

MINUTES OF THE  
FAIRFIELD BOARD OF ZONING APPEALS

March 7, 2012

Debbie Pennington called the Board of Zoning Appeals hearing to order at 6:00 p.m. at the Fairfield Municipal Building, 5350 Pleasant Ave.

Pledge of Allegiance

Roll Call

Lynda McGuire, Secretary, called the roll of the Board of Zoning Appeals. Present members were Debbie Pennington, Joseph Koczeniak, Chad Oberson, Don Carpenter, and Jack Wessler. Rick Helsinger, Building Official and John Clemmons, Law Director were also present. Motion to excuse Ron Siciliano and Scott Lepsky carried 5-0.

Minutes of the Previous Meeting

The minutes from the Board of Zoning Appeals meeting held on February 1, 2012 were approved as submitted. Motion carried 5-0.

Scott Lepsky arrived at 6:05 pm.

Old Business

NONE

New Business

**Case No. BZA-12-0006 – Side Yard Setback, Sidewalk Waiver – 5742 Pleasant Ave.:**

Rolling Hills Baptist Church is requesting a 24 ft variance on the side yard setback, and a sidewalk waiver for a proposed building addition.

STR commented as follows: If the variance and waiver is approved, the addition must meet building code, drainage requirements and parking requirements. There was question on easements on the property; staff determined there are no easements.

Property Owner's Comments

Danny Rollins, Pastor of Rolling Hills Baptist Church spoke regarding the variance. He said they had originally wanted to build the new addition flush with the existing building, but had to offset it due to code issues. Mr. Kozeniak asked if the driveway shown on the plans is staying after the addition is built. The driveway will remain; it is narrow, but it is a one way and is marked as such. It is used mostly for a drop-off. The proposed landscaping will be done as shown on the site plan, with a 20 foot buffer between properties. Mr. Kozeniak asked what their plans would be if the variance wasn't approved. Eric Stirnkorb, contractor spoke regarding the variance. They plan to maintain the existing retention pond and put the new one right next to it, and they can't move the addition because of that. The existing building is 11,524 sf and the proposed addition will be 12,283 sf. The proposed addition is intended for the youth and children's programs. There was discussion regarding location of the setback. Mr. Wessler asked if they were planning to build the other expansion shown on the drawing. The future expansion shown on the drawings is not a definite plan as of this time. Ms. Pennington asked about the detention pond. The pond holds water when there is a heavy rain. Mr. Rollins pointed out the existing walkway on the drawings and noted that they would like to utilize that walkway with the new addition. That is another reason for the offset. There was discussion on who owns the properties surrounding the church. There are several properties that abut the church property. Mr. Oberson expressed concern over the amount of parking. There are 150 parking spaces

listed, according to Mr. Helsing. There are also multiple services on Sundays. Mr. Lepsky asked if Staff Technical Review had any discussion with regard to the sidewalk waiver. Mr. Helsing stated that STR had no comment, but development staff wanted the sidewalk. Across the street from the church there are sidewalks. Don Hassler spoke regarding the waiver. The church did not want to install the sidewalk because it doesn't go anywhere. He also spoke to the City Engineer, and there are no proposed plans to widen Pleasant Ave. in the near future. Mr. Lepsky said there was a possibility that Pleasant Ave would be widened in the future, but he's not for sure. He is not a fan of building something that serves no purpose. Ms. Pennington asked if the sidewalk was waived, would the waiver be grandfathered for future projects. Mr. Helsing told the board they could make that part of the condition of the waiver. Mr. Clemmons stated when road improvements are done; the sidewalks are generally paid for by state or federal funds. Mr. Wessler asked if they had spoken to the neighbors. Mr. Rollins tried numerous times to talk to them, but couldn't catch anyone at home. The next door neighbors are okay with the project. There was discussion regarding distance of the addition to neighboring properties.

#### Public Hearing

NONE

#### Board Re-Convened

Scott Lepsky, seconded by Jack Wessler, made a motion to approve the variance and waiver on the condition that the proposed addition meets all building code, drainage and parking requirements and the sidewalk waiver is not a waiver with regard to future assessments or development on the property. Motion carried 6-0.

#### Adjournment:

Jack Wessler, seconded by Chad Oberson, made a motion to adjourn. Motion carried 6-0.

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Ron Siciliano, Chairman

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Lynda McGuire, Secretary