

Minutes of the Antrim Board of Adjustment Meeting November 15, 1988

Present: Howard Humphrey, Sr.; Everett Chamberlain; Tom Curran;
Patricia Hammond-Grant, Clerk; Mary Allen, Chairman.

The Chairman opened the meeting at 7:40 P.M. The Chair commented that the new posted Zoning Ordinance has caused some confusion and cases 124 and 127 have been postponed until November 29, 1988.

Case #126 will be heard tonight. Mr. Grant has been before the Board with another case which was denied but this is a different location. Chairman Allen explained the procedure for the Hearing and Patricia Hammond-Grant, Clerk read the Application. This is a request for a variance to Article V, Section A.1.a.5.e. to permit construction of a garage less than 150 feet from an adjacent building. Property located in the Highway Business District on Route 202. The proposed use will be an automotive muffler and brake shop and will be located less than 100 feet from the present building, Mr. Grant's property. Notice was published in the Messenger-Outlook and notices sent to abutters. Mr. Grant presented his case. He gave the Board a map showing both his properties. This will be a 64' x 40' one story wood frame building with wood exterior. All garage activities will be removed from the present building. Mary Allen asked about plans for a fence. Grant agreed that he will try to get one up. It was confirmed that sanitary facilities will be in the house and that presently he will be employing one person plus himself. The work will be mufflers and brakes and underbody repairs. There will be no body work. The size of the lot in question is approximately 2 3/4 acres. There will be a new driveway and a stockade fence in place. The Chairman asked about when construction will begin. It will be prefab on an alaskan slab. It was pointed out that the size and shape of the lot is such that you cannot locate a building larger than 24 x 24 without having trouble with setbacks. Parking for 36 cars will be in front with the fence extended. The cars will be in and out and not parked as for the body shop. The setback and sidelines are ok and the only building involved is his own. Mary Allen asked about a sign. Grant said possibly at a later date. Mary Allen commended Grant for his perserverance and planning as this plan is workable. No abutters appeared and the public session was closed.

Case #126, Variance Daniel Grant, Deliberations. Mary Allen, Chairman recapped the proposal and asked for discussion from the Board. She saw no problem as his own house was the one involved. The consensus of the Board was that it meets other setbacks. The Board addressed the five criteria for granting a variance. 1. Diminution-improves the situation all Board members agree. 2. Benefit Public Interest-Plan improves the present situation, Board members agree. 3. Denial would cause hardship-configuration of property precludes placing it elsewhere and it is a commercial zone, Board agrees. 4. Substantial Justice- Board agrees. 5. Spirit and Intent of the Ordinance- this is not contrary and Mr. Grant has done the best he can with the land he has, Board agrees. Patricia Hammond Grant moved to grant the Variance to Article V, A.1.a.5.e. to allow a commercial building less than 150 feet from an adjacent building. The Board finds that all five conditions necessary for granting a Variance have been met. Tom Curran, second. Discussion: Mary Allen would like to encourage the Applicant to build a fence but it cannot be required. Tom Curran asked if there could be some control on the number of cars to be stored. Mary Allen Board has no authority. It was agreed to amend the motion to read: "to allow a commercial building to be constructed a minimum of 85 feet from a residence instead of the required 150 feet. The vote went as follows: Everett Chamberlain, yes; Howard Humphrey, Sr., yes;

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Tom Curran, yes; Mary Allen, yes; Patricia Hammond-Grant, yes. The Chairman informed Grant that he would still need a Building Permit.

The Chairman reported on the Public Hearing held by the Planning Board on November 10, subject the Posted Zoning Ordinance. There was a report on upcoming hearings and the status of same under the posted Zoning Ordinance. The Chairman asked the Board its pleasure on some training sessions with the Board Attorney.

Meeting adjourned at 8:50 P.M.

Respectfully submitted,

Barbara L. Elia
Antrim Board of Adjustment