

**TOWN OF BARKHAMSTED
ZONING BOARD OF APPEALS
MINUTES OF REGULAR MEETING
WEDNESDAY, OCTOBER 3, 2012**

Chairman William LeGeyt called the meeting to order at 7:00 p.m. Members present were Dan Lamont, Chris Tooker, Marcie Patchett, and alternate, Bob Pulford. Also present was Zoning Enforcement Officer, Debbie Brydon.

LeGeyt sat Pulford for Steve Raftery.

Public Hearing:

Application submitted by Nathan Tomlin, applicant/owner for property located at 468 East Hartland Road. A variance to Article IV, section 193-28 of the Zoning Regulations, allowing for a reduction to 17' feet for a side yard setback for construction of a garage.

Marcie Patchett read the legal notice into the record. This is an “after the fact” application as the garage has been built without a permit and the old garage was converted into a bedroom without permits.

Applicant, Nathan Tomlin described the location of his garage and presented another drawing along with the map showing the well location in the front of the house and the septic location in the rear. He also described the location of ledge in the front of the house and the rear of the property starting 20' from the back of the garage. The lot is 1.65 acres and is long and narrow. Dan Lamont, Marcie Patchett, and Bob Pulford all drove by the property. They were not able to enter the property as the applicant was away the week before the hearing. The Public Hearing was closed at 7:28 pm.

Pending applications:

Application submitted by Nathan Tomlin, applicant/owner for property located at 468 East Hartland Road. A variance to Article IV, section 193-28 of the Zoning Regulations, allowing for a reduction to 17' feet for a side yard setback for construction of a garage.

Patchett made a motion to deny the application for a 17' foot side yard variance for the construction of a garage, based on the lack of a hardship, seconded by Lamont.

The commission discussed the distances from the house to the well and septic and location of the ledge, and possible other locations for the garage. A self-imposed hardship was discussed. LeGeyt stated that there was definitely ledge in the back yard.

Patchett amended her motion to approve the application for a 17' side yard setback, as per oral and written testimony, based on the pre-existing legal, non-conforming lot size and the location of the ledge, seconded by Lamont and unanimously approved.

Approval of minutes: Lamont moved to approve the minutes of September 5, 2012, as presented, seconded by Pulford and unanimously approved.

Any other business legal and proper:

Debbie Brydon asked the commission members if anyone was interested in attending a Freedom of Information (FOI) seminar here at the Town Hall in October. Date to be announced next week.

Correspondence: None

Patchett moved to adjourn at 8:36 p.m. Pulford seconded and the motion passed unanimously.

Approved _____ Date _____
Marcie Patchett -secretary