

BOARD OF ZONING APPEALS

OCTOBER 25, 1990

A. ROLL CALL

Mr. Feigley  
Mr. Ripley  
Mr. Giedd  
Ms. James  
Mr. Carr

Others Present:

Bernard M. Farmer, Jr. Zoning Administrator

B. MINUTES

The minutes of the August 23, 1990, meeting were approved as presented.

C. OLD BUSINESS

None

D. NEW BUSINESS

ZA-20-90. Mershon Properties, 4039 Ironbound Rd.  
Tax Map (38-4) Parcel (1-3B)

Mr. Farmer presented the Staff report stating Mr. Gary Bowling of AES, A Professional Corporation, has requested a variance from the perimeter landscape strip requirements for an existing office located at 4039 Ironbound Road. In 1984 Shellis Corporation constructed the building in question in accordance with their site plan and the Zoning Ordinance requirements. When that firm was dissolved the building and site were purchased by Stadium Oil Sales for their office use. Subsequent to their purchase numerous modifications were made to the site without any county approval or legal authorization. Mr. Mershon, of Stadium Oil Sales, was contacted in July of 1986 regarding these changes, and conversations occurred again in August. In January of 1987 a letter and a copy of the approved site plan was sent to Mr. Mershon. As a result Site Plan 20-87 was filed in March of 1987 but never received final approval. In December of 1987 Mr. Richard Costello of AES was advised that the preliminary approval of SP-20-87 had lapsed and a new submittal would be required for any further approval. In March of 1989 Mr. Patton from the Code Compliance office again contacted Mr. Mershon and provided him with a detailed letter regarding the violations. In October of 1989, since no response had been received to the earlier letter of March, Mr. Mershon was cited for the existing violations.

As a result of that violation notice Mr. Mershon agreed to hire AES to prepare the necessary plans for submittal and approval to abate any existing violations. Site Plan 134-89 is presently pending final approval with one of the items needing resolution, the landscape perimeter strip.

It was the staff recommendation that this variance be denied as no undue hardship was demonstrated.

Mr. Feigley opened the public hearing.

Mr. Bowling addressed the Board and offered to answer any questions. He stated the reasons for needing the paved area. Mr. Mershon spoke and said his use of the area was necessary to maneuver pallet trucks, and that topography prevented moving the slab away from the property line.

Mr. Feigley closed the public hearing.

Mr. Ripley moved to grant a 2 foot variance from the perimeter landscape requirements of the Zoning Ordinance with the condition the variance is for the existing concrete slab and storage rack only.

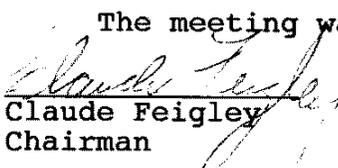
The vote was 3 to 2 in favor of granting the variance.

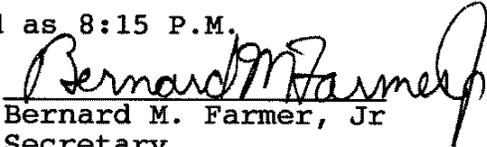
D. MATTERS OF SPECIAL PRIVILEGE

None

E. ADJOURNMENT

The meeting was adjourned as 8:15 P.M.

  
Claude Feigley  
Chairman

  
Bernard M. Farmer, Jr  
Secretary