

UNAPPROVED

ZONING BOARD OF APPEALS  
PUBLIC HEARING  
BOARD MEETING  
NOVEMBER 7, 2007  
7:00 P.M.

**PRESENT:** Jerry Scott Chairman, Patti Metler, Carl Racibor, John Doyle and Patricia Petroni

**ALSO PRESENT:** Code Enforcement Officer, Richard Klein; Deputy Clerk, Diane Butts; Mayor Tom Taylor, Village Attorney John Cappellini, Jon Chisholm, Stuart Ehrlich, Mark Timon, Anna Dille, Al Joy, & Allyn Racibor.

Chairman, Jerry Scott, called the Public Hearing to order at 7:00p.m. and the Pledge of Allegiance was recited.

**MINUTES:** Patricia Petroni made motion to approve the minutes of the October 23, 2007 meeting as written; seconded by Patti Metler; unanimously approved.

The Public Hearing was in reference to ZBA File number ZA07534 for Jon Chisholm and Barry Cummins for the property located a 60 South Street, Cuba Village located in the Residential District R1. The applicant is requesting an area variance to erect a garage with a smaller setback than allowed in Schedule 1 of the Zoning Code.

Chairman Scott asked for comments from the neighbors and applicant. Mr. Timon, owner of 58 South St. brought his survey. He was concerned that Mr. Chisholm had removed some of the flowers and bushes from his property on the lot line without permission. Mr. Chisholm also had a survey that showed that the foliage was in fact on his side of the line. After examining the survey, Mr. Timon agreed that the foliage was in fact on the Chisholm property. After some discussion it was determined that Mr. Timon was agreeable to the variance. The other neighboring property owners wrote letters in favor of Mr. Chisholm being granted the variance.

The Public Hearing was adjourned at 7:40 p.m. with a motion made by Patricia Petroni, seconded by Carl Racibor and unanimously carried. The Zoning Board of Appeals meeting was called to order by Chairman Scott.

The board reviewed all five segments of the criteria for an area variance. It was felt that all the requirements for the variance were met. Patti Metler made a motion, second by Carl Racibor to approve the variance. Roll call vote was taken as follows:

Patricia Petroni - Aye          Patti Metler - Aye          Jerry Scott - Aye

John Doyle - Aye

Carl Racibor - Aye

**OLD BUSINESS:** None

**NEW BUSINESS:** None

With new business or old business, Carl Racibor moved to adjourn the meeting; seconded by John Doyle; unanimously carried.

The meeting was adjourned at 7:55PM.

Respectfully submitted,

Diane Butts, Deputy Clerk