

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

DOCKET 1256

5 Sheraton Drive

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

The following members of the board were present:

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

Also present were: Roger Stewart, Building Commissioner; Erin Seele, City Attorney; Lori Wrobel, Administrative Assistant; Mayor Nancy Spewak; and Councilman John Fox.

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

Approval and Adoption of the Agenda

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

Approval of the Minutes from the August 7, 2018 meeting.

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

Docket 1256 Petition submitted by David and Debbie Caplin for the property at 5 Sheraton Drive. Petitioner is requesting relief from the Building Commissioner denying an Amendment Application to extend the addition due to an encroachment into the rear yard setback violating the Zoning Ordinance #1175, Section V-B-1.

Chairman Forshaw asked the Building Commissioner for an explanation of the denial. Mr. Stewart stated the appellant is requesting approval to build an addition that will encroach into the 50-foot rear yard setback by five feet. The house is in the B residential zoning district. It sits on 5.92 acres and there is a pond in the yard.

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 July 23, 2018;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated July 31, 2018;
- Exhibit F – Entire file relating to the application;
- Exhibit G – A letter introduced at meeting;
- Exhibit H – An aerial view photograph of the property

David Caplin was sworn in and addressed the commission. He and his wife have lived in the home for ten years and initially planned to rebuild on the lot. The majority of the buildable area is taken up by the pond. The house was built on an angle and the rear walls are not parallel with the rear property line. The house has only a tiny partial basement and very little closet space, so the owners rent large commercial storage lockers to store their belongings that don't fit into the house. The purpose of the proposed addition is to add storage space. Approval has been granted by neighbors and the trustees, who praised the homeowners' extensive prior restoration of the house and pond.

After a discussion of the facts presented, including the unique lot configuration with the large pond taking up most of the building area, the house's pressing need for more storage space, and the minimal impact of the small proposed encroachment to the rear, Ms. Long 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	"approve"
Ms. Laura Long	"approve"
Mr. Lee Rottmann	"approve"
Mr. David Schlafly	"approve"
Ms. Elizabeth Panke	"approve"

With five (5) votes in favor and zero (0) against, the variance was granted.

At 5:00 P.M. Ms. Long made a motion to adjourn the meeting. Ms. Panke seconded the motion.

All those present were in favor; the meeting adjourned.

DOCKET 1256

DATE OF HEARING September 04, 2018

NAME David Caplin

DESCRIPTION OF PROPERTY 5 Sheraton Drive

CAUSE FOR APPEAL Petitioner is requesting relief from the Building Commissioner denying an Amendment Application to extend the addition due to an encroachment into the rear yard setback violating the Zoning Ordinance #1175, Section V-B-1.

RULING OF THE BOARD After a discussion of the facts presented, the Board approved the variance.



Ms. Liza Forshaw, Chairman