

**CITY OF FRASER
ZONING BOARD OF APPEALS
THURSDAY, FEBRUARY 5TH, 2015 ~ 7:00 PM
MINUTES**

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

Excused Absence: Member Hinkle

Also Present:	Jack Dolan	City Attorney
	Randy Warunek	Building Official
	Kelly Dolland	Recording Secretary

1. Call Meeting to Order

Chairman Stimac called the meeting to order at 7:02 pm

2. Roll Call

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

3. Approval of Agenda ~ Regular Meeting, February 5th, 2015

Motion by Member **CALABRESE**, Support by Member **FARINA**

TO: APPROVE the agenda of the February 5th, 2015 as Submitted

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

4. Approval of Minutes ~ Regular Meeting January 15th, 2015

Motion by Member **FARINA**, Support by Member **CALABRESE**

TO: APPROVE the Minutes of January 15th, 2015 as Amended

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

5. Formal Statement

6. Public Hearing:

a.#01-15ZBA / CHINOSKI BUILDING GROUP, INC. & LYNDIA SIRKO / 18632 DAVIDSON / TO ALLOW A PROPOSED 16-FOOT BY 12-FOOT ADDITION TO THE REAR OF THE HOUSE TO EXTEND 3-FOOT, 6-INCHES INTO THE REQUIRED MINIMUM 30-FOOT REAR YARD SETBACK. THE PROPERTY IS LOCATED IN THE 'RM-RESIDENTIAL MEDIUM – ONE FAMILY' ZONING DISTRICT.

ADMINISTRATIVE STATEMENT OF FACTS:

The petitioner is proposing to build a 16-foot by 12-foot addition to the rear of the dwelling located at 18632 Davidson, in the RM "Residential Medium – One Family" zoning district.

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The proposed addition would cover 192 square feet of the property and, with 940 square feet still allowable with 30 percent maximum allowable lot coverage, this zoning restriction is easily met. However, this addition placed onto the south side of the house would result in a rear yard setback of 26 feet, 6 inches where Fraser Ordinance requires a 30 foot setback.

The petitioner feels that the limits imposed by the ordinance don't take into consideration the unique characteristics of this corner lot and its restrictions when compared to a normal residential lot. First, it now has two front yard setbacks removing a greater percentage of buildable property. Then, to be practical for usability, the addition needs to be built off of the existing dining room, not the kitchen or garage. Finally, because of the adjoining parcel to the rear being a parking lot for the Baumgartner House Historical Center, no residential dwelling or family is impacted by this small projection that still leaves 26-1/2 feet of rear yard depth.

The petitioner is now present and asking for a variance to Fraser Zoning Ordinance section 32-122 (3) (e) to reduce the minimum required setback in the RM Zoning District by 3-1/2 feet where at least 30 feet is required.

Petitioner present Ms. Lynda Sirko and Mr. Brian Chinoski stated would like to add a seamless addition to the rear of the property.

Member Farina asked if other buildings had the same set back, ~ Mr. Warunek stated yes, resident to the west of the property.

Member Farina asked if there will be drains, ~ the addition will be built on a crawl space, there will not be any foundation footings, but it will be sloped away from the house to the back and side of the addition. It will drain to the back of the yard.

Public Hearing – 7:22pm

Resident Sandra Studebaker expressed her concern regarding drainage, basement water seepage, the building addition and proper drainage.

Written correspondence was received by resident Sandra Studebaker.

Public Hearing – 7:38pm

Member Calabrese asked Mr. Chinoski if he would consider a French Drain, ~ yes he would consider a French Drain.

Member Farina made a motion to grant the variance for 18632 Davidson for an addition of 3 1/2 feet into the 30 foot setback. The hardship is the yards are shallow in the area and another home in the area already sets back into the setback. This is a right that this homeowner should have. All drains from the addition must go to the back of the house and run via a drain to the back. Also, include a gutter connection from the house on to the addition.

Chairman Stimac stated his only objection to the motion is we have not officially established the house two doors to the west had a reduced setback.

Member Farina made a motion to remove that part that included the house two doors down.

Motion by Member **FARINA**, Support by Member **CALABRESE**

AYES **6** NAYS **0** MOTION CARRIED AS AMENDED

Member Farina made a motion to grant the variance for 18632 Davidson for an addition of 3 1/2 feet into the 30 foot setback. The hardship is the yards are shallow in the area. All drains from the addition must go to the back of the house and include a gutter connection from the house on to the addition.

Motion by Member **FARINA**, Support by Member **CALABRESE**

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TO: APPROVE / #01-15ZBA / CHINOSKI BUILDING GROUP, INC. & LYNDA SIRKO / 18632 DAVIDSON / TO ALLOW A PROPOSED 16-FOOT BY 12-FOOT ADDITION TO THE REAR OF THE HOUSE TO EXTEND 3-FOOT, 6-INCHES INTO THE REQUIRED MINIMUM 30-FOOT REAR YARD SETBACK. THE PROPERTY IS LOCATED IN THE 'RM-RESIDENTIAL MEDIUM – ONE FAMILY' ZONING DISTRICT

With the following stipulation:

1. All drains from the addition must go to the back of the house and include a gutter connection from the house on to the addition.

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.

Motion made by Member Farina to postpone nomination to the board. Appointments will be made after City Councils appointment and re-appointment of Zoning Board of Appeal members.

Motion by Member **FARINA**, Support by Member **CALABRESE**

AYES 6 NAYS 0 MOTION CARRIED

8. Old Business of the Board:

a. Approval of the 2015 Zoning Board of Appeals Calendar.

To: Approve the Thursday, July 16th, 2015 meeting date.

The 2015 Fraser Lions Club Carnival is scheduled for Thursday, July 23rd – Sunday, July 26th, 2015. The City of Fraser City Picnic is scheduled for Sunday, July 26th, 2015.

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

AYES 6 NAYS 0 MOTION CARRIED

9. Public to be heard: None

10. Adjournment:

TO: Adjourn the meeting of the February 5th, 2015 at 7:16pm.

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

AYES 6 NAYS 0 MOTION CARRIED

THE MOTION WAS CARRIED UNANIMOUSLY.

CHRIS HINKLE, ZBA Secretary

RANDY WARUNEK, Building Department Director

Audience members:

Mr. Chinoski, Mrs. Sirko, Mrs. Studebaker, Resident