



**MINUTES OF THE PROCEEDINGS OF THE
ZONING BOARD OF APPEALS OF THE CITY OF WORCESTER
July 17, 2023**

Worcester City Hall – Esther Howland Chamber
with remote participation options available via Webex online at:
<https://cow.webex.com/meet/planningboardwebex> and
call-in number 415-655-0001 (Access Code: 160 884 7670).

Zoning Board Members Present: Russell Karlstad, Chair
George Cortes
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member
Jordan Berg Powers, Vice Chair – Participated remotely
Anthony Dell'Aera – Participated remotely

Zoning Board Members Absent: Eric Torkornoo

Staff Present: Michelle Smith, Division of Planning & Regulatory Services
Pam Harding, Division of Planning & Regulatory Services
Rose Russell, Division of Planning & Regulatory Services
Andreana Brenner, Division of Planning & Regulatory Services
David Horne, Inspectional Services Department

Call to Order:

Mr. Karlstad called the meeting to order at 5:33PM.

Requests for Continuances, Extensions, Postponements, and Withdrawals

Item 6: 11 (aka) 8 Earle Terrace (ZB-2023-005) (MLB 01-026-0014A)

Request to Postpone the Public Meeting to August 7, 2023
Extend the Constructive Grant Deadline to August 30, 2023

Item 2: 2 Milton Street (ZB-2-23-009) (MBL 09-026-00042)

Request to Postpone the Public Meeting to August 28, 2023
Extend the Constructive Grant Deadline to September 29, 2023

Item 3: 9 Longmeadow Avenue (ZB-023-046) (MBL 36-023-00023)

Request to Postpone the Public Meeting to August 7, 2023
Extend the Constructive Grant Deadline to August 30, 2023

Item 4: 11 (aka 8) Earle Terrace (ZB-2022-076) (MBL 01-026-0014A)

Request to Postpone the Public Meeting to August 28, 2023
Extend the Constructive Grant Deadline to September 19, 2023

Item 5: 2 Northboro Street (aka 298 Plantation Street) (ZB-2023-036) (MBL 17-025-04+05)

Request to Postpone the Public Meeting to August 7, 2023

Extend the Constructive Grant Deadline to August 30, 2023

Item 8: 224 Shrewsbury Street (ZB-2023-057) (MBL 16-016-00030)

Request to Postpone the Public Meeting to August 7, 2023

Extend the Constructive Grant Deadline to August 30, 2023

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to grant the postponements.

New Business – Public Hearings

6) 784 (aka 790) & 796 Salisbury Street (a.k.a. Salisbury Green), 101-304 Greenwich Court, 401-610 Browning Lane, 701-808 Kittering Way, 3501-3903 Knightsbridge Close, 4001-4012 Brompton Circle, Kingston Common, and Shirringham Lane (ZB-2023-043) (MBL CO-NDO-00820)

Special Permit: To allow an extension, alteration, and/or change a pre-existing non-conforming structure/use (Article XVI, Section 4)

Variance: For relief from the minimum rear-yard setback dimensional requirement for other permitted uses in the RS-10 (Residential, Single Family) zoning district (Article IV, Section 4, Table 4.2)

Petitioner: Kendall Homes, Inc
Present Use: Presently on the premises is residential condominium complex known as Salisbury Green, consisting of ±94 dwelling units in ±13 single-family attached (townhouse) buildings and one single-family dwelling and club-house, and associated site improvements, on ±33.66 acres of land. The property was originally permitted for construction of ±229 dwelling units in 1985.

Zone Designation: RS-10 (Residence, Single-Family) zoning district

Petition Purpose: The applicant seeks to divide the property into two lots, with the existing condo structures and club-house to remain on one lot to the west and the remnant ±18.91 acres of property to the east (off Kingston Common and Shirringham Lane) to be built upon in the future (cluster style ±52 single-family detached dwellings).

Public Hearing Deadline: 7/17/23 **Constructive Grant Deadline:** 8/16/23

Mark Borstein, attorney representing the applicant, Kendall Homes Inc, appeared before the Board on behalf of the application. Mr. Bornstein gave a history of the land, including an incomplete project, and previously approved variance and special permit in 1985.

Mr. Bornstein described the proposal and summarized the application, which is seeking to build +/-50 single-family homes by dividing the lot property and redefining lot lines for the new dwelling units.

