

# SMITHTON ZONING BOARD

## ZONING BOARD HEARING

September 27, 2021

7:30pm

Prestito – 114 S Smith

## MINUTES

The hearing was called to order at 7:30pm by Chairman Lori Rodriguez.

Zoning Board members present were: Tom Incrocci, Tom Schanherr, Leo Simbuger, and Julie York. Also present were Chairman Lori Rodriguez, Zoning Administrator and Engineer Scott Saeger, Deputy Zoning Administrator Michelle Schlarman. Attorney Carmen Durso was absent. Board members Dale Becherer and Jesse Carlton were absent.

Chairman Rodriguez asked for a motion to approve the meeting minutes from 8/23/21: Lowery-500 Cortner Drive, Nail/Cotter-4665 Cherry Circle CT, D & F-4400 Devin Drive. A motion was made by Tom Incrocci and seconded by Leo Simburger to approve the minutes from each hearing on August 23, 2021. All were in favor, with two members absent. Motion was granted.

Deputy Zoning Administrator Michelle Schlarman read the notice as published in the Freeburg Tribune.

Chairman Lori Rodriguez read the letter sent to surrounding residents and the list of those residents.

The applicant and residents who wished to speak were sworn in by Deputy Administrator Michelle Schlarman.

Nick and Amanda Prestito explained to the Board that they would like a 22-foot side setback variance to install a 4-foot-high chain link fence in their backyard. They stated that if they follow the Ordinance guidelines their yard would be greatly diminished because the fence line would be close to the edge of their house lines.

Engineer Saeger explained the Ordinance guidelines and his calculations of why a 22-foot variance is needed for placement of the fence on the lines requested by the owners.

The Prestito's gave the following answers to questions from the Zoning Board: They would like a fence in their backyard beginning at the rear of their house extending to include the front of

their garage to keep their dog in the yard when people walk past the house. It is small dog and would not be able to jump over the fence. The fence line on the North side of the property will be three feet from the property line, but the neighbors have already signed the agreement form. The fence will not interfere with utilities since they are all on overhead poles and the water/sewer lines come out in the front of the house. The fence will not obstruct traffic views. They feel that it would be a hardship if they had to use the Ordinance guidelines for the fence lines since it would greatly reduce the size of the fenced area in their yard.

Tom Incrocci made a motion which was seconded by Leo Simburger to approve the 22-foot variance for a side setback for fence placement at 114 S Smith. Roll call was taken: Tom Incrocci, yes; Dale Becherer, absent; Tom Schanherr, yes; Leo Simburger, yes; Julie York, yes; Jesse Carlton, absent. Motion was granted.

Tom Incrocci made a motion which was seconded by Leo Simburger to adjourn. All were in favor. Meeting adjourned at 7:50pm.