

Milford Board of Adjustment Minutes
June 1, 2006
Case #20-06
Jim/Katherine Thonis

Present: Katherine Bauer
Kevin Taylor
Ron Pieper, Jr.
Fletcher Seagroves
Bob Levenson

Secretary: Kathryn Parenti

Case #20-06: Jim/Katherine Thonis – Special Exception.

The owner, Jim Thonis, of 41 Myrtle Street, in the Residential “A” district, Map 22, Lot 111, is requesting a special exception from Article V, Section 5.025.B to permit addition to an existing dwelling to be constructed thirteen (13) feet from the property line.

Motion to Approve: _____

Seconded: _____

Signed: _____

Date: _____

K. Bauer read the notice of hearing into the record.

B. Levenson noted that the applicant, Jim Thonis, is not the owner of 41 Myrtle Street, his wife Katherine is.

J. Thonis replied that that was true.

B. Levenson stated that he had posed this question to K. Lynch, Zoning Official and had received no response.

R. Pieper stated that he thought it was safe to proceed but it might set precedence if they did.

K. Bauer said she didn't feel overly concerned either but just to cover all the bases, the board recommended the applicant call his wife to see if she was available to come to the hearing.

At this time, the hearing was suspended while the owner was located.

The owner was located but the applicant had to remain at home to comfort their daughter during the thunderstorm that was occurring during the meeting.

B. Levenson recommended the notice of hearing be amended to read, the owner of the property be Katherine Thonis.

K. Bauer then read the abutter's list into the record; none were present. She then asked the applicant to present her case.

K. Thonis said that they would like to add a square mudroom that was flush with the portion of the house that juts out. It would be a 6'x6' structure with stairs to the existing walkway.

B. Levenson said that it follows the lines of the existing structure.

K. Thonis said she currently goes through the basement to go into the house. This addition would allow her to go into the house from the driveway. Her husband will build the addition to match the house so it won't look like new.

K. Bauer stated that it wouldn't be noticeable to many people.

R. Pieper stated that it goes with the style of the house; many houses like this one have additions.

K. Bauer asked the applicant to respond to the five facts supporting the request.

1. The proposed use shall be similar to those permitted in the district:

K. Thonis replied that the addition will allow egress to the existing driveway by stairs that would go down to the driveway from the new mudroom area.

2. The specific site is an appropriate location for the proposed use because:

K. Thonis said that the site is alongside the north wall of the house closest to the existing drive and enters the house at the kitchen area.

3. The use as developed will not adversely affect the adjacent area because:

K. Thonis said that the addition will be typical in appearance to other similar structures in the area, providing similar use and ease of access to the existing driveway.

4. There will be no nuisance or serious hazard to vehicles or pedestrians:

K. Thonis stated the addition will be along the north face of the house with steps returning to the driveway and not on the street.

5. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:

K. Thonis stated that there would be steps to the new addition with lighting in the future.

K. Bauer asked if there were any questions from the board.
R. Pieper asked about the amount of concrete indicated on the plans.
K. Thonis replied that that would cover up much of the muddy areas and seemed to be the only option.
K. Bauer responded that wasn't a relevant issue. She then closed the public portion of the hearing. She asked if there was any discussion by the board. There was no discussion. She then called for a vote.

1. Is the exception allowed by the ordinance?

F. Seagroves – yes B. Levenson – yes K. Taylor – yes
R. Pieper – yes K. Bauer – yes

2. Are the specific conditions present under which the exception may be granted?

B. Levenson – yes K. Taylor – yes R. Pieper – yes
F. Seagroves – yes K. Bauer – yes

K. Bauer asked if there was a motion to approve the application.
R. Pieper made a motion to approve Case #20-06, a special exception from Article V, Section 5.025.B.
K. Taylor seconded the motion.

Final Vote:

R. Pieper – yes K. Taylor – yes F. Seagroves- yes
B. Levenson – yes K. Bauer – yes

The application for special exception was approved by a unanimous vote.
K. Bauer reminded the applicant of the 30-day appeal period.
K. Thonis thanked the board.