Mr. Bornstein went over staff comments, which included concerns over circulation, utility access, and drainage function. Mr. Bornstein stated that the applicant will enter an agreement with Salisbury Green to allow for circulation, utility access, and drainage around the proposed site.

Mr. Borstein stated that the existing buffer between the proposed development and Salisbury Green would be maintained to the extent possible, with the buffer being defined as the project continues.

Mr. Bornstein stated that the applicant requests the staff's waivers and asked for Board comments.

Ms. Smith summarized the proposed project and explained the proposed conditions, including the applicant obtaining documentation for construction and amenities.

Mr. Karlstad asked for public comments.

Abutters

Elizabeth Hadad, a unit owner at Salisbury Green Condominiums commented in opposition to the proposed project. Ms. Hadad stated that the previous Board voted 3-2 on this project and is concerned that the applicant's permits are incompatible and worries about HOA regulations. Ms. Hadid also worries that affordable housing is not being considered, and that 75% of unit owners at Salisbury Green have not approved the sale.

Jessica McGuire, a resident of Worcester living on Snowy Owl Lane commented in opposition to the proposed project. Ms. McGuire stated that the trees and snowy owls (native wildlife) are negatively being affected by this proposed plan. Ms. McGuire also mentioned no-cut-zones that are not being considered and wants zoning laws to be upheld in order to consider the neighborhood and environmental impact.

Donna Voice, a resident and trustee of Salisbury Green commented in neither approval nor opposition to the proposed project. Ms. Voice mentioned that each resident of Salisbury Green will vote on the approval of the sale, and that not every resident is in opposition to the proposed project, nor approval of proposed project.

Ann O'Connor, a resident of Salisbury Green commented in opposition to the proposed project. Ms. O'Connor stated that not all residents have reviewed the proposed plan and that not all residents are in approval of the proposed project.

Shyla Matthews, owner of 730 Kittering Way of Salisbury Green commented in opposition to the proposed project. Ms. Matthews stated that that it is not appropriate to add single-family homes to the area, as it is predominantly townhouses.

Christopher Gilbert, owner of 7 Snowy Owl Lane commented in opposition to the proposed project. Mr. Gilbert stated that he worries about the requested variance for this proposed plan being used for other projects, and the "obliteration" of trees in the neighborhood.

Alex Hadad, a resident of Salisbury Green commented in opposition to the proposed project. Mr. Hadad asked the Bord if the community of Salisbury Green and other abutters needs to agree before the project is decided on by the Zoning Board.

Mr. Karlstad started that the decision was up to the applicant.

Mr. Hadad then stated that most of the community is in opposition to the project.

Kara Hinkell, owner of 25 Snowy Owl Lane commented in opposition to the proposed project. Ms. Hinkell stated that she is not in favor of the variance changes and said the notice to abutters was sent after a major holiday which is why there was no response from abutters. Ms. Hinkell also stated that she wants the property to maintain the trees.

Michelle Marengo, owner of 3806 Knightsbridge Clos of Salisbury Green commented in opposition to the proposed plan. Ms. Marengo stated that she is not in favor of the proposed project because she does not believe that there should be single-family homes in the area.

Board Discussion

Mr. Borstein stated to the Board that a notice was sent out to all of the abutters, which included his contact information, and received no responses. Mr. Borstein then commented on the rear-setback stating that it only pertained to the existing buildings, and the open space that is proposed for the project.

Mr. Berg Powers asked about the density of the proposed plan and asked the applicant's lawyer to clarify the decision for single family homes vs. the split condo style homes that are already there.

Mr. Bornstein stated that the townhouse use is not permitted in the zone that the proposed project is to take place. Mr. Bornstein stated that the applicant decided to move forward with a project that complied with the current zoning.

Mr. Cortes stated that the relief was a huge request.

Mr. Bornstein stated that the requested percentage of relief is high because of the current zoning district the proposed plan is in, which does not allow for townhouse usage.

Mr. Cortes stated that a different type of project might not require as much relief.

Mr. Bornstein commented on the setbacks and buffers, stating that the layout of the proposed plan is consistent with what already exists in the neighborhood.

Mr. Karlstad asked staff to clarify what the applicant's by-right would be.

