

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
TUESDAY, AUGUST 07, 2018, 4:00PM

DOCKET 1253

9934 Litzsinger Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, August 7, 2018 at City Hall.

The following members of the board were present:

Chairman Liza Forshaw
Ms. Laura Long
Mr. Dan Welsh
Mr. David Schlafly
Ms. Elizabeth Panke

Also present were: Roger Stewart, Building Commissioner; Erin Seele, City Attorney; Lori Wrobel, Administrative Assistant; Anne Lamitola, Public Works Director; Andrea Sukanek, City Planner; and Mayor Nancy Spewak.

Chairman Forshaw called the meeting to order at 4:00 PM. She stated that there would be four hearings taking place.

Approval and Adoption of the Agenda

Ms. Long made a motion to approve the agenda. Mr. Welsh seconded the motion. All those present were in favor and the agenda was approved.

Approval of the Minutes from the June 5, 2018 meeting

Mr. Welsh made a motion to approve the Minutes as submitted. Mr. Schlafly seconded the motion. All those present were in favor and the minutes were approved.

Docket 1253 Petition submitted by Dan and Carolyn Barrett for the property located at 9934 Litzsinger Road. Petitioner is requesting relief from the Building Commissioner denying a New Residence due to an encroachment into the front yard setback in violation of Zoning Ordinance #1175, Section V-C-1(a) and V-C-1(b).

Chairman Forshaw asked the Building Commissioner for an explanation of the denial.

Mr. Stewart stated that the proposed plan is in the residential district A. The lot is 3.44 acres. The proposed construction would result in the new house encroaching approximately 23 feet into the required front setback of 75 feet. There are no rear or side yard conditions.

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 June 25, 2018;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated July 2, 2018;
- Exhibit F – Entire file relating to the application

Mr. Barrett, owner of 9934 Litzsinger, was sworn in and addressed the Board. He is requesting approval of building plans for a new house that would encroach into the front yard setback along the private Leagram Lane. (The lot has no frontage on Litzsinger.) The goal is to preserve the character of the property and to retain several mature trees on the lot. He stated that he had removed a nonconforming garage in the front yard setback. The proposed new house would be 8,500 to 9,000 square feet and partly two-story.

After a discussion of the facts presented, Mr. Schlafly made a motion to overturn the ruling of the Building Commissioner and grant a variance. Ms. Panke seconded the motion. The vote was as follows:

Chairman Liza Forshaw	“disapprove”
Ms. Laura Long	“disapprove”
Mr. Dan Welsh	“disapprove”
Mr. David Schlafly	“approve”
Ms. Elizabeth Panke	“disapprove”

With one (1) vote in favor and four (4) against, the variance was denied.

DOCKET 1253

DATE OF HEARING

August 07, 2018

NAME

Dan and Carolyn Barrett

DESCRIPTION OF PROPERTY

9934 Litzsinger Road

CAUSE FOR APPEAL

Petitioner is requesting relief from the Building Commissioner denying a New Residence due to an encroachment into the front yard setback in violation of Zoning Ordinance #1175, Section V-C-1(a) and V-C-1(b).

RULING OF THE BOARD

After a discussion of the facts presented, the Board denied the variance.



Ms. Liza Forshaw, Chairman