CITY OF FRASER
ZONING BOARD OF APPEALS
THURSDAY, APRIL 4TH, 2013 ~ 7:00 PM
MINUTES

Present: Chairman Stimac, Members: Calabrese, Chimenti, Fiore, Hinkle and Logan

Excused Absence: Member Farina

Also Present:

Jack Dolan	City Attorney
Randy Warunek	Building Official
Toni Misch	Recording Secretary

1. Call Meeting to Order

Chairman Stimac called the meeting to order at 7:00 pm

2. Roll Call

Chairman	Stimac	Present
Members:	Calabrese	Present
	Chimenti	Present
	Farina	Absent
	Fiore	Present
	Hinkle	Present
	Logan	Present

3. Approval of Agenda ~ Regular Meeting

Motion by Member **CHIMENTI**, Support by Member **CALABRESE**

TO: APPROVE the agenda of the April 4th, 2013 as Submitted

AYES **6** NAYS **0** MOTION CARRIED

4. Approval of Minutes ~ Regular Meeting January 17th, 2013

Motion by Member **CALABRESE,** Support by Member **CHIMENTI**

TO: APPROVE the Minutes of January 17th, 2013 as Submitted

AYES **6** NAYS **0** MOTION CARRIED

5. Formal Statement

Chairman Stimac gave a formal statement relative to the powers of the Zoning Board of Appeals and the facts and conditions for granting appeals.

6. Public Hearing:

a. **#01-13ZBA-1** / BOND BILT HOME IMPROVEMENT & AARON & GRACE BINKLEY / 17500 DORIS / TO ALLOW ANADDITION TO THE REAR OF A DWELLING IN THE "RM-RESIDENTIAL MEDIUM – ON E FAMILY" ZONING DISTRICT, THAT WOULD RESULT IN A 5-FOOT, 6-INCH SETBACK FROM AN ACCESSORY STRUCTURE WHERE A MINIMUM SETBACK OF 10 FEET IS REQUIRED

ADMINISTRATIVE STATEMENT OF FACTS:

On February 6, 2013, Bond Bilt Home Improvement submitted a permit application with plans for a 22-foot by 14-foot family room addition to the rear of the dwelling located at 17500 Doris on a parcel located in the "RM – Residential Medium – One Family" zoning district. Upon review, I discovered that the erection of this addition would place the dwelling at a distance of 5.5 feet away from the existing

garage accessory structure. This would result in a non-conforming location, not permitted by Fraser Zoning Ordinance Section 32-121 (a) (4). This states that a "detached accessory building incidental to the dwelling shall be located only in a rear yard and shall be a minimum of ten (10) feet from the residence."

The co-applicants, Bond Bilt Home Improvement, the contractor, and Aaron and Grace Binkley, the homeowners, feel that this restriction places a practical difficulty on the construction of their proposed family room which prevents them from providing a sensible entry-point from their existing kitchen area. The existing laundry area, bathroom and rear bedroom cannot even be considered for rooms of access by the nature of their use, size and layout.

The petitioner is now present and asking for a variance to Fraser Zoning Ordinance Section 32-121 (a) (4) to allow a 5.5-foot setback from their existing garage where a 10-foot minimum setback is required.
Petitioner present: Grace Binkley and Dan Baylow of Bond Bilt.
Petitioner commented would like additional counter space in the kitchen.
Resident Alisha Burke stated "All neighbors want the addition".
Administration did not receive any correspondence regarding the request.
Member Calabrese made a motion to approve #01-13ZBA-1 based on the hardship of no basement and the free standing garage has been there for a long time.

Motion by Member **CALABRESE**, Support by Member **HINKLE**

TO: APPROVE / **#01-13ZBA-1** / BOND BILT HOME IMPROVEMENT & AARON & GRACE BINKLEY / 17500 DORIS

AYES **6** NAYS **0** MOTION CARRIED

7. New Business of the Board:

a. Motion to nominate Chairman, Vice Chair and Secretary to the City of Zoning Board of Appeals.

1. Motion to nominate Chairman **STIMAC** Chairperson of the Fraser Zoning Board of Appeals.

Motion made by Member **CALABRESE** Support by Member **CHIMENTI**

AYES **6** NAYS **0** MOTION CARRIED

2. Motion to nominate Member **FARINA** Vice Chairman of the Fraser Zoning Board of Appeals.

Motion made by Member **CHIMENTI** Support by Member **CALABRESE**

AYES **6** NAYS **0** MOTION CARRIED

3. Motion to nominate Member **CALABRESE** as Secretary of the Fraser Zoning Board of Appeals.

Motion made by Member **CHIMENTI** Support by Member **FIORE**

AYES **6** NAYS **0** MOTION CARRIED

8. Old Business of the Board: NONE

9. Public to be heard: NONE

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10. Adjournment:

TO: Adjourn the meeting of the **April 4th, 2013** at 7:40pm.

Motion by Member **CALABRESE**, Support by Member **CHIMENTI**

AYES **6** NAYS **0** MOTION CARRIED

THE MOTION WAS CARRIED UNANIMOUSLY.

VINCE CALABRESE, ZBA Secretary

RANDY WARUNEK, Building Department Director

Audience members:
Todd Quertermous
Alisha Burke
Grace Binkley
Dan Baylow