

41 it already existed. The alleged difficulty was not self-created because the existing carport
42 needs repair. To clarify the need, Mr. Gunther asked that when you say it needs repair, do
43 you consider this a safety issue. Ms. O'Neil responded yes. Mr. Gunther added, so as far
44 as the need to replace, you like to park under there in the winter to be more protected
45 going into your house. Ms. O'Neil replied yes. Mr. Gunther asked if Ms. O'Neil had any
46 comments or concerns from the neighbors. Ms. O'Neil responded no.

47

48 Mr. Gunther asked for questions from the Zoning Board Members.

49

50 Mr. Brigandi asked so the existing carport is coming down completely. Ms. O'Neil
51 responded yes. Mr. Brigandi asked if she knew the pitch of the roof. Ms. O'Neil stated
52 that her son-in-law plans on changing the pitch just a little bit. Mr. Brigandi asked so it's
53 not going to be flat. Ms. O'Neil responds no, because it's attached to my house. Mr.
54 Brigandi asks so it will look similar to what is already there. Ms. O'Neil replies yes it's
55 going to be exactly the same except they said the pitch wasn't properly done. Mr. Brigandi
56 asked if the side wall by the neighbor going to be closed in. Ms. O'Neil responds no, it will
57 be open. There's a partial brick wall that will stay but the rest will be open. We're using the
58 same footing but the way they built it the roof hangs over by a foot. We're putting the
59 same thing there. Mr. Brigandi clarified so the wall is 5' but the overhang is over by a foot.
60 He asked the board so this is what the variance is for, the overhang. Mr. Gunther stated
61 for the Board's clarification there is a sketch that shows it will be 9' at the house and 7' on
62 the sides.

63

64 Mr. Gunther asked if anyone in the audience wanted to speak for or against this project.
65 None was noted.

66 Mr. Gunther closed the Public Hearing and asked for determination.

67

68 Mr. Gunther summarized Case 22-28 Shelley O'Neil, 519 Wright Ave, Tax Map 059.-03-
69 32.0 Zoned R-1A, 3rd Ward

70 The applicant is asking for an area variance from the Zoning Ordinance 235-8 D (5) to
71 replace an existing carport with a 4' side yard setback where 5' is required. Based upon
72 the testimony given in this matter and the exhibits offered, it is hereby resolved the
73 applicant has met the requirements by providing the following: an undesirable change will
74 not be produced in the character of the neighborhood or a detriment to nearby properties
75 as this is simply replacing an existing carport. It's the only method of obtaining the benefit
76 sought which is protecting her from the elements and safety in regards to the disrepair. It
77 is not substantial. The proposed variance will not have an adverse physical or
78 environmental effect on the neighborhood or district. The alleged difficulty is not self-
79 created because it was there when she bought the house. I therefore move based upon
80 the forgoing that the variance applied for be granted. Of granting the above variance is
81 conditioned upon the following: 1) All improvements to be constructed and located in
82 accordance with the exhibits submitted herewith in support of the application. 2) That the
83 building permit must be obtained within 30 days of the date of the variance approval. 3)
84 That all work must be completed within the time that the permit is granted for. 4) Rain
85 gutters to be placed on the carport directing drainage away from neighboring properties.
86 5) Unless these conditions are complied with, the variance shall expire. Mr. Gunther made
87 a motion. Mr. Hunter seconded it. Mr. Gunther polled the board members.

