

Minutes of the Zoning Board of Appeals Meeting of March 21, 2013 - 7:00 P.M.

MEMBERS PRESENT: Regis Barrett, Chairman  
Earl Bloam  
Wally Parker  
Dean Bredenbeck

ABSENT: Jeanne Hartman

ALSO PRESENT: Barbara Stanton, Secretary  
Edward Fitzgerald, Acting Building Commissioner

Chairman Barrett – I would like to call the Zoning Board of Appeals meeting to order. Roll call was taken and the following members were present, Regis Barrett, Earl Bloam, Wally Parker, Dean Bredenbeck. Jeanne Hartman was absent.

A motion was made by Earl Bloam, second by Wally Parker to approve the minutes from February 21, 2013.  
**Vote Resulted: Yes – Regis Barrett, Earl Bloam, Wally Parker, Dean Bredenbeck.**

Chairman Barrett: **Item #1** – A request from Luai and Hilda Abuasi for an appeal of the denial by the Building Commissioner to install a solid privacy fence located at 4729 Fairway Drive. 1117.05 (c) (6) Approved at the December 21, 2013 Board of Zoning Appeals meeting. New information will be addressed. Applicant is now requesting an additional variance of not having the minimum clearance of 18" to allow for maintenance at rear property line. Luai and Hilda Abuasi were present. Mr. & Mrs. Abuasi presented the board with pictures of both properties. Chairman Barrett: Please explain what you are requesting. Hilda Abuasi: You put one side of the fence up. As agreed in the past we went to Louis Gere from 10233 Harmony Lane to inform him we will be taking down his fence and placing the new vinyl fence in its place. When I spoke to him, he totally changed his mind and didn't want his fence removed. Mr. Abuasi: At the meeting in December, Mr. Gere agreed at that time to his fence being removed and the vinyl fence be placed. Chairman Barrett: When was the last time you spoke to Mr. Gere? Hilda Abuasi: The last time is when you were there with us. Chairman Barrett: Mr. Gere is not healthy and I spoke to Mr. Gere about the fence. He is not opposed to having the fence taken down, but he cannot physically do it. Hilda Abuasi: We agreed to take his fence down. We got a survey of our property. We ordered a custom fence with the intention of taking down Mr. Gere's fence. We ordered the fence and it took three months to arrive. There was discussion regarding the property lines. Chairman Barrett: If Mr. Gere does not agree to take his fence down, you will need to be 18" from the property line. Chairman Barrett: It would be in your best interest to speak to Mr. Gere again. Hilda Abuasi: If we are unable to remove the fence and replace it with the vinyl fence we would request a variance. Dean Bredenbeck and Earl Bloam questioned if Mr. Gere understood the terms of removing his fence. Chairman Barrett: I had a talk with Mr. Gere and his wife. They stated that it would be ok to take the fence down if Mr. Abuasi would remove the fence and this was a couple of weeks ago. This will need to come from Mr. Gere. Mr. & Mrs. Abuasi stated that they explained to Mr. Gere several times that they would remove the fence at no cost to Mr. Gere and replace it with the vinyl fence. Commission Fitzgerald: My understanding is that Mr. Gere has no problem if you take the fence down. If the board would table the request for a month; and if you would be able to get a letter from Mr. Gere and send it to the Building Department stating that you would remove the fence. If the letter is received the Abuasi's can request to withdraw the variance from the docket next month.

Dean Bredenbeck: A suggestion is to table this request another month to speak to Mr. Gere. Would the Building Department be able to discuss this situation with both parties; draft a letter that would specify the terms so there would be more confidence with the end result would be? Commissioner Fitzgerald: We could draw up a letter since the property has been surveyed. We would try and get the consent of Mr. Gere to have the Abuasi's remove his fence. There was discussion and agreement of having a meeting with the parties involved. After further discussion a motion was made by Dean Bredenbeck, second by Earl Bloam to table the request for 30 days to investigate the need for a variance. **Vote Resulted: Yes – Regis Barrett, Earl Bloam, Wally Parker, Dean Bredenbeck.**

A motion was made by Wally Parker, second by Earl Bloam to adjourn the meeting. **Vote Resulted: Yes – Regis Barrett, Earl Bloam, Wally Parker, Dean Bredenbeck.**

  
Barbara Stanton, Secretary

  
Regis Barrett, Chairman