

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the July 22, 2003 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Melrose School, 76 Melrose Ave. The meeting was called to order by the Chairman at 7:08 p.m. The clerk called the roll and noted the following members present:

Richard Allphin
Don Wineberg
Raymond Iannetta
Joseph Logan
David Nardolillo

Also present: Brenda Hanna, Stenographer
Pat Westall, Zoning Clerk
Fred Brown, Zoning Officer
Bruce Leach, Counsel

Seated on all matters: Richard A., Don, Raymond, Joseph, and David.

MINUTES

Minutes of the June 24, 2003 meeting.

A motion was made by Don Wineberg and seconded by Raymond Iannetta to accept the minutes of the June 24, 2003 meeting as presented.

The motion carried by a vote of 5 – 0.

CORRESPONDENCE

Copy of a Notice of Violation from Fred Brown to Maria Ascioffa re: Plat 3a, Lot 399.

Correspondence cont.

A letter from Patrick & Karen Donnelly requesting to withdraw their application without prejudice.

NEW BUSINESS

Sheahan

A motion was made by Don Wineberg and seconded by Raymond Iannetta to deny the request of Gail M Sheahan, whose property is located at 37 Clarke's Village, and further identified as Tax Assessor's Plat 12, Lot 104 for a variance from Article 3, Table 3-2 (District Dimensional Regulations) to construct an addition to an existing dwelling unit which will include a roof deck with a railing as well as a 14'6" x 14'6" hipped roof at a total height of 38'3" wherein 35' is allowed.

This Board has determined that this application does not satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2.

In particular reference to Article 6, Section 606, Paragraphs 1 and 3, in as much as the granting of this request for a height variance, as with most similar requests in Jamestown, would not relieve a hardship that is due to the unique characteristics of the land and would in reality alter the general character of the neighborhood by creating an incentive to build ever taller houses to maximize views.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 10,000 sq. ft.
2. The applicant still appears able to construct the master bedroom and decks proposed for the new fourth floor as a matter of right.

The motion to deny carried by a vote of 5 – 0.

Turcone

A motion was made by Raymond Iannetta and seconded by David Nardolillo to grant the request of John Turcone, whose property is located at 7 Port Ave., and further identified as Tax Assessor's Plat 15, Lot 164 for a variance from Article 3, Table 3-2 (District Dimensional Regulations) to construct a garage addition to an existing dwelling, which will be 22' from the front lot line instead of the required 30'.

This Board has determined that this application does satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2.

This variance is granted with the restriction that the trees being displaced by the proposed addition will be replace elsewhere on the property by red maple and/or birch trees.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 18,715 sq. ft.
2. The proposed addition will improve the ingress and egress to the property.
3. The unique characteristics of the land could result in drainage problems being created if the proposed addition were pushed further westward.
4. Approximately 12 neighbors and abutters spoke in favor of the proposal.
5. No abutters spoke against the proposal.

The motion carried by a vote of 5 – 0.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:00 p.m.

The motion carried unanimously.