Ms. Smith stated that the by-right would be single-family dwellings, and that the applicant could proceed with a subdivision.

Mr. Sabo requested more information from staff on the requirements for affordable housing as it relates to the applicant's proposal.

Ms. Smith stated that the applicant's application was submitted and pending prior to the ordainment of the current affordable housing ordinance, and that there were certain privileges granted to projects pending or approved including a 6-month grace period.

Mr. Bornstein stated that the project has been in the works for the past 3 years.

Mr. Sabo stated that there was a rush of applications before the affordable housing ordinance and said that this seemed to be the case with this proposal. Mr. Sabo then asked about the trees, asking the petitioner to explain what trees would be affected by the proposed project.

Mr. Bornstein stated that the current plan being shown to the board was the preliminary plan and that areas in the south and north are already degraded. Mr. Bornstein also stated that the applicant proposes to maintain the natural tree buffer.

Mr. Sabo stated that he would like more clarity on the proposed plan, including what would happen to the mature vegetation.

Mr. Dell'Aera asked the petitioner to describe the grading in the area that Mr. Sabo previously identified.

Mr. Bornstein stated that there are significant differences in grades on the north side of the property.

Mr. Dell'Aera asked if grading would be considered for tree removal, and Mr. Bornstein said yes.

Mr. Sabo stated that more information is needed if the applicant wishes to get the board's approval.

Ms. Campaniello asked for clarification on the variance sought, and Mr. Bornstein gave context on the lot usage.

Mr. Karlstad stated that the plan is not developed enough for a board decision and asked Mr. Bornstein to provide more information before the board proceeds with a decision.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the board voted to continue the public hearing on this application to August 7, 2023

7. 361 Shrewsbury Street (ZB-2023-054) (MBL 16-028-00018)

Special Permit: To allow an extension, alteration, or change of a privileged pre-existing nonconforming structure and/or use (Article XVI, Section 4).

Petitioner: Joseph Belgrad, on behalf of Tabono Turtle Properties LLC

Present Use: Presently on the premises is a two-family, privileged pre-existing detached dwelling.

Zone Designation: The property is located in an MG-2.0 (Manufacturing, Limited) zoning district, within the CCOD-S (Commercial Corridors Overlay District - Shrewsbury Street Subarea) and USOD (Union Station View Corridor Sign Overlay District) overlay districts.

Petition Purpose: The applicant seeks retroactive approval to expand the existing structure and conduct associated site improvements.

Public Hearing Deadline: 9/3/2023 **Constructive Grant Deadline:** N/A

Joseph Belgrad, attorney for the petitioner described the petition to allow the extension of the front porch of the property. Mr. Belgrad explained that a non-conforming 2-family dwelling currently resides on the property,

and that the structure was built too far out into the street. Mr. Belgrad also stated the special permit the applicant is seeking would allow for the removal of the non-conforming structure.

Mr. Belgrad went through staff comments, which included comments on the species in the area, proposed staircase, and parking.

Mr. Belgrad asked to strike most of the requirements, including parking and lot area size requirements, but accepted the waivers when Mr. Karlstad asked.

Ms. Smith stated that work was done on this property that created an encroachment that extended into Shrewsbury Street, interfering with pedestrian right of way. Ms. Smith also stated that the applicant wishes to decrease the extension of the encroachment but is concerned about the appearance and elevation levels of the property.

Abutters

None

Board Discussion

Mr. Berg Powers asked Ms. Smith to clarify why this applicant was seeking approval, based on the timeline of events for this property.

Ms. Smith stated that she believed the previous building permit and site plan did not match, causing a non-conformity of the property.

Mr. Cortes stated that the recommendations are needed to make the project right.

Mr. Karlstad stated elevation levels need to be included and recommended a solution for the gutter issue.

Mr. Sabo stated that the only recommendation that the board should strike should be the additional windows on the first floor of the property.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to close the hearing.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to approve the Special Permit with waivers and DPRS recommendations, but strike recommendation 1b to incorporate additional windows on the first floor.

10.	36 Standish Street (ZB-2023-058) (MBL 18-021-45+46)
Special Permit:	To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2).
Special Permit:	To allow an extension, alteration, or change of a privileged pre-existing nonconforming structure and/or use (Article XVI, Section 4).
Petitioner:	Gold Star Builders, Inc.