88 Mr. McGillivray Yes

89 Mr. Brigandi Yes

90 Mr. Muldoon Yes

91 Mr. Hunter Yes

92 Mr. Puma Yes

93 Mr. Tassone Yes

94 Mr. Gunther Yes

95 Mr. Gunther stated it is adopted and passed.

96

97 **NEW BUSINESS**

98

99 **023.-01-08.0 DANETTE PENNY TEDESCO, 102 JACKSON DR**
100 **ZONED R-1, 3RD WARD**

101

102 **CASE 22-29 Applicant is requesting an Area Variance from Zoning**

103 **Ordinance 235-7 D (5) to construct an addition to the garage with**
104 **a 2' side yard setback.**

105
106 Ms. Danette Tedesco and Daniel Wilkinson provided the Burden of Proof. Ms. Tedesco
107 stated the benefit sought cannot be achieved by other feasible means because this is an
108 addition on the existing garage. Granting the variance will not produce an undesirable
109 change in the character of the neighborhood or detriment to nearby properties because
110 there are other properties that have large garages. The requested variance is not
111 substantial. The requested variance will not have an adverse physical or environmental
112 effect on the neighborhood or district. The alleged difficulty is self-created because we
113 have a vintage car that will go in there and alleviate us paying storage on. Mr. Gunther
114 asked if it will be strictly used for storage, no commercial business. Mr. Wilkinson replied
115 no, just for my car.

116
117 Mr. Gunther asked for questions from the Zoning Board Members.

118
119 Mr. Brigandi states that he noticed there is a slope in your yard. Mr. Wilkinson replies the
120 slope is at the end of the 10' and he's going to dig it out and put a footer in there to level it
121 out. Ms. Tedesco states that the gutters will be on the back and front of the house so water
122 won't interfere. She stated they never get water over there. Mr. Hunter states that they
123 have to make the down spout so the water stays in your yard.

124
125 Mr. Gunther asked if anyone in the audience wanted to speak for or against this project.
126 None was noted.

127 Mr. Gunther closed the Public Hearing and asked for determination.

128
129 Mr. McGillivray summarized Case 22-29 Danette Penny Tedesco, 102 Jackson Dr , Tax
130 Map 023.-01-08.0 Zoned R-1, 1st Ward

131 The applicant is asking for an Area Variance from the Zoning Ordinance 235-7 D (5) to
132 construct an addition to the garage with a 2' side yard setback where 5' is required. Based
133 upon the testimony given in this matter and the exhibits offered, it is hereby resolved the
134 applicant has met the requirements by providing the following: an undesirable change will
135 not be produced in the character of the neighborhood or a detriment to nearby properties.
136 It's the only method of obtaining the benefit sought. It is not substantial. The proposed
137 variance will not have an adverse physical or environmental effect on the neighborhood or
138 district. The alleged difficulty is self-created. I therefore move based upon the forgoing
139 that the variance applied for be granted. Of granting the above variance is conditioned
140 upon the following: 1) All improvements to be constructed and located in accordance with
141 the exhibits submitted herewith in support of the application. 2) That the building permit
142 must be obtained within 30 days of the date of the variance approval. 3) That all work
143 must be completed within the time that the permit is granted for. 4) Rain gutters to be
144 placed on the carport directing drainage away from neighboring properties. 5) Unless
145 these conditions are complied with, the variance shall expire. Mr. McGillivray made a
146 motion. Mr. Muldoon seconded it. Mr. Gunther polled the board members.

147 Mr. McGillivray Yes

148 Mr. Brigandi Yes

149 Mr. Muldoon Yes

150 Mr. Hunter Yes

151 Mr. Puma Yes

152 Mr. Tassone Yes

153 Mr. Gunther Yes

154 Mr. Gunther stated it is adopted and passed.

155
156 Mr. Muldoon asked if we generally get building plans for the projects because he did not
157 see anything in the folder. Ms. Wilhelm stated no, normally you just get the survey. Since
158 we have gone paperless we don't use folders. The plans would be found under the permit
159 in the attachments. If the Board wants to look at them, they can come by the office.

160
161 **ADJOURNMENT**

162 Mr. Gunther entertained a motion to close the Zoning Board of Appeals at 7:31 pm. Mr.
163 Puma made the motion. It was seconded by Mr. Gunther and it was unanimously carried.
164 The meeting was adjourned.

165 Prepared By: _____
166 Denise Wilhelm, Secretary
167