

## MINUTES

### RILEY COUNTY BOARD OF ZONING APPEALS

**Monday, October 19, 2009**  
**1:30 p.m.**

**Riley County Office Building**  
**Second Floor Meeting Room**

Members Present:     Derek Mosier – Chair  
                              Bob Buchanan – Vice-chair  
                              Tom Finney

Staff Present:         Bob Isaac – Planner  
                              Lisa Ruthstrom – Administrative Assistant

Others Present:        Ron Cheney – Petitioner and Owner

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The minutes of the May 18, 2009 meeting were approved.

#### **CHENEY - VARIANCE**

Derek Mosier, Chairman, opened the public hearing at the request of Ronald A. Cheney, petitioner and owner, for a variance authorization to reduce the front yard (north property line) building setback requirement from 25 feet to 20 feet (Lot 43B Sam N. Rogers Subdivision).

Bob Isaac, Planner, presented the staff report, which included the background of the subject property. Mr. Isaac stated the subject property consists of two contiguous lots Lots 43A and 43B of the Sam N. Rogers Subdivision, originally platted in February 1957. Mr. Isaac indicated each lot is approximately one half acre in size. Mr. Isaac stated Lot 43A is developed with a single family dwelling, while Lot 43B is developed with an accessory structure (garage) that serves the house on Lot 43A. Mr. Isaac indicated that although Lots 43A and 43B together form a single ownership parcel, each lot is still subject to building setback requirements of the “A-1” (Single Family Residential) zoning district. Mr. Isaac stated that the uniqueness of this particular situation is that the lot size meets the zoning requirements but does not meet the sanitary code. Mr. Isaac continued that due to the site being served by on-site sewer and water systems on an undersized parcel (sanitary code), there is a limited number of options to allow for the expansion of the aforementioned garage.

Mr. Isaac said the Applicant wishes to expand the existing garage to allow for storage of a boat. Mr. Isaac indicated it is not anticipated that the extension of the structure will impede sunlight on Marion Avenue or create storm water drainage issues on neighboring properties. Staff recommended approval of the request.

Derek Mosier asked the Board if they had any questions for Mr. Isaac.

Bob Buchanan did not have any questions.

Derek Mosier asked Mr. Isaac if the addition to the structure was 11 feet.

Bob Isaac replied 11 to 15 feet and that the Applicant is requesting a 5-foot variance.

Derek Mosier asked Mr. Cheney if he had anything to add.

Ron Cheney explained he likes to be considerate of his neighbors. Mr. Cheney said he did not feel they would appreciate a driveway facing directly at their property. Mr. Cheney said he goes fishing early in the morning and comes home late in the evening and said he did not want his headlights shining directly into the neighbor's home. Mr. Cheney said he would not have to put in a driveway if he uses the driveway to the east, via a travel easement.

There were no proponents or opponents.

Tom Finney asked if the addition will be the same width as the existing structure.

Ron Cheney affirmed.

Derek Mosier asked the Applicant if he has an agreement with the neighbor to the east to use his driveway.

Ron Cheney affirmed.

Derek Mosier closed the public hearing.

Derek Mosier asked the Board for a motion.

Tom Finney moved to approve the request of Ronald A. Cheney, petitioner and owner, for a variance authorization to reduce the front yard (north property line) building setback requirement from 25 feet to 20 feet (Lot 43B Sam N. Rogers Subdivision).

Bob Buchanan seconded. The motion carried 3-0.

The meeting was adjourned at 1:55 p.m.