

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

DOCKET 1257

20 Overhills 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 1257 Petition submitted by Thomas Wall for the property located at 20 Overhills Drive. Petitioner is requesting relief from the Building Commissioner denying an Addition due to an encroachment into the required side 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 the appellant is requesting approval to build an addition that will encroach into the required side yard setback of 50 feet. The house sits on 3.88 acres and was built in 1935. The setback area fronts along a street (Boundbrook Drive), but since Overhills Drive borders at least two sides of the property (with a 75 foot front yard setback), the setback from Boundbrook Drive is deemed to be a side yard by the ordinance instead of a front 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 2, 2018;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated August 3, 2018;
- Exhibit F – Entire file relating to the application;

Thomas Wall was sworn in and addressed the commission. The homeowner needs a handicap-accessible garage. The one-car garage will be enlarged to a two-car garage and the problem of several steps leading down to and up from the garage will be eliminated. The screened, private lot sits on a very narrow lane. Three sides of the property are bordered by roads and there is no other place to put the new garage.

Carol Jones, 38 Overhills Drive, addressed the board. She inquired about information sent to nearby residents. The City Attorney confirmed she had received notification as required by ordinance.

After a discussion of the facts presented, including the hardship of the antiquated garage and the very restricted building area resulting from streets bordering three sides of the lot, 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	“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.

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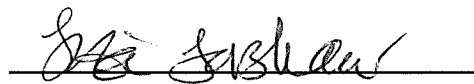
DATE OF HEARING September 04, 2018

NAME Thomas Wall

DESCRIPTION OF PROPERTY 20 Overhills 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 side yard setback violating the Zoning Ordinance #1175, V-C-1(a) and V-C-1(b).

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

A handwritten signature in black ink, appearing to read "Liza Forshaw", is written over a solid horizontal line.

Ms. Liza Forshaw, Chairman