

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
MARCH 3, 2020 - 4:00PM**

DOCKET 1285
9842 Wild Deer Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, March 3, 2020 at City Hall.

The following members of the Board were present:

Chairman Liza Forshaw
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann

Also present were David Streubel, acting City Attorney; Anne Lamitola, Director of Public Works; Roger Stewart, Building Commissioner; Councilman John Fox; Mayor Nancy Spewak; and Lori Wrobel, Administrative Assistant.

Chairman Forshaw called the meeting to order at 4:00 P.M.

Approval and Adoption of the Agenda

Ms. Forshaw requested a motion to adopt the agenda. Ms. Panke made the motion and Mr. Rottmann seconded the motion. All those present were in favor and the agenda was adopted.

Approval of the Minutes from the February 4, 2020 meeting

Ms. Long made a motion to approve the minutes as submitted. Mr. Rottmann seconded the motion. All those present were in favor; the minutes were approved.

Docket 1285 Petition is submitted by Mark Ladd for the property located at 9842 Wild Deer Road. Petitioner is requesting relief from the Building Commissioner denying a front porch addition due to encroachment into the front yard setback. This is in violation of Ordinance 1175 Section V-B (1).

Mr. Stewart stated the applicant requests a variance to the required front yard setback in the "D" zoning district. The required setback is 40 feet. The proposed porch encroaches approximately 4 feet into the front setback.

Chairman Forshaw introduced the following exhibits to be entered into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Letter of Denial dated January 30, 2020;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated February 3, 2020;
- Exhibit F – Entire file relating to the application

Mark Ladd, homeowner, and Lauren Strutman, Architect, took the oath to address the Board. The home was built in 1963. The applicant is erecting a second story and proposes to extend the length of the porch by 14.5 feet, and to reduce the width of the existing nonconforming porch (i.e., the encroachment into the front yard toward the street) by 2 feet. The whole roof line would be changed to a steeper roof with dormers. (Children's bedrooms are being added as part of the second story

addition, which is permitted by the zoning.) As a result, the existing front porch, which already encroaches into the required front yard, would look unattractively small for the scale of the enlarged house and the character of the neighborhood. While the existing porch would be made longer, it would actually stick out less toward the street. The project has the approval of the Architectural Review Board, subdivision trustees and several neighbors. Mr. Ladd handed out plans of the proposed improvements and pictures of the homes in the neighborhood.

The Board discussed the proposed improvements, the minor extent of the requested variance, and the fact that the existing encroachment by the porch into the front yard would actually be reduced in the direction of the street. A consensus was reached that the appearance of the existing small porch after a second floor addition and alteration of the roof line would constitute a practical difficulty, and furthermore that the reduction of the encroachment in the direction of the street makes the variance de minimis in its impact.

Ms. Long made the motion to overturn the decision of the Building Commissioner and grant the variance. Mr. Rottmann seconded the motion. All those present were in favor and the variance was granted. The vote was as follows:

Chairman Liza Forshaw	"approve"
Ms. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Lee Rottmann	"approve"

With five (4) votes in favor and zero (0) against, the motion passed, the ruling of the Building Commissioner was overturned, and the variance was granted.

Adjournment

At 5:20 p.m. Ms. Long made a motion to Adjourn the meeting. Ms. Panke seconded the motion. A unanimous vote in favor was taken.

Chairman Liza Forshaw	"approve"
Ms. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Lee Rottmann	"approve"

DOCKET 1285

DATE OF HEARING March 3, 2020

NAME Mark Ladd

DESCRIPTION OF PROPERTY 9842 Wild Deer Road

CAUSE FOR APPEAL Petitioner is requesting relief from the Building Commissioner denying a front porch addition due to encroachment into the front yard setback. This is in violation of Ordinance 1175 Section V-B (1).

RULING OF THE BOARD After discussion, on the basis of the evidence presented, the Board finds that practical difficulties exist. The decision of the Building Commissioner is overturned, and the variance is granted.

Ms. Liza Forshaw, Chairman