

MINUTES OF THE REGULAR MEETING OF THE AMBERLEY VILLAGE
BOARD OF ZONING APPEALS HELD AT THE AMBERLEY VILLAGE HALL
MONDAY, NOVEMBER 3, 2008

Chairperson Jon Chaiken called to order a regular meeting of the Amberley Village Board of Zoning Appeals held at the Amberley Village Hall on Monday, November 3, at 7:00 P.M.
The Clerk called the roll:

PRESENT: Jon Chaiken, Chairperson
 Larry McGraw
 Susan Rissover
 Scott Wolf
 Elinor Ziv

ALSO PRESENT: Bernard Boraten, Village Manager
 Stephen Cohen, Village Solicitor
 Nicole Browder, Clerk

ABSENT:

Mr. Chaiken asked if there were any additions or corrections to the minutes of the October 6th meeting that had been distributed. There was a request to add the new board member, Scott Wolf, to the roll call as present. Mr. McGraw moved to approve the minutes as amended. Seconded by Mr. Wolf and the motion carried unanimously.

Board of Zoning Appeals Case No. 1031

Mr. Chaiken announced that the Board would consider a request from James Pascal, property owner of 6640 West Farm Acres Drive, to seek verification of which yard on the property constitutes the required rear yard given that this property is a corner lot, thereby having two legal front yards. Once the designation of the rear yard has been determined, the property owner is seeking a variance for the construction of an addition on the east side of the house. Mr. Chaiken invited the applicant to present his case to the Board.

Mr. Boraten informed the Board that this corner lot currently does not have any record on file designating the rear yard. He stated that recommended the logical rear yard be declared, which is where the existing pool is located.

Mr. Pascal reported to the Board that he would like to have this request approved in order to facilitate the sale of the property. The prospective owner is aware that they must come back to this Board with final plans for approval prior to construction. Mr. Pascal also pointed out that the neighbors he has checked with have not objected to the proposed addition.

Mr. Boraten informed the Board that this particular house would be considered a non-conforming use under Code Section 154.67(c), whereby the Board may waive undue hardship and/or practical difficulties when the request is to extend the structure.

Mrs. Ziv asked if declaring the side with the garage as the side yard allows placement of a fence. Mr. Boraten agreed that a fence would be permitted in that case.

Mr. Chaiken moved to approve the request and designate the north side of the house as the rear yard and require that the proper approvals be obtained by the next property owner prior to construction. Seconded by Mr. McGraw. Mrs. Rissover abstained. The motion carried.

There being no other business to discuss, Mr. McGraw moved to adjourn. Seconded by Mrs. Rissover and the motion carried unanimously.

Nicole Browder, Clerk

Jon Chaiken, Chairperson