Present Use: Presently on the premises is a single-family detached dwelling with a detached Garage.

Zone Designation: RG-5 (Residence, General) zoning district

Petition Purpose: The applicant seeks to convert the structure to a single-family attached (townhouse) style dwelling, construct three adjoining units and to conduct associated site improvements.

Public Hearing
Deadline:

Public Hearing Deadline: 8/1/2023 Constructive Grant Deadline: N/A

Donald O’Neill, the attorney for the applicant described the proposed project and stated that all requirements except for modification to the existing house had been met. Mr. O’Neill also stated that the applicant is seeking a special permit and minor relief for the proposal in order to add three additional townhouses to the existing structure. Mr. O’Neill also shared that the applicant is proposing a common shared driveway in the proposal.

Mr. O’Neill stated that he was concerned with staff recommendation 1c and proposed different coloring per unit instead of the staggering of units.

Ms. Russell gave an overview of the applicant’s proposal and stated that staff would like to see variation in the property and for the driveway to be shifted North in order to give room for on-street parking. Ms. Russell also requested that the applicant explain the plan for infiltration, as it was not included on the site plan.

Mr. O’Neill stated that testing would be required for infiltration and its possible location on the property, but a proposed location could be shown in the meantime.

Abutters

None (1 written abutter comment)

Board Discussion

Mr. Karlstad stated that he would not want to see different colors used for each dwelling unit, but instead would like to see the unit on the left shifted forward.

Mr. O’Neill stated that the lot area would prevent the far-left unit from being moved forward, but unit 2 could be staggered.

Ms. Smith clarified how shifting the curb cuts would impact the potential availability of on-street parking.

Mr. Karlstad stated that the curb cuts should be wider and displayed on the applicant’s site plan.

Mr. O’Neill accepted all of the waivers.

Mr. Dell’Aera stated that decreasing impervious surfaces is preferred.

Mr. Cortes stated that he is in favor of the proposal with all of the recommendations in place.

Ms. Smith recommended that the Board include a condition on the shift of the two driveways, an addition to staff recommendations 1g, in order to maintain one on-street parking space.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to close the hearing.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to approve the Special Permits with waivers and DPRS recommendations, including the addition to 1g to increase separation between the two driveways in order to create space for on-street parking availability.

12. 11 (Lot A & Lot B) Sever Street (ZB-2023-061) (MBL 06-005-00039)

11 (aka Lot A) Sever Street (Existing):

Variance: For relief from the minimum lot area dimensional requirement for a multi-family high-rise dwelling in an RG-5 Zone (Article IV, Section 4, Table 4.2)

Variance: For relief from the minimum parking requirements for a residential use (Article IV, Section 7, Table 4.4)

Lot B Sever Street (Proposed):

Variance: For relief from the minimum lot area dimensional requirement for a multi-family high-rise dwelling in an RG-5 Zone (Article IV, Section 4, Table 4.2)

Variance: For relief from the minimum parking requirements for a residential use (Article IV, Section 7, Table 4.4)

Petitioner: Sever Street Development LLC

Present Use: Presently on the premises at 11 Sever Street (aka Lot A) is an existing non-conforming 10-story multi-family high-rise dwelling (with 98 units total), with associated parking areas on both proposed Lot A and Lot B.

Zone Designation: RG-5 (Residence, General) zoning district

Petition Purpose: The applicant was previously approved for the above referenced relief in order to divide the existing lot into two, with the existing 98-unit multi-family high-rise dwelling known as 11

Sever Street to remain on Lot A, and to construct a new 4-story multi-family high-rise dwelling (with 49 units) on proposed Lot B, and to re-configure and expand parking areas and make associated site improvements. The applicant now seeks an extension of time for the same.

Public Hearing Deadline: N/A Constructive Grant Deadline N/A

Mr. Joshua Lee Smith, the attorney for the applicant stated that the petitioner was waiting for project funding and received it recently, and because of which, the applicant would like to request more time on the Variances.

Ms. Russell stated that the applicant received a previous approval for extension of time in January (2023) for a Special Permit and Variance, however, the extension of time for the Variance will expire soon which is why the applicant is seeking another extension of time.

Abutters

None

Board Discussion

None

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to close the hearing.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to extend the Variances.

