

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the August 23, 2005 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 7:06 p.m. The clerk called the roll and noted the following members present:

Thomas Ginnerty
Raymond Iannetta
Richard Boren
Joseph Logan
David Nardolillo

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

MINUTES

Minutes of the July 26, 2005 meeting.

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to accept the minutes of the July 26, 2005 as presented.

The motion carried by a vote of 5 – 0.

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

Don Wineberg, Elizabeth Brazil, and Dean Wagner were absent.

CORRESPONDENCE

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A letter from Mark Liberati requesting to continue the Doris Arthur application to the Sept. 27, 2005 meeting.

Arthur

A motion was made by Thomas Ginnerty and seconded by Raymond Iannetta to continue the variance application of Doris Arthur to the September 27, 2005 meeting at the request of their attorney, Mark E. Liberati.

The motion carried by a vote of 5 – 0.

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

Don Wineberg, Elizabeth Brazil, and Dean Wagner were absent.

OLD BUSINESS

Cingular Wireless

A motion was made by Thomas Ginnerty and seconded by David Nardolillo to continue the request of Cingular Wireless to the Sept. 27, 2005 meeting because there was not a quorum for this application.

The motion carried by a vote of 5 – 0.

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

Don Wineberg, Elizabeth Brazil, and Dean Wagner were absent.

NEW BUSINESS

STD Builders

Their attorney, Peter Brockmann, withdrew the application of STD BUILDING CORP.

A motion was made by Richard Boren and seconded by Thomas Ginnerty to accept the withdrawal of STD Building Corp.

The motion carried by a vote of 5 – 0.

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

Don Wineberg, Elizabeth Brazil, and Dean Wagner were absent.

Byrne

A motion was made by Joseph Logan and seconded by Richard Boren to grant the request of Marsha Newsom Byrne, whose property is located at 43 Summit Ave., and further identified as Tax Assessor's Plat 1, Lot 12 for a variance from Article 3, Table 3-2 (District Dimensional Regulations) to construct a front entrance overhang, landing and stairway which will be 26 ft. from the front property line instead of the required 40 ft.

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 an RR80 zone and contains 40,353 sq. ft.
2. The existing foundation is 34' from the front property line (40' required).
3. The front doorway has been re-constructed in approximately the same location as before.
4. A front entry porch is not unreasonable given the roof pitch above; additional intrusion is approximately 5 ft. more (not including steps on original plan). Final setback will be 26'.
5. Prior to renovation there was an existing porch, which has been removed.

The motion failed by a vote of 3 – 2.

Thomas Ginnerty and David Nardolillo voted against the motion.

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

Don Wineberg, Elizabeth Brazil, and Dean Wagner were absent.

Pfeiffer

A motion was made by Thomas Ginnerty and seconded by Richard Boren to continue the request of Bernd E. and Donna M. Pfeiffer to the Sept. 27, 2005 meeting to check on the existing deck setback history.

The motion carried by a vote of 5 – 0.

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

Don Wineberg, Elizabeth Brazil, and Dean Wagner were absent.

Smith

A motion was made by Raymond Iannetta and seconded by Richard Boren to grant the request of Lawrence J. et ux Janet C. Smith, whose property is located at 464 Beacon Ave., and further identified as Tax Assessor's Plat 3, Lot 237 for a variance from Article 3, Section 3-2 (District Dimensional Regulations) to construct a new second floor and a covered front porch 10 ft. from the north side setback and 10 ft. from the south side setback wherein 20 ft. is required.

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 R40 zone and contains 21,600 sq. ft.
2. The second floor addition will conform to the existing dwelling footprint.
3. The proposed front porch will not further encroach into either side setbacks.
4. One neighbor spoke in favor of the application in the form of a letter.
5. There were no objectors to the applicant.
6. The relief given is the least relief necessary because of the unusual dimensions of the lot.

The motion carried by a vote of 5 – 0.

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

Don Wineberg, Elizabeth Brazil, and Dean Wagner were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:28 p.m.

The motion carried unanimously.