FINDINGS AND CONCLUSIONS

Based on the testimony and evidence presented at the hearing the variances are granted.

Facts which support the request for relief from the strict terms of the Ordinance, in this case, a variance for a reduction of a front yard setback of 35 feet to 20 feet and a rear yard setback of 5 feet to 1.25 feet are as follows:

The applicant owns a small (8,400 sq. ft.) lot that has two front yards. If the shed was placed in a location that met all of the setbacks, it would end up in the middle of the backyard. By allowing the variance to the setbacks, it allows the applicant to have a usable rear yard for their children. An adjoining neighbor along the rear property line provided a letter stating that he has no problems with the proposed location.

No neighbors were present at the hearing opposing the variance; therefore, the granting of this variance should have no adverse effect on any adjoining property owners.

This approval is valid for one year from the date of this decision.

Note: An appeal of a Decision made pursuant to Chapter 223-181.2 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrator’s decision in accordance with Chapter 223-182 and 223-188 of the Code of Public Local Laws and Ordinances.

A decision of the Zoning Administrator made pursuant to Chapter 223-181 is final and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator’s decision.

Sept 8 2010
Date

Jay C. Voight
Zoning Administrator