13.	33 Stebbins Street (ZB-2023-062) (MBL 10-017-00006)
Special Permit:	To allow an extension, alteration, or change of a privileged pre-existing nonconforming structure and/or use (Article XVI, Section 4).
Special Permit:	To allow a three-family detached dwelling in an RL-7 Zone (Article IV, Section 2, Table 4.1, Residential Use #16)
Variance:	For relief from the minimum frontage dimensional requirements in the RL-7 Zone for a three-family detached dwelling (Article IV, Section 4, Table 4.2)
Petitioner:	Paulo Cordeiro
Present Use:	Presently on the premises is a non-conforming two-family detached dwelling.
Zone Designation:	RL-7 (Residence, Limited) zoning district
Petition Purpose:	The petitioner seeks to convert the structure to a three-family detached dwelling by constructing an addition in the rear of the building, to construct six off-street parking spaces, and conduct associated site improvements.
Public Hearing Deadline:	9/3/2023 Constructive Grant Deadline 10/8/2023

Paulo Cordeiro, the applicant for the proposed plan stated that he was representing himself for this meeting and was seeking special permits and a variance in order to turn a two-family detached dwelling into a three-family detached dwelling.

Ms. Russell gave an overview of the proposed plan stating that applicant wishes to expand the current house, and stated that the current property is non-conforming, which is why the applicant is seeking approval from the Board.

Ms. Russell stated that staff would like to see an extension of parking spaces and have them angled, as well as more tree coverage, and reinstalment of the replica of the cornus, preferably in wood.

Mr. Cordeiro stated that the applicant has looked through and approves the recommendations, conditions, and accepts the waivers for the proposal.

Abutters

None

Board Discussion

Mr. Berg Powers asked the application to explain what work has already been completed to the property.

Mr. Cordeiro stated that renovations of the two floors and siding on the outside of the house has already occurred.

Mr. Karlstad stated that he approves of the proposal so long as the applicant accepts the staff recommendations and the conditions.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to close the hearing.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to approve the Special Permits and Variance with waivers and DPRS recommendations.

15.	65 Cedar Street (ZB-2023-064) (MBL 02-048-00023)		
<i>Amendment to</i>			
Special Permit:	To allow a lodging house in an RG-5 Zone (Article IV, Section 2, Table 4.1, Residential Use #8).		
Petitioner:	C&S Cedar Street Housing LLC		
Present Use:	Presently on the premises is a +/-2,943 SF lodging house, previously permitted with 21 beds, and associated off-street parking.		
Zone Designation:	RG-5 (Residence, General) zoning district		
Petition Purpose:	The petitioner seeks to amend the existing special permit in order to increase the number of beds in the lodging house to 28.		
Public Hearing Deadline:	9/3/2023	Constructive Grant Deadline	N/A

Brian Falk, attorney for the petitioner gave an overview of the project stating that the property previously obtained a Special Permit for lodging house use of the property, which is a historic building. Mr. Falk also stated that the previous permit allowed for a 21-bed lodging house, however, the applicant seeks to increase this to 28- beds for usage by the Worcester Junior Railer’s Hockey Club.

Mr. Falk stated that the property previously had restoration done, in order to update parking, drainage, and landscaping on the property.

Mr. Falk stated that no exterior changes would occur, and the 21 bedrooms would remain with 7 bedrooms becoming double occupancy. Mr. Falk also stated that the property would have a new onsite manager, and the applicant is seeking also seeking a modification of the lodging house license from the licensing commission as well.

Mr. Odessa gave an overview of the Junior Railer’s Hockey Club and stated that the Special Permit is needed in order to move more of the hockey players under one roof, as some players who come from out of the area have to reside at other properties.

Mr. Falk stated that the applicant accepts the proposed conditions of approval, as well as all of the waivers.

Ms. Russell stated that the property previously had a special permit approved by the Zoning Board of Appeals back in 2021 for the 21-bed lodging house, and also stated that the applicant is seeking the special permit in order to increase occupancy.

Ms. Russell clarified that the applicant is not seeking any renovations, instead, they are seeking the ability to turn 7 of the single occupancy rooms into double occupancy rooms, and parking is adequate for the proposed plan.

