

b) The Zoning Regulations State:

The proposed garage addition would protrude into the 25-foot front-yard setback requirement approximately 10 feet 5 inches. Currently the existing attached garage exists as a non-conforming building and will be completely removed and rebuilt to its original setback location while adding 2 feet of width. See Code of Ordinances Section 100.6.03.2.b(4).

c) Interested Property Owners:

No written or verbal comments were submitted.

d) Discussion:

Robert O'Hare began the discussion by asking for a variance for a replacement garage that will protrude the same distance as his original garage. Mr. O'Hare indicated that he is unable to build onto the east side of his house because of existing gas and water lines that enter the house from this side. Furthermore, the seepage bed for the septic system is located under the open lot to the east. Because of the way the house sits on the lot, the variance would be 10 feet 5 inches at the west end and only 4 feet at the east end. Mr. O'Hare stated he was not intending to gain an unfair advantage for his property, just correctly replace a run-down garage.

Vice-Chairperson Lampe clarified that the garage will be built the same width as the house, which is why the added width to the original structure is being proposed. Member Foy clarified the constraints that exist to the east of the house. Member Shea asked about possible expansion in another direction. Mr. O'Hare responded that any other direction will also not meet setbacks.

Member Foy confirmed with Secretary Passmore the corner lot requirements. Mr. Passmore added that he and Mr. O'Hare had attempted to explore every other option in lieu of asking for a variance but were unable to find one. Mr. Lampe explained that the house exists as a non-conforming building as the subdivision was annexed into the City after most of the homes were built.

Mr. Lampe asked Mr. Passmore about the possibility of repairing the existing non-conforming garage and when it is determined that it is no longer repair but reconstruction. Mr. Passmore explained that this is a difficult situation because most all building materials have a time when they will need repair or replacement. When the repair involves the primary structural members the project is looked at more in depth to see if the non-conforming building can be modified in any way. Additionally, a variance will be required if any enlargement to the structure is requested.

e) *Motion by the Board:*

Motion By: Chris Foy

Seconded By: Pete Lampe

Move that a variance to allow the proposed garage addition to extend into the front-yard setback requirement approximately 10 feet 5 inches at 100 Fairholm Drive be approved.

Yes: 4

No: 0

Abstain: 1 (Pat Brown)

F. Old Business: None

G. New Business:

Vice-Chairperson Lampe acknowledged the expiration of Member Brown's term and thanked her for her efforts on the Board. Mr. Lampe also recommended that Mrs. Brown be re-appointed if the position is yet unfilled and if she so desired. The entire Board seconded Mr. Lampe's comments.

H. Adjournment:

Motion By: Pat Brown

Seconded By: Pete Lampe

That the Board of Adjustment meeting be adjourned.

Yes: 5

No: 0

Absent: 0

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