

SMITHTON ZONING BOARD

ZONING BOARD HEARING

August 23, 2021

7:30pm

Nail/Cotter Variance – 4665 Cherry Circle CT

MINUTES

The hearing was called to order at 7:55pm by Chairman Lori Rodriguez.

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

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.

Michael Nail and Peggy Cotter explained to the Board that they would like a 3 foot side set back variance to install a fence in their yard. They stated that if they follow the Ordinance guidelines the fence line would be along the middle of their concrete walkway and would limit accessibility to the side door of their garage. They have an existing small fence in the back yard.

After questions and discussion, it was discovered that they would like a 6 foot vinyl privacy fence on the sides of the property but a 4 foot aluminum picket fence across the back yard on the same line as the existing fence that will be removed. Zoning Administrator Saeger stated that he would allow a replacement fence to be installed on the same line as a previous one. The back yard faces a field that is not likely to be developed per Zoning Administrator Saeger. There will be a fence gate near the side door of the garage. The fence on the other side of the yard will be 8 feet from the property line. The fence will not cause any blind spots, and utilities on the North side will be well outside of the fence. They understand that if the fence would be on an easement, they would be responsible for removing it if work needed to be done in the easement.

There would be a hardship for the applicants if the variance would be denied because they would have to remove the existing concrete walkway.

Tom Incrocci made a motion which was seconded by Leo Simburger to approve the three-foot variance for a side setback for fence placement at 4665 Cherry Circle CT. Roll call was taken: Tom Incrocci, yes; Leo Simburger, yes; Dale Becherer, yes; Tom Schanherr, yes; Julie York, yes; Jesse Carlton, absent. Motion was granted.

The meeting proceeded to the third hearing at 8:25pm.