

Approved: _____
Approved with changes: _____
Unapproved: _____

Effingham Zoning Board of Adjustment
Meeting Minutes
July 7, 2020
Via Zoom Teleconference

Members Present: Theresa Swanick (chair), Tim White (vice chair), Jim Pittman, Knute Ogren, Dave Strauss (alternate).

Members Absent: Vacancy.

Others Present: Nate Fogg, Michelle Pope, Rebecca Boyden, Davis Noakes, Mike Cahalane

Meeting called to order at 6:00pm.

The host confirmed that everyone logging into the meeting had been let into the meeting. The ZBA Board members and other attendees introduced themselves.

The meeting has been previously scheduled for June 23rd, however, due to a mistake in timely notification, the meeting was rescheduled for July 7th.

ZBA Variance Application

Chair Swanick and the ZBA members reviewed the variance checklist for completeness.

Dave Strauss made a motion to accept the application as complete. The motion was seconded by Jim Pittman. A roll-call vote was taken. J Pittman- Aye, Tim White- Aye, T Swanick- Aye. Knute Ogren, Dave Strauss-Aye. The motion carried.

Chair Swanick read the 5 criteria that must be met for a variance to be approved.

Michelle Pope noted that the property is small, she is asking for a 15' by 15' shed, she would like it 15' from her sideline, 15' to the rear line, and 29 feet to the front property line. Her property is 0.26 acres. Ms Boyden advised her to apply to the ZBA and ask for no less than a 15-foot setback. The requested shed id larger than the 100 sq.ft. allowed.

Jim Pittman thanked Ms Pope for the completeness of her application and asked what type of storage the shed would be providing.

Ms Pope noted that the shed would be used for lawn mower, gardening tools, bikes, and other outdoor recreation items.

Jim Pittman asked why 15' by'15' and not 12' by 12'.

Ms Pope noted that 10' by 10' would not be large enough for what they planned to store.

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Knute Ogren asked if brush would be removed. Ms Pope responded that only what was on her property.

Chair Swanick asked where the driveway was located. Ms Pope noted that it entered on the left side of her property and then cut across in front of her house.

Jim Pittman shared his screen and showed all participants the street view of her property.

Mike Cahalane noted that he was on the ZBA when the previous variance was granted. 20% lot coverage is allowed. The 20% rule came into effect after the Pope lot was created. The small lot should receive consideration for approving the variance.

David Noakes noted that he was a new resident. He moved to town 3 weeks earlier. He was attending to gain information and insight into dealing with a small lot. He will likely need to request a similar variance.

Jim Pittman asked if Ms Pope planned to build this year.

Ms Pope responded yes and noted that she would like to get the concrete poured at a minimum.

Jim Pittman summarized the points of the application. The ZBA could make a motion, they have 30 days to deliberate, and after the decision they have 5 days to notify her of the decision. Then there is a 30-day appeal period for any aggrieved party. Mr Pittman noted that 4:02 (setbacks), 6:07 (over 100 sq ft), and/or 7:08 (bldg. coverage over 20%) could be used or required in the case.

Knute Ogren noted that she asked for relief from 4:02 in her application. She could have used 6:07.

Jim Pittman noted that Michelle Pittman is not required to be an expert. The ZBA should guide the applicant.

After further board discussion the ZBA decided that she only needed relief from 4:02.

Tim White made a motion to grant the variance from article 4, section 2. Knute Ogren seconded the motion. After discussion, an amended was added to the motion for clarity. Dave Strauss made a motion to allow a 15' by 15' storage building within 15' of the north and west corner of the property. Jim Pittman seconded the motion.

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Roll call vote on the amendment: J Pittman- Aye, Tim White- Aye, T Swanick- Aye. Knute Ogren, Dave Strauss-Aye. The amendment was approved.

A roll call vote on the amended motion was taken. J Pittman- Aye, Tim White- Aye, T Swanick- Aye. Knute Ogren, Dave Strauss-Aye. The motion to grant the variance was approved.

The ZBA reminded Michelle Pope that any aggrieved party has 30 days to appeal the ZBA's decision. The Notice of Decision will be mailed to Ms Pope within 5 days and posted in two public places.

Adjournment

A motion was made by Dave Strauss to adjourn the meeting. The motion was seconded by Tim White. A roll-call vote was taken. J Pittman- Aye, Tim White- Aye, T Swanick- Aye. Knute Ogren and Dave Strauss abstained. The motion carried.

The meeting adjourned at 7:50pm.