

Town of Tyrone
Planning Commission Minutes
October 23, 2014

Present: Gordon Shenkle, Chairman
David Nebergall, Vice Chairman
Jeff Duncan, Commissioner
Judy Jefferson, Commissioner
Kyle Hood, Town Manager
Patrick Stough, Town Attorney
Dina Rimi, Zoning and Development Coordinator

Absent: Wil James- Commissioner

Call to Order

Chairman Shenkle called the meeting to order at 7:00 pm

Approval of Agenda

Commissioner Duncan made a motion to approve the agenda. Vice Chairman Nebergall seconded the motion; approved 3-0

Approval of Minutes- September 25, 2014

Commissioner Jefferson made a motion to approve the minutes from September 25, 2014 as written. Vice Chairman Nebergall seconded the motion; approved 3-0.

Public Hearing

- 1. Consideration of a Variance V2014-001 for 110 Alison Way to reduce the side setbacks from 15 feet to 2 feet.**

Ms. Rimi introduced this item by explaining that Ms. Rebecca Marosy has applied for a variance to amend her properties side setbacks from fifteen feet (15) to two (2) feet. Ms. Rimi addressed all of the criteria that the Planning Commission should take into consideration, per the town's Zoning Ordinance, when considering this request. Ms. Rimi stated that while Ms. Marosy feels the only way her family home square footage could increase would be to have the variance granted, Ms. Rimi explained that the staff feels this request is not in the best interest of the adjacent property owner. Mr. Rimi explained that on the other side of the house there is a sufficient amount of area for the home to be extended. One of the arguments that Ms. Marosy made is that the

topography on the other side of the home would make it too difficult for the home to be extended in that area. Ms. Rimi explained that the staff has reviewed this and believe that the topography is not more extreme on the other side of the home. Ms. Rimi informed the Planning Commission that it is the staff's recommendation that this variance is not recommended for approval by the commission to the Mayor and Council.

Ms. Marosy, owner of the property explained that her family is growing and the configuration that they desire would be the most economical way to add the extension on to her home. Ms. Marosy stated that by configuring the addition to include the two foot setback it would give the home a traditional front entrance that would be similar to the other homes on the street. Putting the extension on to the back of the house would cause the cost of the project to be much higher due to having to reconfigure the entire inside of the home.

Chairman Shenkle opened the public hearing for anyone that wants to speak in favor of the variance.

Ildiko Gossett at 150 Allison Way stated that she is in favor of this variance being approved.

Chairman Shenkle closed the public hearing for comments in favor.

Chairman Shenkle opened the public hearing for anyone for anyone that wants to speak in opposition of the variance.

None.

Chairman Shenkle closed the public hearing.

Commissioner Jefferson made a motion to recommend denial to the Mayor and Council for this variance. Vice Chairman Nebergall seconded the motion to recommend denial.

Vice Chairman Nebergall asked if the resident on Arrowood that would be affected by the variance, if approved, has been in contact with you regarding this Public Hearing.

Ms. Marosy stated that she spoke with them about it and they said it would be fine, but they have not submitted this in writing to the town staff.

Vice Chairman Nebergall stated that in order for him to feel comfortable with recommending approval, the other homeowner would need to either appear in person or provide written (signed) approval in support of this variance.

Commissioner Jefferson stated that she understands the staff needs to be flexible, but she feels that by approving this variance the staff is going against the vision of the town and will lose the integrity of the vision the town has for its future.

Mr. Marosy expressed the fact that he feels that the town put a blemish on his property when they allowed the property to be subdivided. He explained that his home was affected by this since it was the original home in the neighborhood.

Attorney Stough explained that he has no knowledge of the town subdividing the property and that it was more likely the previous owner of the land.

Vice Chairman Nebergall asked what the property was zoned.

Ms. Rimi explained that it is R-18 and if a building permit is applied for it would have to be to bring the home up to the required 1800 square feet.

Chairman Shenkle repeated the motion to recommend denial of the variance to the Mayor and Council. The Planning Commission voted 3-0 to recommend denial to the Mayor and Council.

Staff Comments

Ms. Rimi reminded the Planning Commission that the next meeting in November, currently the only item on the agenda is a site plan. The site plan is currently in the review process and may need to be revised and resubmitted. Ms. Rimi requested that if revisions are needed for the site plan that the next meeting be cancelled due to lack of items for an agenda. The Planning Commission agreed to cancel the next meeting if the site plan needs revisions.

Ms. Rimi also requested that the Planning Commission email her any ideas for the Planning Commission in 2015 by the end of December.

Commissioner Comments

Commissioner Nebergall requested an application for Planning Commission.

Commissioner Jefferson also asked about the cement being poured adjacent to Town Hall.

Mr. Hood explained that a site plan was not needed for this project.

Commissioner Jefferson asked if they are able to do this without coming to Planning Commission.

Mr. Hood explained that they were well within their right to do improvements to their lot.

Commissioner Jefferson stated that basically they can do whatever they want with the pad.

Mr. Hood explained that just the slab is fine, if they start to improve the lot any further than other conditions may need to be complied with to be in compliance with the regulations.

Adjournment

Commissioner Nebergall made a motion to adjourn the meeting.

A large, stylized handwritten signature in cursive script, appearing to read "Gordon".A smaller handwritten signature or set of initials, possibly "DR", written in cursive.