

CITY OF GENSEO  
ZONING BOARD OF APPEALS  
June 22, 2009

The Zoning Board of Appeals met Monday, June 22, 2009 in the conference room of City Hall, 115 South Oakwood Avenue. Chairman Richard Nanni called the meeting to order at 7:05 P.M. Pat Barrett, Loretta Chavez, Tom Taylor, and Butch Will answered roll with John Schang and Steve Catton absent. City Clerk Tracy Kotecki; Building Inspector Kent Anderson; and, Petitioner Scott Daly were present.

ELECTION

Motion by Chavez, second by Barrett to appoint Richard Nanni as Chairman and Butch Will as Vice-Chairman for the 2009-2010 FY.

VOICE VOTE; ALL AYES. MOTION CARRIED.

MINUTES

Motion by Barrett, second by Will, to approve the minutes of February 23, 2009 meeting, as written with one amendment.

VOICE VOTE; ALL AYES. MOTION CARRIED.

CASE 2009-3 SCOTT AND DAWN DALY

324 N. WILLIAMS

Side Yard Variance

Motion by Taylor, second by Chavez, to open the public hearing at 7:08 P.M.

VOICE VOTE; ALL AYES. MOTION CARRIED.

The purpose of the public hearing was to consider the request of Scott and Dawn Daly, 324 N. Williams, for a variance to build a room addition seven feet from the south property line.

Nanni asked if the City had received any written comments to be presented at this public hearing. Kotecki responded there were no verbal, nor written comments; and one notification returned undeliverable.

Nanni read the duties of the Board relevant to yard variances:

The Board may grant variances where there is an exception or unusual physical condition of a lot, which condition is not generally prevalent in the neighborhood and which condition when related to the yard regulations of this Title would prevent a reasonable or sensible arrangement of a building on the lot. Before granting such a variance, the Board shall consider such factors as the closeness of neighboring buildings, adequate light, sunshine and airspace, and fire hazard potential.(Zoning Ordinance 9-11-5: B.1 )

The Comprehensive Land Use Plan recommends this property for “Traditional Single Family” land uses. In this matter, the goals and objectives speak generally to ensure that new developments in the City do not negatively impact the small town character of the community.

Daly communicated this addition was to expand the home but had no set plan for the addition, possibly a family room. It was not economical to add to the rear because of the plumbing on that side of the home. The Daly’s would finish the building on the outside but the inside of the

addition would remain unfinished for the time being. This was acceptable to Kent Anderson. The reason they were going ahead with the addition now as opposed to waiting until they could finish the inside was due to the current interest rates.

Nanni asked if any member of the Zoning Board wished to make comment. Taylor questioned how close to the neighbor's home this addition would be. Kent Anderson stated it would be 23 feet to the neighbor's home and the neighbor did not oppose this addition.

Motion by Chavez second by Will, to close the public hearing at 7:13 P.M.  
VOICE VOTE; ALL AYES. MOTION CARRIED.

Motion by Barrett, second by Chavez, to approve a variance of seven (7) feet from the south property line for a room addition at 324 N. William Street.

No discussion.

ROLL CALL VOTE:

AYES: 5 Barrett, Chavez, Nanni, Taylor, and Will.  
NAYES: 0  
PASSED: 0  
ABSENT: 2 Catton and Schang

Variance Granted.

Daly inquired about the timeframe to commence and complete the addition. Anderson stated the variance is good as long as the Dalys own their home; it does not transfer with the home. There is no timeframe to commence with the project but the once the building permit is issued the timeframe to complete the structure would be outlined on the terms of the building permit. Anderson stated if the Dalys wanted to wait two years before starting that would be permissible; there is no timeframe to start the addition presented.

OTHER BUSINESS

There was no other business.

Motion by Taylor, second by Will to adjourn at 7:35 P.M.  
VOICE VOTE; ALL AYES. MOTION CARRIED.

Respectfully submitted,

Tracy Kotecki, Board Secretary