

Zoning Board of Appeals Meeting Minutes

Town of Chatsworth Zoning Committee Meeting
Monday June 7th, 2010 @ 7:00 P.M.

The Chatsworth Zoning Commission Board of Appeals met in the Council Room, Monday evening, June 7th at 7:00 p.m. Luke Bartlett, Zoning Administrator, presided.

Call into session this special meeting for the review of new documents / permit / permission forms for approval. We will also have to hear the request for a zoning variance for the property at 106 Oak. And we will have a discussion of the “accessory building” definition and reclassification of garage/carports to its own article.

The following members answered Roll Call: Luke Bartlett , Michael Kessinger, Francis Dohman, Jr., Randy Edwards, Randell Burke. Ron Sheppard and Mark Sutcliffe were absent.

There were no minutes to approve.

New Business:

- 1) Are all permits recreated to the board’s satisfaction.
- 2) Does the board agree there needs to be and approve the written fence line agreement.
- 3) Does the Board feel we need a fence ordinance
- 4) V-2010-05-03 - Is the placement of Mr. Rostas house within the 10 foot setback on both sides fair to neighbors
- 5) Does his house if built anywhere else on a standard lot meet guide lines
- 6) Should we break off garages and car ports into there own ordinance and if so what should it be.

Board reviewed all revised zoning documents.

Randy Edwards made a motion to approve the permits as recreated. Francis Dohman ,Jr. seconded the motion. Motion carried 5 to 0, 2 absent.

Next a discussion of a fence line agreement as drafted by Luke Bartlett. The board felt that a one (1) foot setback would be sufficient unless there is a gravel alley then five (5) required. And that the fence owner must put finished side facing out. The fence owner is responsible for the maintenance. (The Town board changed the one (1) foot to three (3) foot setback on side lots.)

Randell Burke made a motion to approve the permits as recreated. Merlin Bates seconded the motion. Motion carried 5 to 0, 2 absent.

The board decided that an ordinance would be needed to set up rules for new and existing fences. The board decided a zero (0) inch setback would be acceptable. (Town board set to one (1) foot.) Front yard fences not to exceed four (4) feet and be 60% open. No privacy fence more than 60% open may be put up in the front property line. No fence may be built on or across a utility easement. No fence to exceed six (6) feet in residential areas, eight (8) feet in commercial and industrial areas. Fences must be anchored at least three (3) feet deep. Fences may not be made with barbed wire or other pointed materials or electrified. Standard fencing materials allowed. And the fence will be maintained by the fence owner.

Michael Kessinger made a motion to approve the fence ordinance as discussed. Francis Dohman, Jr. seconded the motion. Motion carried 5 to 0, 2 absent.

Mr Rostas requested the board to consider V-2010-05-03 for the placement of Mr. Rostas' house within the 10 foot setback on both sides of his house and is this fair to his neighbors. There was correspondence from John Pat Cloughley concerned for the property value of his father's property who lives next door to the proposed building. Also worried about safety hazards, land ownership, open feel of the town. The board decided after consideration that if 106 W. Oak St. was a standard lot 60X150 this would not be an issue.

Randell Burke made a motion to approve the variance to allow Mr Rostas to build within the 2 10' setbacks as discussed. Francis Dohman, Jr. seconded the motion. Motion carried 5 to 0, 2 absent.

The Board addresses the towns request to review the Accessory Buildings/car ports. The board reviewed the current ordinance and thought that it did need to be adjusted. They agreed that the Town Board should either, remove Garages and Car ports from accessory buildings and have it as its own stand alone ordinance, or put further stipulation on Garages and car ports leaving where it is. Discussed were recommendation that the total height should not exceed twenty (20) feet and eave height not to exceed sixteen (16) feet and not to exceed 1200 square feet leaving all other accessory buildings with a max total height of fourteen (14) feet. (Town Board voted to not do any thing with Accessory Building at this time.)

Randell Burke made a motion to approve the revised ordinance/new ordinance and recommend to the town board as discussed. Randy Edwards seconded the motion. Motion carried 5 to 0, 2 absent.

Luke Bartlett informed the Board that there are no other actions before the board and that there is no other meeting scheduled at this time.

Merlin Bates made a motion to adjourn the meeting. Randy Edwards Seconded the motion.

Meeting was adjourned at 9:00 PM

Zoning Commissioner,
Luke Bartlett