Ms. Russel stated that staff would like to see the property maintain the 28-bed occupancy, for the special permit to run with C&S Cedar Street Housing LLC, and for a change in ownership or beneficial interest of the LLC that the special permit would lapse.

Abutters

Russell Haims, resident of Boylston, Massachusetts stated that he was the previous owner of the petitioner’s property and is currently an abutter who owns property near the petitioner’s property. Mr. Haims stated that he sold the property to the petitioner because he trusted their track record, and approves of how they’ve managed the property.

Mr. Haims stated that the property was previously a dormitory for Becker College and had an occupancy of 48 individuals, but the average occupancy was 36 for the entire building. Mr. Haims stated that he approves of the applicant’s petition.

Board Discussion

Mr. Berg Powers stated that he believes the building could’ve been divided in other acceptable ways, however, he approves of the proposal and would vote in favor.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to close the hearing.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to approve the Special Permit with DPRS recommendations.

- 16. 3-5 (Aka 5A, & 5B, 5C) & 6 Brussels Street (ZB-2023-068) (MBL 07-051-00002; -00004)**
- Variance:** For relief from the minimum off-street parking requirements (Article IV, Section 7, Table 4.4)
- Petitioner:** M.J. Whittall, LLC
- Present Use:** Presently on the premises is part of an old mill complex with 3 large non-conforming commercial structures, along with associated surface parking. Both properties lease

commercial space to a variety of different business uses such as food service (Business Use #7), professional office (Business Use #19), personal services (Business Use #27), etc.

Zone Designation: MG-2.0 (Manufacturing, General) zoning district

Petition Purpose: The applicant seeks to continue to allow different businesses to operate within the commercial spaces without providing additional parking on site.

Public Hearing Deadline: 9/9/2023 Constructive Grant Deadline 10/14/2023

Doug Vogal, attorney for the petitioner gave an overview of the property and stated that the property is on the National Historical Register, and there are parking restraints in all directions surrounding the property due to geographical location. Mr. Vogal stated that near the property exists a river, residential housing, railroad tracks, and an abutter property.

Mr. Vogal also stated that parking cannot be added to the property due to the expected geographical constraint and because demolition of the property would not be feasible due to its historical significance.

Mr. Vogal stated that there are currently 180 parking spaces onsite, which is ample and determined by locating the building tenants who require parking and those who do not. Mr. Vogal stated that the petitioner attempts to acquire additional parking whenever availability opens up, and the petitioner is currently in the process of acquiring new parking from Rotmans, which recently closed.

Mr. Vogal stated that the owner of Rotmans agreed to a lease-back agreement, which would allow the petitioner to acquire those parking spaces in 10 years. Mr. Vogal said that in the meantime, the petitioner is looking for parking relief.

Ms. Smith stated that at the time of the construction of the property, vehicles and parking were not incorporated into the original site plan. Ms. Smith also said that staff have provided conditions in order to preserve the historical building and future parking at the site.

Abutters

None

Board Discussion

Mr. Karlstad asked the petitioner how many bike racks were currently located at the site.

The petitioner stated that there are currently 20 bike racks on the property site, and a lot of individuals coming to the site are using e-bikes.

Mr. Berg Powers stated that he encourages the city to update zoning in order to prevent future issues similar to this petition.

Mr. Cortes asked the petitioner how many of the future parking spaces would be obtained and when the petitioner would be obtaining them.

Mr. Vogal stated that the additional parking spaces have been acquired, however, there are ongoing issues with the lease. Mr. Vogal continued by saying that there are leased parking spaces that the previous owner of the lot

is attempting to maintain, in hopes of monetizing and utilizing them as well. Mr. Vogal then stated that overall, there are 85 possible parking spaces that will be available in 10 years.

Mr. Sabo stated that he agreed with Mr. Berg Powers, the zoning ordinance needs to be updated.

Mr. Vogal stated that the applicant accepts all of the waivers.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to close the hearing.

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to approve the Variance with DPRS recommendations.

17. Communications – No discussion

18. Approval of Minutes – On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted 5-0 to approve the minutes from the June 5, 2023 meeting.

19. Discussion of Board Policies and Procedures – No discussion

Adjournment

On a motion by Mr. Sabo, seconded by Mr. Cortes, the Board voted unanimously to adjourn at 7:44 PM.