

BOARD OF ZONING APPEALS

The regular meeting of the Board of Zoning Appeals was held on August 1, 2019, at 7:00 p.m. in the Public Safety Building located at 500 Quincy Street.

President Shultz called the meeting to order at 7:00 p.m.

ROLL CALL OF MEMBERS

Present

Board Member Manchin

Board Member Bolyard

President Shultz

Absent

Board Member Majic

Board Member Deasy

Board Member Bolyard motioned to excuse **Board Member Deasy** and **Board Member Majic** from tonight's meeting.

Board Member Manchin seconded the motion.

Motion carried 3-0.

City Staff Present

Interim City Planner, Ken Fletcher

Program Manager, Shilo Whorton

Approval of minutes

July 11, 2019

Board Member Manchin motioned to approve the minutes.

Board Member Bolyard seconded the motion.

Motion carried 3-0.

PUBLIC HEARINGS FOR AUGUST 1, 2019

- 1. Michael Kisner requests conditional use (Automobile sales) located at 1125 Fairmont Ave and property is identified as 3-8-1.1.**

President Shultz asked if there was anyone present to speak in favor of this request.

Greg Hrapcheck informed the Board that he is the property owner, and purchased the property about two years ago as an investment property. Mike Kisner will be running the car business and leasing the property from Greg Hrapcheck. Mr. Kisner was a former owner of the car business located at this property. Mr. Hrapcheck stated that he will improve the property by cleaning up the property, painting the building and re-paving the parking lot with new blacktop. He has considered keeping with the theme of the Poky Dot and work towards positive business progress. Mr. Nuzum, also a previous owner of car lot at said property, started his business in 1999 and looks forward to coming back into business and helping bring some classic cars onto the lot as well. Mr. Hrapcheck is excited for the possibility and hopes to make this a high end car lot operating Monday- Friday and possibly Saturday mornings.

Board Member Manchin stated that he remembers the old car lot and thought that it was an amazing use of space considering the lot.

Nancy Watkins signed in and stated that she is a residential property owner directly behind the proposed car lot. Her first concern is the amount of debris that is currently sitting on the property. She supports cleaning up the property that the Pokey Dot has made an eyesore. She stated that she is for the car lot and the idea of the property being cleaned up and utilized. She suggested that the car lot even install a picnic table on the patio area to allow neighbors and customers to use and join the business for lunch.

Greg Hrapcheck stated that he did allow the property to be used by the neighboring business while they cleaned up and remodeled after a lightning strike. He has already begun to clean up this property. All the debris and high weeds will be cleaned up. The eyesore will be taken care of as soon as possible. Mr. Hrapcheck stated that he would welcome neighbors to come to the business and interact with the staff.

President Shultz asked if there was anyone present to speak against this request.

There was none.

President Shultz asked for a motion to close the public hearing.

Board Member Manchin motioned to close the public hearing.

Board Member Bolyard seconded the motion.

President Shultz asked for the staff report.

Ken Fletcher stated that the business location has always been a car lot. The license had expired in 2013.

No agency report was available. No issues to take into consideration.

Board Member Manchin made a motion to approve the request.

Board Member Bolyard seconded the motion.

MOTION CARRIED 3-0

KEN FLETCHER informed the applicant, Greg Hrapcheck to come to City Hall and fill out the business license application and schedule his business inspection when he is ready to move forward.

2. **Michael Bonasso requests to replace one non-conforming use (retail) with another equal or less intense non-conforming use (office/studio) as stated under the City of Fairmont Zoning Code 8.3.E. The proposed action is located at 610 Clay Street and is identified as 5-8-58.**

Ken Fletcher stated that the address in the agenda was incorrect. The property in front of the board is 610 Clay St and not 609 Clay St.

President Shultz asked if there is anyone present to speak in favor of this request.

Michael Bonasso spoke about the history of this property. Mr. Urso is the current property owner. He owns adjoining property as well. Mr. Urso has a current business license with the City of Fairmont and has ran his furniture business from the 610 Clay St for many years. Mr. Bonasso expressed his desire to buy the Urso properties. The business property would be the location for his daughter's hair salon and he would remodel the adjoining residence for his son. He felt that he is good buyer for these properties because he wants to invest time and money into these properties and neighborhood. These properties are viewed from the connector, and will be improved for the entire community to see.

President Shultz questioned Mr. Bonasso about the intentions for parking for clientele and shop employees. She requested that Mr. Bonasso use the maps provided to the board to point out his potential parking.

Mr. Bonasso responded that the area behind the business will be utilized for parking. He feels that he has plenty of space to accommodate all the needed parking.

Board Member Manchin asked if the salon would have more stylists than just his daughter and would future clientele be comprised from those multiple stylists as well.

President Shultz stated that she felt that this location could accommodate nine off-street parking spaces.

President Shultz asked if there is anyone else to speak in favor in of this request

Karen Gribben is a local resident and landlord near 610 Clay St. Mrs. Gribben used the maps provided by the board to point out her properties. Mrs. Gribben stated that she felt a beauty shop would be a nice addition to this neighborhood and she would support business growth on East Fairmont especially. She added that at one time, a barber shop was located on Haymond St. She also recognized that Mr. Urso worked hard for many years in this neighborhood and raised his family here too. Mrs. Gribben also felt that the potential parking area would be ample.

Michael Bonasso asked the board to speak one final time. He took the opportunity to recognize Mr. Frank Urso.

Frank Urso stated that his family has owned property in this neighborhood since 1905. He has been the caretaker of the furniture and mattress business since 1940. He has made it a priority to sell his business location to a family and particularly to someone who will care for his property like he has all these years. He has had other offers to purchase the last five years, but was very selective. It is his priority to keep this area nice and respect other long term, multi-generational residents in this neighborhood like Mrs. Gribben. He has maintained his business all these years and also feels that this property can easily accommodate the parking situation.

President Shultz asked for a motion to close the public hearing.

Board Member Manchin motioned to close the public hearing.

Board Member Bolyard seconded the motion.

President Shultz asked for a Staff Report on this item.

Ken Fletcher stated that the business license is current at the location. Off-street parking will be ample enough to accommodate the business, and there is street parking also available. He also stated that Code Enforcement has not had any issues with this property in the past.

No agency report was available. No issues to address.

Board Member Manchin motioned to approve the request.

Board Member Bolyard seconded the motion to approve.

Motion carried 3-0.

President Shultz stated that the motion is approved. The board approves the transfer of zoning.

President Shultz informed that Michael Bonasso that he can proceed with the purchase of the property if he feels fit.

Ken Fletcher stated that once Mr. Bonasso is ready, please contact the City of Fairmont to apply for a new business license and schedule the business inspection.

DISPOSITION OF PAST CASES

NONE

NEW BUSINESS

Board Member Mike Ragen has resigned his position. Board Member Anne Bolyard has been asked to move up from the alternate position to a full-time position. President Shultz recognized the opening for an alternate on this board.

OTHER BUSINESS

ADJOURNMENT

PRESIDENT SHULTZ asked for a motion to adjourn

Board Member Manchin motioned to adjourn

Board Member Bolyard seconded the motion

Motion carried 3-0.