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MEMORANDUM

DATE: January 9, 2003

TO: Council Member Gary Schiff, Chair, Zoning & Planning Committee and
Members of the Committee

FROM: Hilary Watson, City Planner

SUBJECT: Appeal of the decision of the Zoning Board of Adjustment by Jerry and
Christine Martin

Jerry and Christine Martin have filed an appeal of the decision of the Zoning Board of Adjustment. The appeal is associated with the decision of the Zoning Board of Adjustment to deny the variance request to increase the maximum height of an accessory structure from the permitted 12 feet to 14 feet 7 inches when measured to the midpoint of the roof. The actions from the December 11, 2002 Zoning Board of Adjustment meeting are attached.

The applicants have indicated that they are appealing this decision because they feel that a hardship exists on their property due to the fact that their basement floods thus eliminating storage space in their house. In addition, the applicants indicated that they applied for this variance based on a 1999 Zoning Board of Adjustment decision to approve a garage height variance for another property in the city that had a bungalow style house.

At the October 23, 2002 Zoning Board of Adjustment meeting the Board members continued the item to the November 13, 2002 Zoning Board of Adjustment meeting. In addition to continuing the item, the Board members asked the applicants to redesign the garage so it did not detract from the architectural character of the applicant's house. The applicant did not change the design of the garage. At the December 11, 2002 Zoning Board of Adjustment meeting, six Board members were present. All six of the Board members voted to deny the variance request.