RE:St. Mark's Missionary Baptist Church
3903 MILFORD RDAppeal Case 2023-146Map Parcel:06903003900Zoning Classification:RS15/OV-FLDCouncil District:1

ORDER

This matter came to be heard in public hearing on 12/21/2023, before the Metropolitan Board of Zoning Appeals, upon application for a special exception to construct 3,480sf addition to existing church.

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 C of the Metropolitan Code.
- (3) The appellant HAS satisfied all of the conditions for a special exception under Section 17.16.150 and 17.16.170 E.

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

UPON MOTION BY: Mr. Cole

Seconded By: Mr. Bradford

Result: 5-0 Ayes: Members Bradford, Cole, Davis, Karpynec, and Pepper Nays: Abstaining: Absent: Members Lawless and Ransom

RE: Russell & Heidi Ziecker Trust 5112 WILMAR DR

> Map Parcel: Zoning Classification:

14615005300 RS20 Appeal Case 2023-148

Council District: 26

<u>ORDER</u>

This matter came to be heard in public hearing on 12/21/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance in side setback requirements. The appellant is seeking to construct a carport with a shed to the side of the residence.

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. Bradford

Seconded By: Ms. Karpynec

Result: 5-0

Ayes: Members Bradford, Cole, Davis, Karpynec, and Pepper Nays:Abstaining:Absent: Members Lawless and Ransom

RE: Dhruti & Raghu Upender 1711 SEVIER ST

> Map Parcel: Zoning Classification:

09402008501 RS5/OV-UZO

6

Council District:

Appeal Case 2023-150

<u>ORDER</u>

This matter came to be heard in public hearing on 12/21/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance from maximum height requirements. The appellant is seeking to construct a 26.5' second story on an existing garage.

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.

UPON MOTION TO APPROVE BY: Mr. Bradford Seconded By: Mr. Pepper

Result: 2-3
Ayes: Members Bradford and Pepper (Dec. 21, 2023)
Nays: Members Cole, Davis, and Karpynec (Dec. 21, 2023)
Abstaining:
Absent: Members Lawless and Ransom (Dec. 21, 2023)

Matter reset to 1/4/2024 for consideration by members who were unavailable on 12/21/2023.

RE:	Tiffanye Maddox-Ming 1714B UNDERWOOD ST		Appeal Case 2023-	152
	Map Parcel:	08115022100		
	Zoning Classification:	RS5/OV-DDU/OV-UZO	Council District:	21

<u>ORDER</u>

This matter came to be heard in public hearing on 12/21/2023, before the Metropolitan Board of Zoning Appeals, upon application for an Item D appeal. The appellant is seeking to construct a 2nd story to an existing residence.

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) "A nonconforming structure utilized for the single family use or two family use that is damaged or destroyed by any involuntary means may be fully reconstructed so long as there is not a substantial increase in the degree of non-conformity of the structure." (17.40.660(D)(3)).

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. Davis

Result: 5-0

Ayes: Members Bradford, Cole, Davis, Karpynec, and Pepper

Nays:

Abstaining:

Absent: Members Lawless and Ransom

Brian Walter 2720 ALVIN SPERRY PASS Map Parcel: 110030

Zoning Classification:

RE:

110030A05700CO RS15

Council District: 12

Appeal Case 2023-153

ORDER

This matter came to be heard in public hearing on 12/21/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance in setback requirements. The appellant is seeking to construct a covered porch at the rear of the residence.

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. Bradford

Seconded By: Ms. Karpynec

Result: 5-0 Ayes: Members Bradford, Cole, Davis, Karpynec, and Pepper Nays: Abstaining: Absent: Members Lawless and Ransom