



**CITY OF MANCHESTER**  
**BOARD OF ADJUSTMENT MINUTES**  
**February 13, 2020**

**ATTENDANCE**

Chairman Kent Goddard – Present  
Member Alan Nissenbaum– Present  
Member Dan Miller– Present

Member J.D. Pohlman – Present  
Member Jeffrey Rupich – Present

**CITY OFFICIALS**

Joseph E. Bond, City Attorney  
Melanie Rippetoe, Planning and Zoning Director

**COURT REPORTER**

Lauren Goodman

**ATTENDEES**

Krista Johnson  
Stephen McAllister  
Al Rahm  
Robert Oehler  
Janet Hermann

**CALL TO ORDER**

Chairman Goddard called the meeting to order at 6:30 p.m. and asked Director Rippetoe to call the roll. The record of attendance is shown above.

**APPROVAL OF MINUTES**

A motion to approve the minutes from the meeting held on November 14, 2019, as submitted, was made by Member Miller and seconded by Member Pohlman. The minutes were approved 5-0.

**OLD BUSINESS**

**NEW BUSINESS**

**CASE #20-V-001**

Director Rippetoe gave the details of the variance case:

Krista Johnson, owner, is seeking a variance from Section 405.170.E.1., pertaining to the front yard setback on a corner lot, in order to erect a fence on an existing single-family home located at 16 Nicolet Drive in the R-1 Single-Family Residential Zoning District. The property fronts on

Nicolet Drive to the west and southwest and Glan Tai Drive to the north. It abuts properties zoned R-1 Single-Family Residential to the south and east.

The plans show a fence proposed on a corner lot. The proposed fence to be approximately 15 feet at its closest point to the north property line.

Director Rippetoe explained that the fence will require a 15-foot variance from the 30-foot front yard requirement in Section 405.170.E(1) of the Zoning Regulations. Director Rippetoe read two letters included as Exhibit J and Exhibit K.

Testimony #1 –Krista Johnson, owner, presented. She explained that her property had quite a large slope and the extension of the existing fence, if the variance were granted, would give her some access to flat land in her backyard.

Testimony #2 – Stephen McAllister stated that he was with the fence company installing the fence. He noted that there is storm drain in the middle of the yard making it difficult to find usable yard space without the variance. Mr. McAllister also clarified that the requested variance is compliant with sight triangle requirements.

Testimony #3 – Al Rahm stated that he lived in the neighborhood and was worried about the aesthetic impacts of the variance. He noted that the vinyl fence does not match the properties on Glan Tai.

In response to a question from Member Pohlman, Ms. Johnson clarified the slope along the rear of the property runs the length of the property, so the flat usable space is limited on the other sides of the property.

In response to a question from Member Miller, Ms. Johnson clarified that the fence would be a vinyl privacy fence that matched the existing fence.

Chairman Goddard stated that he viewed the location and shares the concerns about visual impact that the fence would have.

Discussion ensued about where the fence could be placed without the variance and the aesthetics of the neighborhood.

With all the questions satisfactorily answered the Board voted on the variance.

Member Nissenbaum made a motion and was seconded by Member Miller to approve the variance regarding the setback from the property line. The resulting vote was 4-1 in favor of the variance.

## **CASE #20-V-002**

Director Rippetoe gave the details of the variance case:

Robert and Carolyn Oehler, owners, are seeking a variance from Sections 405.190.E.1.a and pertaining to the front yard setback, in order to construct a garage addition on a property with an existing single-family home located at 802 Weatherwood Drive, in the R-2A Single-Family Residential Zoning District. It abuts a property zoned R-2A Single-Family Residential to the north and east.

The plans show a proposed addition on a corner lot. It is shown to be approximately 12 feet at its closest point to the west property line and 10 feet from the north property line. The front yard building setback in in the R-2A Zoning District is 25 feet on both frontages on a corner lot.

Director Rippetoe explained that the garage will require a 13-foot variance from the 25-foot front yard requirement in Section 405.190.E(1) of the Zoning Regulations.

Testimony #1 – Robert Oehler, owner, presented. He explained that the neighborhood has a severe squirrel problem that has damaged multiple cars, so they are looking to extend their garage. He explained that for their garage to be usable to store cars and yard tools the only extension available on the property puts them past the front yard setback. Mr. Oehler also explained that he had gotten signatures in support of the variance from many of the surrounding neighbors.

Testimony #2 – Janet Hermann stated that she owned one of the neighboring properties. She reiterated the squirrel problem in the neighborhood and stated she supported the granting of the variance in question.

With all the questions satisfactorily answered the Board voted on the variance.

Member Pohlman made a motion and was seconded by Member Rupich to approve the variance regarding the setback from the property line. The resulting vote was 5-0 in favor of the variance.

## **BOARD OF ADJUSTMENT COMMENTS**

### **ADJOURNMENT**

Chairman Goddard adjourned the meeting at 7:26 p.m.

Respectfully Submitted by:

Melanie Rippetoe, Director of Planning, Zoning and Economic Development