

April 3, 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 April 3, 2018, at 6:00 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, and Sam Spatafore. Member Rod Smallridge was absent.

Also attending were Walter Fumich, 450 Jack Reed Road, Shinnston, WV, John Peterman, 140 Grand Avenue, Tyson and Suzan Oakman, 603 Kemberry Drive, Cloe Boyles, 603 Kemberry Drive, Sean Snider, 603 Kemberry Drive, Don McQueen, 531 James Street, Andy Lang, Mayor, and Tyler Suzanne Grogg, Secretary to the Board.

At 6:03 p.m. Chairman McCarthy called the meeting to order and everyone wishing to speak was sworn in.

1. Approval of Minutes

The minutes of the March 6, 2018 Board of Zoning Appeals meeting were unanimously approved as presented on a motion by Vice Chairman Richard Forren, seconded by Member Sam Spatafore.

2. PUBLIC HEARING: Consider the request of Tyson and Suzan Oakman, 440 East Main Street, for a variance to serve beer to the patrons of Smokin' Bear BBQ.

Tyson Oakman stated his business plan for Smokin' Bear BBQ is to get people in and out as quickly as possible. He is requesting to sell canned and bottled beer only to enhance the flavor of the BBQ. Mr. Oakman does not plan on running a bar at this time, nor does he plan on selling liquor or wine. In addition, there will be no kegs or taps on site. His business operates from 11:00 a.m. until the food runs out. Normally the hours of operation have been from 11:00 a.m to 4:00 p.m, and he will not stay open to sell beer after the food is gone.

Vice Chairman Richard Forren made a motion to approve the variance to sell beer to the patrons of Smokin' Bear BBQ with the restriction Mr.Oakman comes back to the board if he does plan to upgrade his request to serve additional alcohol or to install a bar. The motion was seconded by Member Sam Spatafore and unanimously approved.

3. PUBLIC HEARING: Consider the request of Walter Fumich, 129 Grand Avenue, of a variance of 8 feet to construct a porch addition to the front of the house, which will be 8 feet by 16 feet.

This request was tabled on March 6, 2018 due to a number of outstanding concerns. Those concerns were the green space ordinance, the distance from the porch to the Right of Way for utility repairs, the possibility of constructing a stoop instead of a porch, and to have the property surveyed to have exact measurements.

Chairman Meredith McCarthy stated that with the porch addition Mr. Fumich would meet the green space requirements. She then asked Mr. Fumich if he looked into the other concerns.

Mr. Fumish mentioned he wanted to speak with Code Enforcement Officer Mike Osborn and Community and Economic Director Andrea Kerr regarding what the City considers a stoop, and the City Engineer Beth Fox to communicate the distance for the utility repair. None of those conversations took place before this meeting.

Mr. Peterman mentioned since his neighbor passed away, the house has been deteriorating. He thinks it's nice that someone has turned the house into a nice home. He stated he measured the property from his survey pins and the house will be 16 feet from the storm drain.

The board asked Mr. Fumich where his sanitary line laid, if the overhangs would be flush with the house, and if he had his property surveyed. Mr. Fumich stated the sanitary line runs through the back side of the house. The overhangs will be on the sides so the front of the house will be flush with the porch. The sides will have two additional feet for the gutters. He did not have his property professionally surveyed. He went off the map he received from Code Enforcement Officer Mike Osburn.

Vice Chairman Richard Forren stated that if the 8 foot variance was approved that leaves 3 feet to the property line. He requested that the request be alter for a 6 feet by 16 feet porch. Mr. Fumich stated he would like to change his request to be 6 feet by 32 feet, because the original request was due to a gas meter being in front of the house. Since the gas company moved the meter, he would like to porch to extend the whole length of the house.

Vice Chairman Richard Forren made a motion to approve the variance utilizing a 6 feet by 32 feet porch due to the City Right of Way being wider than normal and the home is located on a dead end road in an older section of town. Motion was seconded by Member Sam Spatafore, and unanimously approved.

The board mentioned they would like to talk to the City regarding getting a portion of Grand Avenue's City Right of Way abandoned so the residents of Grand Avenue will be allowed to do upgrades and not worry about getting a variance approved.

The meeting was adjourned at 7:05 pm on a motion by Vice Chairman Richard Forren, seconded by Member Ryan Haws, and was unanimously approved.

Meredith McCarthy, Chairman

Date