

**BUILDING/PROPERTY MAINTENANCE BOARD OF APPEALS
MEETING HELD IN THE COMMUNITY DEVELOPMENT CONFERENCE ROOM,
TUESDAY, JANUARY 12, 2021 AT 4:00 P.M.**

PRESENT

Chris Vitale
Dennis DeWulf
Mark Moffitt
Christopher Rayes
Shantelle Hubbard, Recorder

ABSENT

Ken Koch, Excused

ALSO, PRESENT

Chuck Donaldson, Home Remodeling & Repairs LLC, here for 23033 Avon.

DeWulf called the meeting to order at 4:02 p.m. (ZOOM)

Rayes made a motion, supported by Moffitt, to excuse Ken Koch from today's meeting.

AYES: RAYES, MOFFITT, VITALE, DEWULF

NAYES: NONE

ABSENT: KOCH

MOTION: PASSED

**CASE NO. PBBA210001: REQUEST TO ALLOW A WOOD PORCH AT 23033 AVON.
(Ordinance 22.012, Sec. 25-12)**

Chuck Donaldson, Home Remodeling & Repairs, said that they were contracted to do the roofing and siding on the home. They pulled the permit for the roof as requested. Upon removing the siding from the home there was some noticeable damage to the porch area when they removed the siding from that area. The porch was enclosed and sided. It had some windows falling out of the opening. They tore off the siding and started to repair the porch so they can secure the siding. They were given a stop work order requesting that they get a permit for the porch.

DeWulf asked if anyone at the building department inquired about the footing. This is not a wood deck they don't approve wood decks in the city. This is a deck that was enclosed by accident. Mr. Donaldson stated that this porch was already existing that was simply repaired.

They provided proper structural support. DeWulf stated that a wood deck structure under the floor of the structure is not appropriate to build.

Moffitt stated that this is pre-existing and looking the same as they are trying to repair it. What kind of variance does this petitioner need? Rayes said that what he is building is an enclosed wood deck on the front of the house. Mr. Donaldson stated that this is pre-existing other than what was following apart. They only added additional bracing to carry support. There was a wood floor that was existing which is part of the porch. Rayes stated that it was a screened in porch that they are turning into a 3-season porch. Mr. Donaldson stated that there is no heat. And there was an existing storm door and windows replaced. The door was in disrepair so they are enhancing the look of it.

The pictures show what it looked like before they demolished the front porch. He said from a look standpoint the header that carries that porch were sagging. They installed vertical members to carry it so it would not sag. Rayes stated that the pictures showed that it was supported by brick columns. Mr. Donaldson said that they were completely deteriorating.

DeWulf asked about the material below the porch will conceal the structure. Mr. Donaldson stated that it will be concealed in skirting none of it will be exposed.

DeWulf stated that he does not object to having brick. This house would not look good with a brick porch.

Rayes stated that Ms. Koto wrote it as an enclosed deck. Vitale asked about the windows. Mr. Donaldson stated that it will be a double hung window. The previous windows they were inexpensive dual pane glass window. They were falling out of the opening.

Moffitt said he can see where things went downhill due to the age of the house. Doesn't look like there was any intentions of doing anything different but put it back the way it was and make it stronger. This was already an enclosed porch. This is a big improvement by what they are doing on it right now. He is favor of supporting the variance.

Vitale stated that his concern was that they are putting a proper front door on this. By doing this it starts to look like living space. Maybe this will turn into living space by then next occupant. This is not something we want to see happen here. Mr. Donaldson stated that she is simply trying to improve her home. She is not trying to create additional living space what so ever. She is just enhancing the look of the home. The requirements are a storm door he will make the homeowner aware of this. DeWulf stated that sometimes these areas are closed in and used as a living area.

Vitale stated that the homeowner can eventually take out the windows and extend the living room out especially with the substantial front door. DeWulf mentioned that there is no footing under it. Vitale stated that the skirting around it will make it look worse.

