

The following reviews the results of the Zoning Board of Appeals meeting on Tuesday, August 18th, 2009.

09ZMJV-0064 2415 Wade Street

An application by Donalee Floeter, on behalf of Tommy & Sophia Jenkins property owners, for major variances to allow the construction of a 2 story addition on the west side, a new 2 car attached garage on the north side, a new porch on the south and southwest side, and to raise the roof on the existing home to provide a full second story. The project would require zoning relief from Sections 6-4-1-9-B-1 (Front Porch/Yard Obstruction may encroach 10% into required front yard, applicant proposes to encroach 22%, for this application a difference of 2.9'); 6-8-3-7-A-3 (required 5' setback from the side property line; applicant requests 3' side yard setbacks from the east and west property lines). The Zoning Board of Appeals is the determining body in this case.

The Zoning Board of Appeals voted 3-2 to approve the proposed variances. However, 4 votes are required for a ZBA decision to be final when the ZBA is the determining body. Therefore, the case is on hold. The transcript will be sent to the two members who were not present. The members will then register their votes at the next available hearing per ZBA rules.

09ZMJV-0066 3003 Park Place

An application by Leonard Sciarra, property owner, for major variances to allow the construction of a second story addition on the existing residence, a one story rear addition, a new front porch, a new a/c condensing unit and to construct a new 2-car detached garage. The project would require zoning relief from sections 6-8-2-8A(1) (required front yard setback of 27', applicant requests 24.48' for home addition); 6-8-2-8A(2) (required street side yard setback of 15' required where 2.74' is proposed for home addition); 6-8-2-8A(3) (required interior side yard setback of 5' is required where 3.96' is proposed for home addition); 6-8-2-8C(2) side yard street setback for a garage is 15' where 7' is proposed); 6-4-6-3B(2) (10' setback required for a/c units where 8.4' is proposed); 6-8-2-10(A) (45% impervious surface coverage is the maximum allowed where 46.4% is proposed); 6-8-2-7 (30% building lot coverage is the maximum allowed where 44.7% is proposed); 6-4-6-3B(26) (required 1' setback for stairs where a 0' setback is proposed); 6-4-1-9B(1) (24.3' front yard setback for yard obstructions where 16.5' is proposed for the porch); 6-4-1-9B(1) (required 14.5' street side yard setback for yard obstructions where 2.74' is proposed for porch); 6-4-1-9B(1) (required 4.5' interior side yard setback for yard obstructions where 2.74' is proposed for porch). The Zoning Board of Appeals is the determining body in this case.

After testimony and discussion between the applicant and the Zoning Board of Appeals, the applicant removed the front porch from the proposal. The proposal then moved forward with the exclusion of the three variances related to the proposed porch along the east portion of the house towards Central Park Place. The ZBA also added a condition to provide a fence along the street side of the air condensing unit, that alternate vegetation or a fence will be used to conceal the unit. With these changes, the revised and amended proposal was approved unanimously.

09ZMJV-0069 2650 Eastwood

An application by Betsy Katten and Steven Wernikoff, property owners, for major variances to allow construction to raise the roof on the existing structure to the 2 ½ story maximum and to add dormers. The project would require zoning relief from sections 6-8-2-8A(1) (required 27' front yard setback where 25.1' is requested); 6-8-2-8A3 (required 5' side yard setback where 3' is required). The Zoning Board of Appeals is the determining body in this case.

The ZBA voted to unanimously to approve the application subject to construction and development of the project being in substantial compliance with the testimony and documents filed.

09ZMJV-0070 2837 Hartzell St.

An application by William James Farrell IV, on behalf of John And Ann Herder property owners, for major variances to allow the construction of a new one story brick and frame addition built under an existing

overhang. The project would require zoning relief from sections 6-8-2-7 (30% building lot coverage is the maximum allowed where 33% is proposed); and 6-4-1-9(B)1 (4.5' setback required for a canopy yard obstruction where applicant proposes 2'). The Zoning Board of Appeals is the determining body in this case.

The ZBA voted to unanimously to approve the application subject to construction and development of the project being in substantial compliance with the testimony and documents filed.