nays:

Abstaining:

Absent:

ENTERED THIS 2nd DAY OF February, 2023.

METROPOLITAN BOARD OF ZONING APPEALS

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Mivan Hasan Appeal Case 2023-012
1700 UNDERWOOD ST
Map Parcel: 08115022900
Zoning Classification: RS5/OV-UZO/OV-DDU Council District: 21

ORDER

This matter came to be heard in public hearing on 2/2/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance from street and side street setback requirements. The appellant is seeking to build a new single family home.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 B of the Metropolitan Code.
- (3) The appellant HAS satisfied all of the standards for a variance under Section 17.40.370 of the Metropolitan Code based upon the irregular size of the lot and the unique impact of the side street setback and right of way upon the lot.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be GRANTED IN PART AND DENIED IN PART, as follows:

The request for street setback variance is denied. The initial request was for a variance to a zero-foot side street is denied as requested, but granted as amended: the applicant shall be permitted to build up to a one-foot side street setback from the right of way line.

UPON MOTION BY: Mr. Newton

Seconded By: Ms. Davis

Result: Motion to Deny in Part and Approve in Part as Amended (6-1): deny street setback request; approve side street setback variance as amended to 1 foot from right of way.

Ayes: Bradford, Cole, Davis, Karpynec, Lawless, and Newton

Nays: Pepper

ENTERED THIS 2nd DAY OF February, 2023.

METROPOLITAN BOARD OF ZONING APPEALS

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Gregory & Kendall Flanagan Appeal Case 2023-013
6004 ELIZABETHAN DR
Map Parcel: 10216007100
Zoning Classification: RS40 Council District: 23

ORDER

This matter came to be heard in public hearing on 2/2/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance from street setback requirements. The appellant is seeking to renovate and add to an existing single family home.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 B of the Metropolitan Code.
- (3) The appellant HAS satisfied all of the standards for a variance under Section 17.40.370 of the Metropolitan Code.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant’s request shall be GRANTED.

UPON MOTION BY: Mr. Lawless Seconded By: Mr. Newton

Result: 7-0
Ayes: Bradford, Cole, Davis, Karpyne, Lawless, Newton, and Pepper
Nays:
Abstaining:
Absent:

ENTERED THIS 2nd DAY OF February, 2023.

METROPOLITAN BOARD OF ZONING APPEALS