Mr. Donaldson said that the skirting was going to be vertical boards that would be breathable where air flows through it. Vitale asked about the spacing between the vertical boards. Approximately $\frac{3}{4}$ " to a 1" Vitale stated eventually this would turn to dirt and a place for rodents. The idea would be more open. He would like to see skirting that is more open. He does not

want to see a conventional front door. DeWulf stated especially without a landing. Looking at the old pictures there is only steps there that would be unsafe.

DeWulf asked Mr. Rayes to state the variance.

Rayes stated to allow an addition to allow brick. They are not allowed to have an enclosed porch within 25 feet of the house. That they may have to go to ZBA because it is below 25' from the sidewalk. Mr. Donaldson stated that they using the existing footprint of the house. This was a siding repair. He could not go over the top of the porch without providing support so his work does not fall apart. Mr. Donaldson stated that the windows are purchased. If they want it open then he will have to explain to the resident. Mr. Donaldson stated that he supplied what the city requested. He provided a drawing. They did not change the footprint of the home. They took the siding off and they have a structure that was deteriorated and it came to a point that he could not cover it up with the siding.

Rayes asked if they measured the distance from the front of the house to the sidewalk. Mr. Donaldson stated that it is 20'7". Rayes stated that the porch is allowed to be 20 feet for an open-air porch with a roof if enclosed then it has to be 25 feet. Rayes stated that this is a permanent enclosure. Mr. Donaldson stated that this was already enclosed. They enhanced the look and enhance the structures support.

Rayes stated once they start taking down something, they cannot assume that it could go back to the way it was. They are turning this into an open porch with an enclosed room. It is non-conforming which they have to make it conforming. He believes that they changed the architectural look of it. Mr. Donaldson stated again that this was already enclosed.

Vitale stated that now they are building it as a non-conforming structure. They are willing to take the windows out.

Vitale stated that this was a non-conforming structure and building a non-conforming structure. DeWulf stated that he objects to there not being a footing under enclosed structure. He said they are willing to take the windows out but it is still a deck. Vitale stated that to leave this open no front door, trim it out nice and it becomes an open porch. DeWulf asked about below the deck. Vitale stated that if the skirting is open enough and it doesn't become shelter, he is happy with that. DeWulf stated he is not in favor of spacing boards $\frac{3}{4}$ ". The lattice would be keeping the architecture of the home. Vitale stated that he is concerned with the durable of the lattice. DeWulf stated that the lattice is normally made with cedar. Vitale stated to leave the skirting as long it doesn't become shelter and the spacing is greater than $\frac{3}{4}$ " maybe 1 $\frac{1}{2}$ ". He said that if they want to go back with lattice that is fine too. The primary idea that it is open and it does not have a front door on it. DeWulf stated that there should not be a front door because there is no landing. It is not allowed in the residential building codes.

Vitale made a motion, supported by Rayes, to approve the variance from the brick requirement at 23033 Avon provided that the porch remain an open porch no front door and trim out around the window openings but no windows and the type of skirting not substantial enough to provide shelter for rodents. A letter from the owner stating that they understand the conditions of the variance.

AYES: VITALE, RAYES, DEWULF
NAYES: MOFFITT
ABSENT: KOCH
MOTION: PASSED

Moffitt stated that he would have been fine to having the porch put back the way it was. There are footings there for it. It fits and it works and it is an old house.

DeWulf stated that he would have liked to see it put back to the way it was but there would have to be brick columns and open.

APPROVAL OF BUILDING/PROPERTY MAINTENANCE BOARD OF APPEALS MEETING MINUTES OF OCTOBER 13, 2020.

Rayes made a motion, supported by Vitale, to approve the minutes from October 13, 2020.

AYES: RAYES, VITALE, MOFFITT, DEWULF
NAYES: NONE
ABSENT: KOCH
MOTION: PASSED

AUDIENCE PARTICIPATION: NONE

STAFF REPORT: NONE

ADJOURNMENT

Rayes made a motion, supported by Moffitt, to adjourn at 4:15 p.m.

AYES: RAYES, MOFFITT, VITALE, DEWULF
NAYES: NONE
ABSENT: KOCH
MOTION: PASSED