

Town of Bristol
Zoning Board of Appeals
June 11, 2013
Draft Minutes

Members Present: Chairman Steve Smiley, Patti Giordano, Marty Snyder, Mary Costa, Jen Sanford, and Secretary Sandra Riker

Others Present: Richard Jenner

The meeting was opened at 7:00 pm with the pledge of allegiance.

Minutes: The minutes of May 14 were reviewed and approved with a motion by Patti Giordano and a second by Jen Sanford. All Board members agreed.

Jenner Area Variance:

The secretary advised the Board that a public hearing notice was posted in the Messenger Post on June 4, 2013. She also sent out 6 neighbor notification letters and had no response. The public hearing was opened and closed as it was noted there was no one there for public participation.

The Chairman asked Mr. Jenner to provide the Board with a description of his project. Mr. Jenner said the survey map shows the edge of the road being 43.7 feet from the front of his home. He provided pictures showing the actual measurement is 47.2 feet adding 4' more in his favor. A picture showing the steps in front of the house are 5' from the house so he is only asking for an additional 2' beyond the 5' already grandfathered. The 7' will be the distance from the house to include the roof over the deck, and the deck itself will be 6' wide.

The Chairman asked Jenner to confirm the actual amount of distance being requested in this Area Variance. Jenner replied he wished to have the setback requirement reduced to 36.7' from the center line of the road. The Code requires it to be a distance of 108'. Therefore, the actual variance being requested is 71.3'. He asked if the Board had any questions. The Board replied they did not.

The Chairman then reviewed the Area Variance criteria.

1. Would there be an undesirable change in the character of the neighborhood? The Board polled as follows: Patti no, Jen no, Marty no, Mary no, and Steve no.
2. Could an alternate location be a feasible alternative to a variance? Board polled: Mary no, Marty no, Jen no, Steve no, Patti no.
3. Is the requested variance substantial? Polled as follows: Marty no, Mary yes, Steve no, Jen no, and Patti yes.
4. Does the variance have an adverse impact on the physical or environmental conditions in the neighborhood? Marty no, Jen no, Steve no, Patti no, and Mary no.
5. Is the alleged difficulty self-created? Marty no, Jen no, Steve no, Patti no and Mary no.

The following motion was made by Patti Giordano:

Whereas, there was no public opposition, and

Whereas, there will be no undesirable change in the character of the neighborhood, and

Whereas, there is no other feasible alternative to a variance, and

Whereas, the request is substantial in nature but the placement of the house in location to the road was established long before zoning was put in to effect, and

Whereas, the variance will not have an adverse impact on the physical or environmental conditions of the neighborhood, and

Whereas, the difficulty was not self-created as the house was built in the early 1900s,

Therefore a front lot line variance of 71.3' should be granted to place a deck on the front of the home at 4330 Case Road under tax map # 124.00-1-37.100.

This motion was seconded by Marty Snyder, and the Board polled as follows: Snyder aye, Costa aye, Sanford aye, Smiley aye, and Giordano aye.

The next step will be for Mr. Jenner to get a building permit from the CEO for his deck.

Other Business: The CEO report was given.

The meeting was then adjourned.

Respectfully submitted,

Sandra Riker

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Secretary