

**ZONING BOARD OF APPEALS
MONDAY, JANUARY 26, 2015**

Members Present: Mario Campanello, Susan Marteney, Matthew Quill, Stephanie DeVito, Deborah Calarco, Scott Kilmer, Ed Darrow

Absent: Andy Fusco, Corporation Counsel

Staff Present: Brian Hicks, Code Enforcement

APPLICATIONS APPROVED: 45 Morris St.

APPLICATIONS TABLED: None

APPLICATIONS DENIED: None

Ed Darrow: Good evening. Welcome to the Auburn Zoning Board of Appeals. I'm board chairman Edward Darrow. Tonight we will be hearing 45 Morris St.

First order of business this evening I'd like to announce the passing of a former board member, Robert Rejman, he was also a long time chairman who I served vice-chair for many, many years under. He was also on the Assessment Review Board. I'd like this to be made a matter of record. If I could ask for a moment of silence in memory of Bob.

Thank you.

Has everybody received and reviewed the revised meeting minutes from our last session? Are we able to vote on them this evening? Any additions, corrections or deletions? If there are no corrections, deletions or additions they stand approved.

Susan Marteney: I abstain since I wasn't at that meeting

Ed Darrow: So noted

45 Morris St. R1A zoning district. Area variances for additions (renovate existing porches into livable space), extend front porch across front of house. Applicants: Steven and Ann Titus

Ed Darrow: 45 Morris St. please approach. Give us your name and address and tell us what you'd like to do.

Steve Titus, 45 Morris St.: I'd like to, well when it all started I was trying to sell the house and, because it's become a little small for the family but we decided to stay there and make improvements. Put a new roof on, side it and we got a couple porches, I'd like to enclose the porches and make them living space. While I'm putting the new roof on now's the time to do it. And I guess it's a non-compliant lot. So I need permission...

Ed Darrow: So you're looking for a couple of area variances.

Steve Titus: Right.

Ed Darrow: Questions from board members?

Susan Marteney: You're doing a lot of work.

Steve Titus: Oh, I know it. I want to get it so it's livable for the family. The kids are all bigger and that little bit of space will help out a lot and improve the house, the looks of it.

Ed Darrow: Any other questions from board members?

Mario Campanello: Is this roof line going to stay the same?

Steve Titus: Yes, I'm going to go right up and square the house, that's my main goal is to square it up and put new rafters out so it's all square up so I don't have the jogs in the house. And I'm putting a new roof on it so now's the time to do it. If I can build it up and make it living space.

And then the front porch, I'd like to extend that right across the front of the house, make a nice little porch across the whole front of it after it's done.

Scott Kilmer: Mr. Titus, the porch on the front, the new part of the porch you're going to put on, that won't have a roof over it? You'll leave the existing roof the way it is on the little stoop there?

Steve Titus: No. I'd like to just put, just underneath the top windows, put a roof on it with the poles out there, a little railing around the front.

Scott Kilmer: So that won't change the appearance of the little roof over the stoop?

Steve Titus: Yes, that's going to get torn down and be a slanted roof.

Scott Kilmer: All one roof.

Steve Titus: Right. Just underneath the windows right there, right across.

Scott Kilmer: Okay.

Ed Darrow: Mr. Titus, do you plan on doing the work yourself or having a contractor do it?

Steve Titus: I'm doing it myself. I've done construction for fifteen years of my life. Now I do roof work. Yep, I've done it all.

Ed Darrow: No problem, you're more than allowed.

Any other questions from board members? None?

Sir, you may be seated but we reserve the right to recall you.

Is there anyone else present wishing to speak for or against 45 Morris St.? Please approach. Give your name and address for the record.

Ryan Noga, 44 Morris St.: I live right across from the Tituses. I just came here tonight to give my support for them. They're good people that take care of their property. I've only lived in the City for a couple years but they're great neighbors, they take care of their lot. I'm just here to show support and I'm sure what Steve does to the house he will make it look good and help the neighborhood out.

Ed Darrow: Thank you, sir. Is there anyone else present wishing to speak for or against this application? Hearing none, seeing none I shall close the public portion so we can discuss it amongst ourselves.

Thoughts? Concerns?

Scott Kilmer: I have a question for Brian? Is this considered previously non-conforming because of the set-backs in the back yard? The ten feet from the property line?

Brian Hicks: The lot size.

Scott Kilmer: So it's not the existing boundaries?

Brian Hicks: This is a pre-existing non-conforming lot of record. It doesn't meet the Zoning Code in place today. So the set-backs for the rear yard, they do not comply with the Code requirements of today. There is going to be the area variance for that little bit of side porch, to extend that for the foot print. That's one of the area variances that's listed.

Scott Kilmer: Thanks, Brian.

Ed Darrow: My one thing that is the, I guess, whole reasoning why none of this really bothers me; he's not extending the footprint of the house, he's squaring the foot print. None of these additions is going past what is already there. I think, to me, that kind of speaks volumes and I understand that it doesn't meet the requirements of today but had they built it square then it would've.

Scott Kilmer: Times are different.

Ed Darrow: Exactly. And lots were so small then.

Scott Kilmer: The nice thing is they want to stay in Auburn, they're trying to make it a better place, it's not a huge request.

Ed Darrow: No, I don't feel that it is either.

Deborah Calarco: The change they want to make still stays in character of the house.

Ed Darrow: Yes, it does. And as we're charged to give the minimal variance, I don't feel that the variance that they're requesting are extravagant. I don't feel they're of a large nature.

Scott Kilmer: I agree.

Ed Darrow: Is there any other discussion? If not the chair will entertain a motion.

Susan Marteney: May I put both variances together?

Ed Darrow: Yes, might as well.

Susan Marteney: I move to approve two area variance for Steve and Ann Titus at 45 Morris St. in order to renovate existing side-front and side-rear porches into livable space and extend an existing front porch across the front of the building. One area variance of 7.5 feet of the required rear yard setback of 17.5 feet for the purpose of enclosing the rear side porch and squaring off the existing house and secondly, an area variance of 4.5 feet of the 17.5 feet front yard setback for the purpose of adding a full length front porch because the applicant has proven the following five elements:

- The area variance will not produce an undesirable change or detriment to the character of the neighbourhood or the properties in the neighbourhood.
- The benefit sought cannot be attained by a method other than an area variance.
- The area variance is not substantial.
- The area variance will not produce an adverse impact on the environment nor the physical conditions of the neighbourhood.
- The applicant's difficulty was not self-created.

Ed Darrow: We have a motion, do we have a second?

Scott Kilmer: Second.

Ed Darrow: We have a second. Roll call please.

All members vote approval. Motion carried.

Ed Darrow: Congratulations, your variances have been approved. Please see Code Enforcement for proper permits before you begin any work. Thank you.

Next, do we have any housekeeping? If not, motion to adjourn. We're adjourned. See you next month.

Recorded by Alicia McKeen