

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, OCTOBER 24, 2019
6:00 P.M.**

1. CALL TO ORDER/ROLL CALL

Lucking called the meeting to order at 6:14 p.m. Steingas arrived at 6:16

Members Present: Chairman Pat Lucking, Commissioners Kelsey Nelson, and David Steingas

Others Present: Council Liaison Kristi Conrad and Zoning Administrator Dale Cooney

Absent: Commissioner Dean Barta

2. PUBLIC HEARINGS

2a. Public hearing to consider variance requests of Roland and Rane Jacobus to exceed the maximum permitted building volume in conjunction with the construction of a new house at 5290 Meadville Street.

Lucking introduced the agenda item and opened the public hearing.

Bob Newman of 5230 Meadville Street said that he did not see the reason or justification for the variance, so he would like to hear the reason for the request.

Ranee Jacobus, applicant, said that they applied for a variance in November of 2018 to replace the house on the property. She said that the city requested that she move the existing garage out of the right-of-way and so she reapplied with an attached garage proposal which seemed to be the best solution for the house. She said that once the garage was added the volume from the architect went from something in the low 20,000 cubic feet to something closer to 33,000 cubic feet. She said that she submitted those numbers in good faith since they seemed to make sense to her. Jacobus said that the footprint of the house has not changed and that, contrary to the neighbor's concerns, the house is being built to what was approved. She said that city staff raised concerns about the house in September. She said that she did a spreadsheet to recalculate the volume. She said that staff provided an estimate of volume that was different than what she was using. Jacobus said that she assumed that the architect had done it the correct way. She said that she did not realize that the city was looking for a different type of volume calculation than what was originally presented. She said that she has generally shut down construction and boarded up the house. She asked her builder to verify the volume for the house and the builder generated the numbers.

Conrad asked her justification for the variance. Jacobus said that they used the wrong method to calculate the volume. She said that there is a minor change to the roof pitch based on insurability concerns about the roof pitch.

Steingas asked about the wall height. Rane said it was 12 feet from the first floor. Steingas said that it is measured from the grade. He said that it is the builder's and architect's issue. He said that the volume is always measured from the exterior structure.

She said that the architect provided the interior livable space.

Conrad asked if building volume or gross volume were technical terms. Cooney said that the building volume calculation is pretty unique to Greenwood and that there are other, more widely accepted methods out there such as Floor Area Ratio (FAR).

Steingas said that the north wall is over 24 feet tall, and the wall exceed code requirements and that the building should be designed to comply and that the building is not compliant as far as wall

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height and volume. He said that planning commission did not have dimensions on the plans. Jacobus said that she sent staff plans with dimensions.

Cooney said that the variance request is not about wall height and that the planning commission and city council saw building elevations with height measurements. Steingas said that wall height impacts volume, but clarified that it was the building volume form that contained the incorrect information.

Jacobus said that the city approved a two-story home and that they new it was a two-story home when they reviewed it so the wall height should not matter. She said that the plans have not changed from those that were approved by the city council.

Lucking said that the building volume was underreported by nearly 7,000 cubic feet. He said that the underreported volume led to the city allowing a few aspects of the request that might not have been otherwise approved.

Jacobus said that she presented information that she believed to be true and went through four months of city process and redesigned the proposal to take the garage off of the right-of-way based on the city's request.

Conrad asked if the builder had any ideas to reduce volume. Todd Francis, builder for the architect, said that the screened porch could easily be removed. He said that the master suite could be modified. Francis said that other houses were granted variance to exceed volume.

Steingas said that there were mitigating circumstances with those other properties. Lucking said that the volume granted was much less than the original request.

Conrad asked what happens if the variance is denied. Cooney said that they would have to make the volume comply by taking reductions from the existing configuration of the house. He said as long as noncompliant items, such as a roofline, were the same or less, they could make it legal by subtracting volume.

Francis asked about the volume calculation and if veneer and shingles count. Steingas said everything counts, everything above grade. Steingas said that he does not think the neighbor to the north will see the light of day.

Jacobus said that her house is not bigger than any of the other houses on the street.

Bob Newman said that his original question was not answered. He said that he has not heard the justification for the variance on the property. He said that the city did a lot of work on the massing ordinance so that the size of a house is appropriate for the property.

Michael Kroening at 5260 Meadville said that this is not personal, but that the neighborhood has a vested interest in the outcome. He asked if there were two meetings with different proposals. Cooney said that was correct. Kroening said that some of the comments made at the first meeting were that it would be a modest house which was the premise for allowing the house. He said that allowed the house to expand within the setbacks.

Jacobus said that there was an existing garage in the right-of-way that was not part of the calculation, which created a big jump in volume.

Kroening asked if they get the maximum allowable building volume or if they get the volume that was shown on the submitted volume form. Cooney said that is the city council's decision.

Steingas said that the builder is ultimately responsible for the building volume overage since they submitted for the permit.

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Jacobus said that the house is a great edition to the neighborhood. She said that she is not responsible for the trees removed on the commercial property next door. She said that the lot is smaller but the house is comparable in size and enhances the neighborhood.

Lucking said that he does not see that there is an argument in favor of the variance.

Steingas said that he agrees. He said that there were a lot of variances given for the small property.

Motion by Steingas to recommend denial of the request. Motion was seconded by Nelson. Motion carried 3-0.

3. ADJOURN

Motion by Nelson to adjourn the meeting. Lucking seconded the motion. Motion carried 3-0. The meeting was adjourned at 7:27 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator