

A special meeting of the Board of Zoning Appeals was called to order at 7:30 p.m. on Tuesday, July 26, 1994 by the Chairman, Carmelo Milia.

PRESENT: Gary Chamberlain  
Christopher Fejes  
John Lovio  
Carmelo Milia  
Sherwood Shaver  
Jerald Sosnowski

ABSENT: Michael Alaimo

ITEM #1 VARIANCE REQUESTED: Deagle Development, 114 Algansee (proposed address), for relief of the minimum width of a residence.

Mr. Shripka explained that the petitioner is requesting relief of the Zoning Ordinance to construct a single family residence. The plot plan shows the proposed residence is 21 feet in width. The Zoning Ordinance requires the living area encompass a minimum ground cover area of 24'x24'.

Michael Lamb, part owner of Deagle Development and Murray Deagle were present. Mr. Lamb explained how they had worked with the City Planning, Engineering, Planning Commission and Council to vacate Mastin street in gain additional lots in the subdivision. He explained that throughout the subdivision parts of rights-of-way were vacated to lay out the subdivision. Mr. Lamb stated Deagle Development has constructed many of the homes in the subdivision and it is their goal to complete construction on remaining lots. Because there is a 34 foot easement in the vacated 50 foot right-of-way, the amount of lot they are left with to build on is limited. Mr. Lamb stated that at no time was he aware of the minimum width for a residence. He further indicated that when they construct a home they grade and sod and of course install the sidewalk. If they cannot get a variance to build on this lot. This vacant lot in the middle of completed home sites is a nuisance and a hazard in that small children who are riding their bikes along the sidewalk must go out into the street and back onto the sidewalk. A vacant lot is an eyesore because it is not sodded and is open for dumping. Because there is a 12 foot diameter major water main on this site the easement cannot be vacated. Mr. Deagle stated that they do not feel the development would be detrimental to the area; it would be an enhancement. The people in the subdivision have questioned them on completion of that site because they feel it is a nuisance and eyesore.

The petitioners presented the board approvals their proposal, signed by 5 of the abutting neighbors.

The chairman opened the public hearing.

Curtis Myers, 125 Algansee was present and approved of the construction, indicating he did not want to see the lot remain vacant.

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Mehmet Kostepen, 137 Algansee was present and stated the approved for the same reasons.

There were no further comments.

The chairman closed the public hearing.

Motion by Chamberlain

Supported by Fejes

MOVED, to grant Deagle Development, 114 Algansee, a variance, as requested, for relief to construct a single family residence 21 feet in width, whereas the Zoning Ordinance requires a minimum width of 24 feet, based on:

1. The variance is not contrary to public interest.
2. The variance will not cause an adverse effect to properties in the immediate vicinity or zoning district.
3. The variance relates only to the property described in the application.
4. To not grant the variance would be a hardship to the neighbors as indicated in their approvals.
5. To not grant the variance is a safety hazard, in that small children riding their bikes are forced into the street because the site is not improved.
6. There are 5 approvals and no objections on file.

Yeas: 6  
Nays: 0  
Absent: 1- Alaimo

MOTION TO APPROVE REQUEST CARRIED.

The Board of Zoning Appeals adjourned at 8:15 p.m.

GAS/ddb

