

**CITY OF INDEPENDENCE  
BOARD OF ZONING APPEALS JANUARY 17, 2019  
COUNCIL CAUCUS ROOM  
CAUCUS:**

Chairman Mark Moreal called the Caucus to order at 5:32 p.m. Present were Zoning Board members Councilperson Dr. Carl Asseff, Charles Bredt Carol Fortlage, and Judy Smith. Also in attendance was Law Director Gregory J. O'Brien. Building Official Michael Gero was not in attendance.

Chairman Moreal stated that the Board was not going to approve the Minutes this month; they will wait until next month because there were a couple of things the Board wanted to go over. Mrs. Fortlage and he talked about a couple of things. The Board could deal with that next month.

Chairman Moreal went to the first item which was 6100 Rockside Woods Blvd., the 6100 Building. They were requesting a variance to permit an additional sign on the building. The Chairman stated that as everyone knows the building has always been called 6100, and they want to put their name on the building. He stated that not only was it the address, but it's the 6100 building. He stated that there were two other names on the building.

Mrs. Fortlage stated that she guessed the issue was they were not to be confused with an address sign. It was not an address marker, it was the building name sign.

The Chairman agreed.

Chairman Moreal asked if the applicant had come before the Board a while ago for that sign? The Secretary stated that she believed Vox Mobile might have come before the Board to have their name on the building.

Mrs. Fortlage stated that the numbers rang a bell. The Chairman asked if there was another building. The Secretary did not remember. The Law Director also did not remember.

Chairman Moreal moved on to the next item which was 5233 Eastview Drive, Scott and Sally Dubitsky who were requesting a variance to 1163.01 (c) to permit a fence to extend past the building line which was not permitted.

The Chairman stated that they have the one fence up already. He stated that he talked to the Building Official, and they didn't realize that they needed a variance for the fence. He stated that the proposed fence they definitely needed a variance because it was the corner lot and forward of the building. He stated that the building was probably 80 to 90 feet away.

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Mrs. Fortlage stated that half of the next lot was forward of that building line. The Chairman agreed.

Mr. Bredt stated that in the application it stated that the fence replaces portions of a fence they had to remove during the construction of their addition.

The Chairman stated that he remembered the house coming to the Board, he didn't remember the existing fence.

Mrs. Smith asked if there was a condenser there. She knew that the generator was there, but she asked if the condenser was there at the time. She stated that the Board did not approve the generator there; but there was an air conditioning unit on the side.

The Secretary stated that she did not believe that they would have to go before Zoning for the condenser; she thought it was an administrative approval.

Mrs. Smith stated that the condenser was in the side yard.

The Chairman asked what was the rule regarding air conditioners. The Secretary stated that they should be located in the back, but she thought that the Building Official could approve the location on the side.

Mr. Bredt stated that it was a corner lot.

Several people began speaking at once.

Mrs. Fortlage stated that she thought it would end up inside the fence presumably.

Mrs. Smith stated that she didn't know because the drawing wasn't even to scale. She didn't know. She thought it would secure the generator, but she wasn't sure if the fence would secure the condenser.

Chairman Moreal stated that the fence that was up now was a black wrought iron fence, so someone could see through it. He was guessing that it would be the same fence that the applicants would be putting up.

Mrs. Smith stated that they didn't say.

Chairman Moreal stated that there were no pictures provided. He stated that he was guessing they would put up the same fence, but he didn't know.

Mrs. Fortlage stated that they will have to ask the applicants.

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Chairman Moreal stated that it would not hide anything.

Chairman Moreal went to the next item which was 7169 Pleasant Valley Road, Signature Sauces. They were requesting a variance to 1163.07 of 22.39 feet to permit a building addition to have a 77.61 front setback, 100 foot permitted, 77.61 requested.

Chairman Moreal stated that the applicant was before the Board on March 16, 2017. The variance expired. The Chairman stated that it was a little different request from last time. He stated that it was actually smaller. He asked if it was smaller in length also. The Chairman stated that the setback was moved from 74 feet to 77 feet. The Secretary stated that the applicant was asking for 22 feet instead of 25 feet. Chairman Moreal stated that it was 3 feet to the positive.

Mr. Bredt stated that it was pretty cut and dry to him. He stated that it was just reaffirming what the Board had already done.

Chairman Moreal asked if there were any questions. There were none. He asked the Board if they just wanted to meet in the Caucus room. It was decided to stay right in the Caucus room.

The Caucus was then adjourned at 5:37 p.m.

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Debi Beal, Secretary