

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the November 23, 2004 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Library, 26 North Road. The Chairman called the meeting to order at 7:00 p.m. The clerk called the roll and noted the following members present:

Thomas Ginnerty
Don Wineberg
Raymond Iannetta
Richard Boren
Joseph Logan
David Nardolillo
Elizabeth Brazil

Also present: Brenda Hanna, Stenographer
Pat Westall, Zoning Clerk
Fred Brown, Zoning Officer
J. William W. Harsch, Counsel

MINUTES

Minutes of the September 28, 2004 meeting.

A motion was made by Thomas Ginnerty and seconded by Richard Boren to accept the minutes of the September 28, 2004 meeting as presented.

The motion carried by a vote of 5 – 0.

CORRESPONDENCE

A letter from Peter DiBiase requesting a one-year extension of a previously granted variance.

DiBiase

A motion was made by Don Wineberg and seconded by Joseph Logan to deny the request of Peter DiBiase for a one year extension of a previously granted variance due to the long history of this application, this is the seconded continuance, and the new groundwater ordinance.

The motion carried by a vote of 4 – 1.

Thomas Ginnerty, Don Wineberg, Raymond Iannetta, and Joseph Logan voted in favor of the motion.

Richard Boren voted against the motion.

David Nardolillo and Elizabeth Brazil were not seated and Dean Wagner was absent.

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to rescind the previous motion and to continue the request of Peter DiBiase to the January 25, 2005 to allow the applicant the ability to appear before the Board and explain why a one-year extension should be granted.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Raymond Iannetta, Richard Boren, and Joseph Logan voted in favor of the motion.

David Nardolillo and Elizabeth Brazil were not seated and Dean Wagner was absent.

NEW BUSINESS

Aresti

A motion was made by Richard Boren and seconded by Don Wineberg to grant the request of Ralph & Susan Aresti, whose property is located at 16 Wildflower Lane, and further identified as Tax Assessor's Plat 2, Lot 10 for a variance from Article 3, Table 3-2 to build a 2 car attached garage with rear 30' from rear lot line instead of required 40'.

Aresti cont.

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

This motion is based on the following findings of fact:

1. Said property is located in a RR80 zone and contains 20,000 sq. ft.

2. When the house was built about 8 years ago, the front set back was 40 feet and the rear set back was 20 feet.
3. The front set back is being maintained.
4. The back or rear of the garage will be flush with the house.
5. The nearest neighbor to the north is approximately 300 ft.
6. The garage will be the same composition as the rest of the house.
7. The owners, if they desire to have a garage, have no choice as to location.
8. No one spoke in opposition to the request.
9. One neighbor spoke in favor of the request.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Raymond Iannetta, Richard Boren, and Joseph Logan voted in favor of the motion.

David Nardolillo was not seated, Elizabeth Brazil was recused, and Dean Wagner was absent.

Clark

A motion was made by Don Wineberg and seconded by Joseph Logan to grant the request of Ronda Clark, whose property is located at 32 Calvert Place, and further identified as Tax Assessor's Plat 8, Lot 244 for a variance from Article 3, Section 82-302, Table 3-2 (District Dimensional Regulations) to construct a second story addition to a single-family dwelling 21'-9" from the front yard lot line instead of the required 30' and 8'-3" from the corner side lot line instead of the required 20'.

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

Clark cont.

This variance is granted with the following restrictions:

1. The exterior of the house will be cedar shingles.
2. The exterior of the chimney shown on the plan will be stone.

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 6,118 sq. ft.
2. The applicant's design would convert the house into one that is much more architecturally compatible with the neighborhood and would provide additional methods of emergency egress.
3. Two neighbors stated they would support the application with the preceding conditions relating to materials.
4. One neighbor asked for the occupants to limit parking on Calvert Place.
5. The applicant said they would establish extensive and appropriate vegetation buffers.

The motion carried by a vote of 4 – 1.

Don Wineberg, Raymond Iannetta, Richard Boren, and Joseph Logan voted in favor of the motion.

Thomas Ginnerty voted against the motion.

David Nardolillo and Elizabeth Brazil were not seated and Dean Wagner was absent.

Cribb

A motion was made by Joseph Logan and seconded by Don Wineberg to deny the request of Jacqueline C. Cribb, Trustee, whose property is located at 553 Seaside Dr., and further identified as Tax Assessor's Plat 3, Lot 120 for a variance from Article 3, Section 82-302, Table 3-2 (District Dimensional Regulations) to construct a utility shed (12' x 18') on an existing root cellar shed foundation which is 5' from the side lot line (10' being required) with a walkout bulkhead that is adjacent to line.

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

Cribb cont.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 14,510 sq. ft.
2. The existing foundation is 5 ft. or less from the lot line with the entry steps encroaching over the lot line.
3. There has been no elevated roof there for many years according to testimony of the abutting neighbor.
4. An 11' high shed will intrude on the neighbors view and block sight lines in the setback.
5. There is adequate space for an accessory structure elsewhere on the property.
6. Two neighbors were opposed. No one spoke in favor.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Raymond Iannetta, Richard Boren, and Joseph Logan voted in favor of the motion.

David Nardolillo was recused and Elizabeth Brazil was not seated and Dean Wagner was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:32 p.m.

The motion carried unanimously.