

October 23, 2018

Board of Zoning Appeals
City of Bridgeport
County of Harrison
State of West Virginia

The Bridgeport Board of Zoning Appeals conducted a public hearing Tuesday, October 23, 2018, at 6:02 p.m. in Bridgeport City Hall, 515 West Main Street, with the following members attending: Chairman Meredith McCarthy, Vice Chairman Richard Forren, Members Ryan Haws, Sam Spatafore, and Rod Smallridge.

Also attending were Craig Chipps, 109 W. Olive Street, Stu and Tonye Hurd, 613 Glen Avenue, and Tyler Suzanne Grogg, Secretary to the Board.

At 6:02 p.m. Chairman McCarthy called the meeting to order and everyone wishing to speak was sworn in.

1. PUBLIC HEARING: Consider the request of Meranda and Craig Chipps, 618 Stout Street, for a zoning variance of 5 feet on each side of the property to construct a new house.

- Craig Chipps stated that he and his wife have already completed the processes with the bank and with David James Homes to construct their house. Right after he had drawn a payment to start construction and made two payments on the house, he received a letter stating they could not build. He is requesting a variance, so they won't have to start the entire process over.
- Member Sam Spatafore asked if their driveway was a side entry or in the front, because his driveway could run the property line.
- Craig Chipps stated when they started this process, David James Homes had someone measure the house they designed on the property. The original design did have a side entry garage, but the gentleman said they couldn't have a side entry garage because it would touch the property line. They decided to turn the garage front to face the road and shorten the garage. The driveway does not touch the property line. The house will look identical to the home right beside it.
- Chairman Meredith McCarthy asked if he was aware that Fred Burton, Director of Public Works, had a concern with the storm and sewer lines on Glen Avenue, and that Beth Fox, City Engineer, had some concerns with the sewer line. If this variance is granted, then they would have additional expenses because the City lines will be covered due to their construction. It would be their responsibility to repair anything that was torn up due to a line repair.
- Craig Chipps stated he was not aware of those concerns, but the City is currently relocating the sewer lines that used to run through his in-law's property to the side of the property. None of the lines would touch the house.
- Vice Chairman Richard Forren asked if the stakes that are on the property represent the corners of the house and stated it was mentioned to push the house back to be within the setbacks.
- Craig Chipps stated if they push the house back to where the setbacks are, then it would only give them 10 feet of back yard, and since his in-laws only have 10 feet of back yard, that would leave only 20 feet between the two houses.
- Member Sam Spatafore asked why they were requesting a 5-foot variance.
- Craig Chipps said they are willing to compromise. They just don't want to push the house all the way to the back, because they want a back yard. They don't mind pushing the house back a little or sliding the house over to have 4 feet on one side and 6 feet on the other. He knows the house beside him does not follow the 8-foot setbacks, because it is an older section of Bridgeport. If they were building in a new section of Bridgeport they would agree with the setbacks, but not within an older section of Bridgeport.

- Vice Chairman Richard Forren stated the board looks at the circumstances and if the request would take precedence. With this request, the case is their contractor overlooked it and unfortunately, they got stuck.
- Craig Chipps asked if it would be possible to move the house to have a 2-foot setback on the left side and 8-foot setback on the right side, so they can have a back yard.
- Vice Chairman Richard Forren stated the board was not presented with a site plan, and without a site plan they can't see how the house sits on the property, or the dimensions.
- Member Ryan Haws asked if the City had relocated the sewer line, and Craig Chipps stated the City is in the process of relocating the line. The line will now run along the property line on the right side.
- Vice Chairman Richard Forren stated they would want to make sure they have clearance on the side that has the sewer line; it's not as much as a concern on the other side.
- Craig Chipps stated they would agree to a 3-foot setback on one side and 8-foot on the other. He doesn't want to push the house back on the property.
- Vice Chairman Richard Forren stated since they don't have a site plan, they cannot see if they pushed the house back it would give them room on the right, and if they would be encroaching on the 15-foot setback on the back.
- Craig Chipps stated if he needs to have the property remeasured and have a meeting next month, he would be okay with that.
- Member Richard Forren made a motion to table this request in order to get a site plan and the specifications to maintain 8-foot on the right-hand side and looking at a 5-foot variance on the left-hand side and maintain the 15 feet variance in the back of the property. Motion was seconded by Member Sam Spatafore, and was unanimously approved.

2. PUBLIC HEARING: Consider the request of Septembre P. Wilt, 139 Conference Center Way Suite 121, for a Zoning variance to modify the City of Bridgeport's limited video lottery ordinance 1315.05 B-2 Business District (a) Principal Permitted Uses Section {16} for the specific requirements of 1,000 feet from a "public building".

- Chairman Meredith McCarthy stated the request of September P. Wilt to establish a limited video lottery at Charles Pointe was previously tabled, but the request has been withdrawn at this time. There is no other action to take other than to acknowledge that this request has been withdrawn.

3. Approval of Minutes

The minutes of the September 4, 2018 Board of Zoning Appeals meeting were unanimously approved on a motion by Vice Chairman Richard Forren, seconded by Member Rod Smallridge.

The meeting was adjourned at 6:55 p.m. on a motion by Member Sam Spatafore, seconded by Member Rod Smallridge, and was unanimously approved.



Meredith McCarthy, Chairman

03-05-19

Date