

Zoning Board of Adjustment meeting minutes for June 11, 2013

Present: Chair John Smith, Lewis Major, Todd Page, Jay Ebbighausen and CDC Kathryn Lynch. An applicant was present; no members of the public were present.

7:00 pm Chair John Smith called the meeting to order and explained that the first order of business was elections of offices. Jay Ebbighausen made a motion for John Smith to remain as Chair, seconded by Todd Page, motion passed. John Smith made a motion for Todd Page to remain as Vice-Chair, seconded by Lewis Major, motion passed. Jay Ebbighausen made a motion for Lewis Major as Secretary, seconded by Todd Page, motion passed.

Chair John Smith read the Public Hearing Notice and Application for an Area Variance application #0513, of Article VII Section Three, submitted by David Houston, map 30 lot 26, 9 Rosemont Dr. David Houston explained to the Board that he would be building a shed/woodworking shop. He will not be using for business purposes just for personal use, hobby shop. Mr. Houston passed a sketch out to the Board. The existing shed is in the far right hand corner of the property. He plans to replace the shed and build a larger one. The proposed shed will be 18-20' from back border. The shed will be insulated, so no issue with noise, using sound absorbent tiles. A couple of windows in the front of shed, and it will be partially heated. Plans to vinyl side and shingle the shed to match the house.

Chair John Smith asked for further comments or questions, hearing none the Chair closed the public portion of the meeting and the Board worked on the Finding of Facts, listing three. 1. Area Variance requested from Article VII Section Three. 2. Shed will be used for yard tools. 3. Section of shed heated and used as a hobby shop.

Todd Page made a motion to adopt the Finding of Facts, seconded by Lewis Major, unanimous and individual "aye" votes to adopt the Finding of Facts, motion passed.

Board members then worked on the Statement of Reasons and determined:

1. There would not be a diminution in value of surrounding properties as a result of the granting of this variance because: the shed will add storage for yard tools & an area to use for hobbies, the sheds construction will blend with house.
2. The granting of this variance would be of benefit to the public interest because: there is a buffer zone abutting the boundary line on the back of the property and the shed will be insulated to prevent unnecessary noise.
3. Since:
  - a. the following special conditions of the property make an area variance necessary in order to allow the development as designed: it would move the storage farther away from entry to the house and electric would run close to leach field.
  - b. the same benefit cannot be achieved by some other reasonable feasible method that would not impose an undue financial burden because: it might disturb the leach field and would involve tree removal.

4. By granting this variance substantial justice would be done because: it would be closest to the house using the site of previous shed.

5. The use contemplated by petitioner as a result of obtaining this variance would not be contrary to the spirit of the ordinance because: the shed will add value to the property, the style will mimic the house and blend in with surrounding properties.

Jay Ebbighausen made a motion to approve the Statement of Reasons as presented, seconded by Todd Page, motion passed.

Todd Page made a motion to grant the variance seconded by Jay Ebbighausen, motion passed.

Board Business:

Todd Page made a motion to approve the minutes dated September 11, 2012 as amended, seconded by Lewis Major, motion passed with Jay Ebbighausen abstaining.

7:15 pm Todd Page made a motion to adjourn, seconded by Jay Ebbighausen, motion to adjourn unanimous.

Respectfully submitted by,

CDC Kathryn Lynch