

**MINUTES OF THE CITY OF LEBANON
BOARD OF ZONING APPEALS MEETING
MARCH 21, 2016**

The City of Lebanon Board of Zoning Appeals met at the City of Lebanon Town Meeting Hall.

Chairperson Robert Black called the City of Lebanon Board of Zoning Appeals meeting to order at 5:00 p.m.

Board members are Robert Black, Dan Mack, Marilyn Bryant, Cliff Carey, and Paul Stumb. Also present were Planning Director Paul Corder, Planner Richard Donovan, Deputy Building Official Ray Hubner and Planning Administrative Assistant Kathleen Vail.

Chairperson Robert Black administered oath to all wishing to participate in the discussion of this meeting.

A motion was made by Dan Mack and seconded by Cliff Carey to approve the minutes of the January 25, 2016 Board of Zoning Appeals meeting. Motion passed.

OLD BUSINESS

NONE

NEW BUSINESS

CASE #16-2 **CHERYL & BRIAN WAACK**
352 Abbey Road
Fence Height Variance

Brian Waack presented this case requesting to allow a fence to be 6 feet tall along the road. Staff stated the proposed fence will extend about 20 ft to the south of the building toward the road. The proposed fence will not cause any sight distance issues at the intersection since it will be about 18 ft from the road. Staff recommends approval with the condition that the fence is at least 15 ft off the edge of the pavement.

Motion by Paul Stumb, seconded by Dan Mack to approve. Motion passed.

CASE #16-3 **CARROLL HOMES, INC.-THE VENUE @ 109**
HWY 109 S and I-40
Building Height Variance

Mike Wrye presented this case requesting a building height variance in the RM6 district. Staff stated the Zoning Code allows for buildings in the RM6 district to have three stories that are habitable. The applicant is requesting that the fourth story be allowed to be habitable. The Zoning Code allows for exceptions to be made in the height regulation.

Section 14.801: F. Exception to Height Regulations

The height limitations contained in the district regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

Staff recommends denial due to the lack of a hardship.

Mike Wrye stated the 2012 International Building Code allows for the basement. The question would be is it allowed to be habitable.

Motion by Paul Stumb, seconded by Cliff Carey to approve and allow the basement to be habitable. Motion passed.

ADJOURN

There being no further business, motion to adjourn. Motion Passed.



Robert Black, Chairman
Cliff Carey



Danny Raines, Secretary