



**Forest Acres Zoning Board of Appeals  
Minutes  
August 8, 2022  
City Council Chambers  
6:00 PM**

**I. Call to order**

- 1. Determination of a Quorum** – There was a quorum, with Kate Usry, Pete Balthazor, John Kososki, Stephen Oliver, Shirley Fawley, Robin O’Neil, and Ryan Newton present. There were no absences. Andy Smith, Assistant City Administrator/Finance Director, and Keith Lindler, City Engineer, were also present.

Robin O’Neil acted as chair and encouraged member introductions, in light of a number of changes to the Board’s membership.

**II. Election of new Officers**

Mr. Smith noted that, according to the rules of the ZBA, the secretary duties should be performed by a staff member (e.g., “Zoning Administrator or designee”).

**Ms. O’Neil nominated the Assistant City Administrator or designee to perform secretary duties. Mr. Kososki seconded. Motion passed unanimously.**

**Hearing no other nominations, Ms. O’Neil nominated herself for chair; Mr. Balthazor seconded. Motion passed unanimously.**

**Mr. Balthazor nominated himself for Vice Chair. Mr. Oliver seconded. Motion carried unanimously.**

**III. Approval of Minutes –**

- 1. July 11, 2022**
- 2. July 18, 2022**

**Mr. Kososki made a motion to approve both sets of minutes. Kate Usry seconded. Motion passed unanimously.**

**IV. New Business**

- 1. Variance Request –  
3139 Travis Court. (Witcher); TMS 14015-01-09. Requesting a 15-foot rear setback variance to accommodate a screened-in porch.*

The applicant introduced this request. There was much discussion, including mention that the property is quite unusual (i.e., a ‘pie-shaped’ lot) and already non-conforming.

**Ms. Fawley made a motion to grant the variance with the condition that the screened-in porch is 10’ x 12’, as drafted by the proposal (i.e., in the variance application). Mr. Balthazor seconded, clarifying that this is an additional 10-foot setback variance beyond the existing non-conforming primary structure (Ms. Fawley accepted this clarification). Motion passed unanimously.**

2. *Variance Request – 4049 Verner Street. (Carran); TMS 14010-02-06. Requesting a variance to allow an accessory structure to be built on the side of the principal structure.*

The applicant introduced this request. This is a request for an accessory structure that would not be fully in the rear of the principal structure (i.e., behind the line created by the rear wall of the structure to the side lot lines), as required by the zoning ordinance. As this is a very wooded lot, this is the only location that would allow for effective use of solar panels on the accessory structure. Further, the house is historic, and the applicant doesn’t want to put solar panels on the house itself. The lot is unusually large and wooded for Forest Acres, so the accessory structure would be minimally visible from the road or to neighbors. Neighbors are supportive of the applicant’s request.

The Board discussed the possibility of placing a condition on the variance limiting the location and size of the accessory structure (i.e., tie the variance to the drawing).

**Mr. Balthazor made a motion to approve the variance for the requested accessory structure and that a condition be that the structure be constructed where shown in the plan (corner is 20 feet from the driveway and 12 feet from the side property line). Ms. Usry seconded. The motion passed unanimously.**

## **V. Adjournment –**

Hearing no other business, the chair declared the meeting adjourned at 6:33 p.m.

Respectfully Submitted,  
Andy Smith, Asst. City Administrator/Finance Director  
(Administrative Support of Zoning Board of Appeals)