

**Zoning Board Meeting Minutes  
September 13, 2011**

Regular monthly meeting 6:00 P.M., 13<sup>th</sup> Day of September, held at the City of Pass Christian Municipal Court Room, 200 W. Scenic Drive.

Acting Chairman Eugene Russell called the meeting to order at 6:00 P.M.

<u>Roll Call</u>	<u>Present</u>	<u>Absent</u>
Willie Cox	X	
Steve Dick	X	
Eugene Russell	X	
Lisa Smith	X	
Eddie Tillman	X	

There was one (1) request on the agenda. Mr. John VanBarneveld filed the request, and was represented by his builder, Colie Donaldson. VanBarneveld's request was for a variance for setback requirements for his home. If Granted, the variance would be:

REQUIRED	REQUESTED	VARIANCE
5ft min side setback	Stairs to infringe on 2ft of requirement leaving 3ft unincinged side setback	2ft.

On motion of Smith, seconded by Dick, a motion was made to open the public hearing. The vote was 4-0 motion passed.

Donaldson, representing the property owner, explained that he took over the project at the mid-point. He felt that with the way the owner wanted the under-building screening, which exceeds the 20ft requirement along the sides of the home, two sets of stairs emptying under the house would be a fire hazard. Donaldson stated that most of the neighbors, including the neighbor directly to the north who would be most affected if a variance were granted, supported VanBarneveld's request. Finally, Donaldson stated that the VanBarneveld planned to landscape the property a very specific way, and that having the stairs come off the front of the house would not be in accordance with the landscaping plans.

Donaldson also stated that, if necessary, he could install a 3ft. staircase that would only infringe upon the side setback 6-8 inches.

Robert Bahm, of 109 Vista Drive, stated that while he typically believes in upholding the required zoning standards, he had no objections to the variance request.

Commissioner Tillman asked why the house was so far north on the property, and not centered.

Donaldson stated that the driveway was originally supposed to be on the south side, and had to be in a very specific place because of fire plugs in the street. Donaldson then explained that VanBarneveld is working on acquiring property for a rear entrance to replace the proposed driveway.

Commissioner Dick questioned if the proposed alternative—a 3ft. staircase—would meet ADA requirements.

Chairman Russell explained that these requirements are not applicable to residential. Furthermore, residential construction only requires one (1) staircase, and the Fire Chief is not required to inspect residential projects.

Commissioner Smith asked why the stairs could not go off the front of the house.

Donaldson explained that the owner feels it would look strange to have the stairs coming off the front without a driveway. He also stated that the owner has a very specific look he is going for, and that will be accomplished with landscaping that will not allow for stairs to come off the front of the house.

On motion of Dick, seconded by Smith, a motion was made to grant a variance to allow a 3ft staircase in the proposed location that would encroach 6-8 inches into the side setback. The motion tied, 2-2. In order to break the tie, Chairman Russell voted to deny the variance. Russell explained that if a variance were granted, and the neighbor to the north were to sell the property, a future property owner would in effect have less of the permitted separation between their homes, and due to the project varying from the original plans that were presented to the city, did not agree to grant a variance. There was much discrepancy in the site plan provided to the Zoning Board and what was represented by the builder. Not having a survey of the property made these decisions more difficult.

On motion of Dick, seconded by Smith, a motion was made to adjourn the meeting at 6:45P.M. The motion passed 4-0.