

HARRISON TOWNSHIP BOARD OF ZONING APPEALS

DECEMBER 19

2007

The Harrison Township Board of Zoning Appeals met this date for a public hearing to consider an application submitted by John E. Cook requesting a variance to remove the forty (40) ft. rear set back to build a three (3) season room. Property being considered is located at 117 Brandon Drive.

Members present: Valerie Hans, Eric Smith, Debbie Laughlin and Chairperson, Jo Cain.

Members absent: Scott Van Den Berg and Alternate, Rory Utt.

Others present: John E. Cook, Susan Demers and Bill Smith.

Meeting called to order at 7:00 p.m. by Chair, Jo Cain. Secretary read application.

Mr. Cook stated the application speaks for itself.

Casey Casto gave presentation stating there is no encroachment as determined by error in original setback and Conservation District., and explained reason for forty (40) ft. setback and is also to protect neighbors property.

Eric Smith questioned on how this is a hardship?

Mr. Cook stated he cannot sell; causing enduring mental anguish; cannot do anything with or enjoy; There has been a Title search by Stewart Title and this room will be fifteen (15) ft. from the line.

Mr. Smith stated he understands about the house but this is a significant variance being requested. Bill Smith stated there is significant impediment to their property.

Following lengthy discussion Debbie Laughlin made a motion to grant variance as submitted. Jo Cain seconded. Valerie Hans called for further discussion.

Following further discussion vote taken:

Valerie Hans	No
Eric Smith	No
Debbie Laughlin	Yes
Jo Cain	Yes

Result: Tie vote

Mrs. Hans asked to table final judgment until we check with Prosecutor’s Office for legal advice. Mr. Casto will check with Prosecutor’s Office on how to break tie.

Respectfully submitted,

Nettie Salmons, Secretary

Jo Cain, Chair

The proceedings of this hearing professionally recorded by Anderson Reporting Service.

APPROVED – FINAL