

**BRANDON DEVELOPMENT REVIEW BOARD HEARING
FEBRUARY 26, 2020
VARIANCE #6059
APPLICANT and LANDOWNER: ALEXANDRIA & CHRIS BARNHARDT**

Board members present: Bob Clark, Amber Lovely-Lee, John Peterson, Tom Bohler

Others present: Donna Swinington, Michael Driscoll, Teresa Driscoll, Chris Barnhardt, Jeff Biasuzzi and Hillary Knapp, Secetary

The hearing was opened at 7:03pm.

The warning was read and found to be in order.

Chris Barnhardt and Jeff Biasuzzi were sworn in.

No one requested Interested Party

Chris: We reside at 32 Pearl Street and would like a variance to the setback requirements to build a deck on the back of our house.

Bob: Are there reason why you cannot meet the setback requirements?

Chris: Our property line and the neighbors property lines are right next to each other. They have a 5 foot set back between the two properties.

Bob: Both neighboring properties have decks built on their houses as well.

Chris: Submitted a letter from the closest neighbor, who has no objection to the request by the Barnhadt's to build the deck (Exhibit A)

Jeff: The property is a Non-conforming structure before Zoning was created. This is a larger property. Where the deck will be placed, it will bring it to within 5 feet of the property line. I could not approve this based on the current zoning requirements.

Bob: This was filed as an appeal of the original decision, because this decision was from June of last year do we consider this a variance or a waiver instead of an appeal.

Jeff: It would be the Boards choice on whether it would be a waiver or a set back. The Zoning administrator has no objection to the building of the deck. There is a Zoning fee for the deck and there was another fee for the appeal of the decision. The lot is a conforming lot (¼ acre at least), the structure will be sitting on the lot not conforming to the minimum set back (20 feet). The deck would need to be placed where it is as there is no other place to build it near the house.

Bob: How big will the deck be?

Chris: 10' by 20', it will be in the same property line. Where you see the house it will be the same line.

Tom: The plan says 24 feet.

Chris: It will be a 10' by 24' deck.

Jeff: The Barnhardt's had received a permit for the addition to the house a few years ago.

Chris: We have also talked about adding a roof to the deck as well.

Jeff: A roof structure would be a different type of structure and has different rules and would require a new permit if not requested for the current permit.

Chris: This was thought of after we had submitted the permit request.

Jeff: The board can take into consideration the new evidence and grant approval for the deck to have a roof structure on it without having to have a new permit request and hearing.

Being no further testimony the hearing closed at 7:21pm.

Respectfully submitted,

Hillary Knapp