



Fruitland Township
White River Light Station Museum

Fruitland Township Zoning Board of Appeals Minutes of April 9, 2018

CALLED TO ORDER: 6:00p.m.

PLEDGE OF ALLEGIANCE

PRESENT: Chairperson Eileen Stoffan, Board members Cindy Campeau, John Warner, Judy Marcinkowski and John Ruck.

ALSO PRESENT: Zoning Administrator Jensen, Recording Secretary Sally Dion and 2 interested parties.

AGENDA: Motion by John Warner, second from Judy Marcinkowski, **ADOPTED**, to accept the April 9, 2018 Zoning Board of Appeals agenda as written.

5 AYES

NOMINATIONS: Motion by Eileen Stoffan, second from John Warner, **ADOPTED**, to nominate, close nominations and elect Judy Marcinkowski as Chairperson for the Zoning Board of Appeals year of April 2018 to April 2019.

5 AYES

Motion by Eileen Stoffan, second from Cindy Campeau, **ADOPTED**, to nominate, close nominations and elect John Warner as Vice Chair for the Zoning Board of Appeals year of April 2018 to April 2019.

5 AYES

Motion by Judy Marcinkowski, second from John Warner, **ADOPTED**, to nominate, close nominations and elect Cindy Campeau as Secretary for the Zoning Board of Appeals year of April 2018 to April 2019.

5 AYES

MINUTES: Motion by Eileen Stoffan, second from John Warner, **ADOPTED**, to accept the May 8, 2017 Zoning Board of Appeals minutes as written.

5 AYES

Chairperson Marcinkowski explained the purpose and function of the Zoning Board of Appeals.

5295 W. Lakewood Road

61-06-443-000-0005-00

Applicants David L. and Christie A. DeRose, 5295 W. Lakewood Road requests a variance from the following articles: **Article VII, Medium High Density Residential, Section 7.04 Site Development**

Standards, “Front Yard Setbacks, Residential Uses, One-hundred (100) feet on arterial streets and fifty (50) feet on residential streets or less if the average setback requirements apply. See General Provisions (Average Setback Lines)” and **Article III, General Provisions, Section 3.23 Non-conforming Buildings, Structures and Uses (E) (1) Lots of Record**, “Lots of Record – Residential. Any parcel created or recorded prior to the effective date of this Ordinance, or amendment, in a district permitting a dwelling as a matter of right may be used for a single-family dwelling even though the lot area, lot width and/or dimensions are less than those required for the district in which the lot is located, provided that the dwelling and/or any other structures on the lot comply with the minimum floor area, height, lot coverage, and yard setbacks required in that district or those setbacks previously approved for subdivisions or condominiums being no less than thirty (30) feet for front and rear setbacks and ten (10) feet side yard setbacks.” **(pursuant to section 19.03(C) of the Zoning Ordinance.**

Motion by John Warner, second from Eileen Stoffan, **ADOPTED**, to **OPEN** public hearing at 6:10 p.m.

5 AYES

Applicant Dave DeRose, 5295 Lakewood Road, stated he is proposing a 6’ X 22’ covered porch on the front of his home. The house is fifty-five years old, the drive needs to be replaced so this would be a good time to do this addition. He stated he has a medical issue, progressive type, he is already needing a cane and is worried about accessibility. He is very familiar with ADA even though it is not for residential he does know what is required for certain things, i.e. wheelchair ramp, etc.

Board Member Warner asked about moving the proposed steps and what could eventually be the ramp to the other side from where it is proposed? Dave said this is a good suggestion.

Board Member Ruck asked if and when he needs a ramp would he need another variance.

Zoning Administrator Jensen explained not if it didn’t extend over 10’ into the front yard setback.

Public Comment:

Jeff Goss, 5327 Lakewood Road, **supports**.

Correspondence:

Michael Palmer, 5300 Lakewood Road, **supports**.

Scott Erdman, 5401 South Shore Drive, **supports**.

Motion by Eileen Stoffan, second from John Warner, **ADOPTED**, to **CLOSE** public hearing at 6:25 p.m.

5 AYES

Board Comments:

Board Member Ruck believes this proposed variance request should be granted.

Board Member Campeau stated concerns with allowing encroachment into the front yard setback, she does however agree with Member Warner asking that the stairs and eventual ramp being moved to the other side from where it is proposed.

Board Member Warner stated he sees no issues with the proposed request.

Board Member Stoffan is in favor of granting the variance, it is aesthetically pleasing.

Chairperson Marcinkowski stated the proposed porch looks very nice. She believes the variance should be granted. We do not have a record of what the front yard setback was when this house was built all those years ago.

Motion by Eileen Stoffan, second from John Warner, **ADOPTED**, to **GRANT**, the variance as requested allowing them to construct a covered porch within the required front yard setback.

ROLL CALL VOTE: Marcinkowski **AYE**, Stoffan **AYE**, Warner **AYE**, Campeau **AYE**, Ruck **AYE**.

Chairperson Marcinkowski informed that they have 180 days to begin the project.

The April 9, 2018 Zoning Board of Appeals meeting adjourned at 6:50 p.m.

Respectfully Submitted,

Sally Dion
Recording Secretary