

**MINUTES  
WINDSOR BOARD OF ADJUSTMENT  
MARCH 25, 2010**

Chairman Danny Horner called the meeting of the Windsor Board of Adjustment to order at 6:59 p.m. and called for roll. The following members were present: Richard Conard, Mary Ann Baak, Cathy Broida and Jim Fanning. Director of Planning Joseph Plummer, and Associate Planner Diana Aungst were also present.

See attached attendance sheet.

STATEMENT OF DOCUMENTS TO BE ENTERED INTO THE RECORD

Chairman Horner stated that he enters into the record the Town's Comprehensive Plan, the Town's Zoning Ordinance, the staff report regarding the action items of this hearing, and all of the testimony received at this hearing.

PUBLIC INVITED TO BE HEARD

There was no public comment.

APPROVAL OF THE MINUTES OF FEBRUARY 25, 2010

**Chairman Horner asked for a motion to approve the February 25, 2010 minutes. Mr. Conard then moved to approve the minutes of February 25, 2010 as presented. Ms. Baak seconded the motion. Motion carried unanimously.**

VARIANCE OF MUNICIPAL CODE SECTION 16-12-40 PERTAINING TO BUILDING LOCATION AND SECTION 16-12-50 PERTAINING TO OPEN SPACE IN THE SINGLE FAMILY RESIDENTIAL (SF-1) ZONING DISTRICT – 829 WALNUT STREET – EVERETT DARCO, APPLICANT – D. AUNGST

Mr. Darco described in detail his desires to enlarge the kitchen area of the residence located at 829 Walnut Street, stating a need to create a handicapped accessible living environment for his daughter who was injured by a drunk driver. Mr. Darco presented several drawings depicting the three options discussed with staff prior to this meeting.

Ms. Aungst recapped Mr. Darco's presentation, and noted this is in fact three separate variances: one for setback from Walnut Street; one for setback from 9<sup>th</sup> Street; and one for open space. She then reviewed staff recommendations associated with these three variances, stating a concern from the Engineering Department relating to public safety, particularly with regard to eastbound traffic while backing onto Walnut Street.

The Board posed several questions to the applicant about the proposed design and need for additional space. They also questioned staff about setback requirements in relation to curb and gutter placement. Following a lengthy discussion, the Board questioned if a setback of 7.5' would be advantageous to the applicant, as opposed to the 9.5' proposed setback of option 2. Mr. Darco indicated it would.

**Mr. Conard moved to close the public hearing. Mr. Fanning seconded the motion. Motion carried unanimously.**

**Mr. Conard moved to approve the variance as detailed in Option 2. Mr. Fanning seconded the motion. Following a brief discussion, Mr. Conard withdrew the motion.**

**Mr. Fanning then moved to approve the variance as detailed in Option 2 except allowing a setback of 7.5' from the property line that abuts Walnut Street. Mr. Conard seconded the motion. The motion carried unanimously.**

**Mr. Conard moved to extend the appeal until the next scheduled date or April 22, which ever comes first. Ms. Baak seconded the motion. The motion carried unanimously.**

#### COMMUNICATIONS FROM THE BOARD OF ADJUSTMENT

Mr. Horner encouraged the Board to convey their dates of availability for appeals to Town Staff prior to April 22.

#### COMMUNICATIONS FROM THE STAFF

Mr. Plummer questioned if members would be available for an appeal date of April 22. All indicated they would.

Ms. Aungst noted there is also a variance for Veronica Drive scheduled for the April 22 meeting.

#### ADJOURNMENT

**Mr. Conard moved to adjourn the meeting. Mr. Fanning seconded the motion. The motion carried unanimously.**

There being no further business, the meeting was adjourned at 7:48 p.m.

#### CERTIFICATION

Approved by the Windsor Board of Adjustment on the 22<sup>nd</sup> day of April 2010.

Submitted by:

A handwritten signature in black ink, appearing to read "Mary C. Lee". The signature is written in a cursive style with a large, looped initial "M".

Mary Lee  
Deputy Town Clerk