

Jennifer Hofheins
3303 Canoga Island
Minutes February 19, 2013 6:30 p.m.

The meeting was called to order at 6:30 pm by Chairman Barto.

Roll Call Attendance:

Pete Keefer, here Ford Knight, here Steve Barto, yes Julie Thompson, yes
Mike Cleere, absent

Minutes from the previous meeting, December 4, 2012 were reviewed.

Ford Knight motioned to approve the minutes with a second by Pete Keefer. Approved 4/0.

Julie Thompson motioned with a second by Pete Keefer to open the public hearing.

Chairman Barto started by restating the desire of Jennifer Hofheins to build a 42' x 48' cottage at 3303 Canoga Shores. Jennifer's father, Ralph Hofheins, has the parcel next door and said it is a tough area to build. The lot is beautiful. There is a lot of room between his place and next door neighbors.

Ford Knight motioned to close the public hearing at 6:35 pm, with a second by Julie Thompson.

Discussion

Julie Thompson motioned with a second by Ford Knight to discuss and consider the application. 4/0.

Chairman Barto described the application stating that the original structure was 200 sq. ft. and was about 3 feet from the neighbor, and now she wants to build 42' x 48'. He noticed some clearing is going on. Ford Knight added that the swamp is high and that it is really tight down there. It is a pre-existing, non-conforming situation. The placement of the 200 sq. ft. structure was corrected to being right on the (property) line.

Chairman Barto questioned Mr. Hofheins concerning what is done with waste. Mr. Hofheins said the toilets are "destroy-lets". Electric or gas powered incinerators. Some people have a holding tanks for the "gray" water, which is almost like a septic, goes out into the swamp. When asked if the holding tanks get pumped, the answer was no, it disappears into the marsh. Some use (ashes) as compost, some people have bags.

The question of a property survey was brought up. Mr. Hofheins did not know if a survey was done to buy the lot.

Criteria

- a. Will there be an undesirable change in the character of the neighborhood or a detriment to the nearby properties?

All Zoning Board of Appeals members in attendance said no.

- b. Can the applicant achieve the benefit by some method, feasible for the applicant to pursue, other than an area variance?

All Zoning Board of Appeals members in attendance said no.

- c. Is the area variance requested substantial?

Zoning Board of Appeals members Steve Barto and Julie Thompson said yes, Pete Keefer and Ford Knight said no.

- d. Will the variance have an adverse affect on the physical and environmental condition of the neighborhood?

Zoning Board of Appeals members Steve Barto, Ford Knight, and Julie Thompson said no, Pete Keefer abstained.

- e. Is this a self-created hardship?

All Zoning Board of Appeals members in attendance said no.

Chairman Barto suggested bringing the property in to code, mentioning setbacks. He then discussed and explained his proposal of conditions for approval, which requires the need for all required permits. He noted that if the setbacks can't be met, can petition the Zoning Board of Appeals again. If approved you have one year to complete the project, once the zoning permit is issued. See Resolution, attached, which includes conditions. If the zoning permit is issued, the project must be completed in one year, unless extended by the zoning officer.

Respectfully submitted,

Susan Hensel
Secretary