

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
TUESDAY, JANUARY 08, 2019, 4:00PM

DOCKET 1261
100 SUNNINGDALE DRIVE

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, January 8, 2019 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: David A. Streubel, City Attorney; Lori Wrobel, Administrative Assistant; Roger Stewart, Building Commissioner; Councilman John Fox and Mayor Nancy Spewak.

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

Approval and Adoption of the Agenda

Ms. Forshaw requested a motion to amend the agenda to elect the Chairman and Vice Chairman. Ms. Panke made the motion and Ms. Long seconded the motion. All those present were in favor and the agenda was approved as amended.

Ms. Long made a motion to elect Ms. Forshaw as the Chairman. Ms. Panke seconded the motion. All those present were in favor.

Ms. Long made a motion to elect Mr. Welsh as the Vice Chairman. Ms. Panke seconded the motion. All those present were in favor.

Approval of the Minutes from the November 6, 2018 meeting

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

Docket 1261 Petition submitted by Thomas Wall for the property at 100 Sunningdale Drive. Petitioner is requesting relief from the Building Commissioner denying an Addition due to an encroachment into the front yard setback which is in violation of Ordinance #1175, Section V-B-1.

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

Mr. Stewart stated that the addition encroaches in the front yard setback. The property has three front yards.

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 November 18, 2018;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated November 30, 2018;
- Exhibit F – Entire file relating to the application
- Exhibit G – Additional letters received at the meeting
- Exhibit H – A proposed plat dated 1965

The appellant Thomas Wall of Mitchell Wall Architecture and Design was sworn in and addressed the Board. He stated that in 1965 there was a proposed cul-de-sac that had not come to fruition.

The proposed plan is to remove a detached carport and add an attached garage. There is no opposition from the neighboring property owners.

Tim Crowley, 11 Upper Barnes Road was sworn in and addressed the Board giving details for the property owners.

After a discussion of the facts presented, it was determined that a hardship exists. The three front yards leave no logical place for the addition and the platted cul-de-sac exacerbates the situation. Mr. Schlafly made a motion to overturn the ruling of the City Planner and grant a variance. Ms. Long seconded the motion. The vote was as follows:

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

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

Adjournment

At 5:12 Ms. Long made a motion to Adjourn the meeting. Ms. Panke seconded the motion. A unanimous vote in favor was taken.

DOCKET 1261

DATE OF HEARING

January 8, 2019

NAME

Thomas Wall

DESCRIPTION OF PROPERTY

100 Sunningdale Drive

CAUSE FOR APPEAL

Docket 1261 Petition submitted by Thomas Wall for the property at 100 Sunningdale Drive. Petitioner is requesting relief from the Building Commissioner denying an Addition due to an encroachment into the front yard setback which 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 a sufficient hardship exist and, therefore, that the decision of the Building Commissioner is reversed and the request for a variance is granted.



Ms. Liza Forshaw, Chairman