

# **ZONING BOARD OF APPEALS**

Unapproved Minutes of July 2, 2013

**Variance request of Jim and Cindy Szenay**

**4433 Port Austin Rd. -3213-015-142-00**

The meeting was called to order by Chairman Bushey at 7:30.

## **Pledge of allegiance.**

**Roll call:** Bushey, Henry, McIlhargie, Ehrlich and Russell Present. Kim Simpson recording secretary. Three guests.

**Approval of minutes from May 28, 2013 with one correction.** The last paragraph on the bottom of first page should have stated the property was in R-R district not R-1. **Motion to approve by Ehrlich. Seconded by Russell. Motion carried-all ayes.**

Notice of hearing read. A letter from Tom Zuzanek and an email from Donald Vandenberghe and Rhonda Jennings were read.

## **Public Comment:**

Applicant Jim Szenay stated he felt there was no room for a garage and that he didn't think enclosing his carport would have an impact on anyone. He continued to say that he wanted to add on to existing porch because he thought it would be more appealing to his house and property.

Lengthy discussion on the carport. Henry commented that the entire structure was non-conforming and that you can't enhance non-conforming more. Henry also stated that you just can't have a garage in the front yard in the R-2 district. Also thought there was room for a garage on west side of property.

**Motion by Henry** to deny enclosing the carport structure. No garages allowed in front yard in R-2 district and that it extends too far in front yard already.

**Seconded by McIlhargie.**

**Roll call vote:**

Russell: Aye- too close to road

Ehrlich: Aye- can't put garage in front yard (R-2 district)

McIlhargie: Aye - too close to road

Bushey: Aye - too close to road

Henry: Aye - can't put garage in front yard (R-2 district)

**Motion denied due to no garages in front yard of R-2 district.**

The ZBA board revisited the addition of a 12' x 24' deck to the existing 6' x 6' porch. The Szenay's wanted a 12' x 24' deck. Henry commented that the deck is already encroaching into the 25' setback. There was a short discussion as to the size of the deck and the road setback.

**Motion by Bushey** to allow 10' x 24' deck instead of 12' x 24' (Siting #2. 80% or special circumstances) **Seconded by Russell.**

**Roll call vote:**

Russell: Aye

Ehrlich: Aye

McIlhargie: Aye

Henry: Aye

Bushey: Aye

**Motion carried to allow 10'x24' deck.**

The ZBA members sited # 2. There are exceptional Circumstances (80%).

**Next meeting July 30, 2013 at 7:30 p.m.**

**Motion by Russell to adjourn. Seconded by Henry.**

**Motion carried- all ayes.**

**Meeting adjourned at 8:34.**

Submitted by Kim Simpson Recording Secretary.