

BOARD OF ADJUSTMENT 12/30/96

The Norwalk Board of Adjustment met in open session on December 30, 1996, in the Council Chambers of Norwalk City Hall, 705 North Avenue. The meeting was called to order at 7:00 P.M. by Chairperson Joe Smith. At roll call the following members were present: Jan Sparks, Randy Frescoln, and Joe Smith. Members absent: Bob Tometich.

The Oath of Office was administered to Christin Grant, 1222 Victoria Circle, by Administrator/Clerk Mark Miller. The roll call was taken again to reflect her attendance.

Motion by Frescoln and seconded by Sparks to approve the minutes of the July 9, 1996 meeting as presented. Approved 4-0.

Chairperson Smith opened the public hearing for the Fellowship Community Church. The church requested a variance on the property located at 613 Knoll Drive in Norwalk; specifically a variance from 4-1/2 to 7 feet on the south side of the property. The property will be used as a church facility (office) as permitted in section 17.30.020 of the Norwalk Municipal Code, pertaining to the R-1 zoning requirements.

Smith stated the Board had turned in their copies of the current zoning codes, due to the revision and pending changes. Miller stated he would get that information to the members. The requirements for setbacks for a church facility differ from that for residential property.

Smith expressed his concerns for parking and the length of time the property would be used for church offices. Miller noted that the principal permitted use was allowable under the current code, but there was some gray area. He added if the church had proceeded with purchasing the property and then came to the City for a variance, it would be a moot point.

Rob Jones, 1161 Columbine Court - As pastor of the Fellowship Community Church, Rob stated the primary use of the property would be offices and small meetings. Jones added that hopefully in five years, the church would be ready to build a church and sell the property.

Miller reported there were no written or oral comments received on the public notice.

Sparks added she would not be voting on the topic, due to conflict of interest.

Randy Frescoln clarified that the intended use of the home is permitted as an office, but this is a change of use from the current residential status. Miller confirmed this was correct.

Mike Taylor, 1441 Merle Huff - Mike stated he is in favor of the variance. He stated the church has a vested interest to be a good neighbor. They have been active in the community and will continue to be involved.

Smith questioned if the change in use to offices would fall under the Uniform Building Code.

He questioned if there was to be an occupancy limit; or whether a church has to follow the Uniform Building Code?

Miller stated Yordi would check on this when he returned to work. He added the City of Norwalk does not do fire inspections. He felt the church would use good judgement in this area.

Frescoln asked Jones what the average number of people would be through the office during a regular week. Jones felt 5-8 people per week, with an occasional meeting of 25-30 people. They rent the high school for large meetings.

Smith questioned whether the church planned on have outdoor activities that could disrupt the neighborhood? Jones stated not at this point.

Smith closed the hearing to public comment at 7:35 P.M.

It was noted the only downside was the parking accommodations and the number of people that occupy the office at one time. Smith stated he did not have a problem with the setbacks as outlined.

Motion by Frescoln and seconded by Grant to grant a variance to Fellowship Community Church, for the property at 613 Knoll Drive, pertaining to yard setbacks for the principal permitted use. There were stipulations of a five year time limit on the use, and complying to all Norwalk Fire Codes (Uniform Building Codes). Parking concerns will also be monitored. Approved 3-0. Abstained: Sparks.

Miller stated he would send correspondence to the Fellowship Community Church outlining the stipulations and action that has taken place.

The public hearing for Lane Insurance Agency was opened for comment at 7:45 P.M. They are looking to expand their facilities. The zoning code requires a 40 ft. rear yard setback. The addition would line up with the existing building on the south. The rear yard currently does not conform, with a 25 ft. rear yard setback. They are requesting a 15' variance on the back yard requirement on the west side of the property. The use will remain the same.

Miller noted the only oral comments received were from Dr. Walter Eidbo. He owns the property directly west of Lane's. Dr. Eidbo felt the addition would be an improvement to the neighborhood and had no problem with it.

Jim Lane, 1710 Cedar - Jim briefly reviewed the building plans and layout. He noted the addition should enhance the appearance to an office setting, instead of a home. He added the property was purchased in 1988.

Miller noted according to the code, there are no sideyard setbacks in C2 zoning requirements.

There was discussion that followed on the parking arrangements. Smith asked if there were any buffer zones required. Miller stated there was a 10' buffer required, which would delete one of the parking stalls.

The public hearing was closed at 8:05 P.M.

Motion by Frescoln and seconded by Grant to grant a variance to the Lane Insurance Agency for a 15' variance from 40' to 25' in the rear yard to match the existing building according to the Norwalk Municipal Code. Approved 3-0. Abstain: Sparks.

Miller noted in the near future there will be a meeting with the Board of Adjustment, the consultant, and the City Attorney to review the proposed zoning code. Christin Grant was welcomed by those in attendance.

Motion by Frescoln and seconded by Grant to adjourn the meeting at 8:10 P.M. Approved 4-0.

Joe Smith, Chairperson