

TOWN OF ALLEGANY ZONING BOARD OF APPEALS
Monday, March 30, 2015

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Present:

Absent:

John Jones, Chairman
Carol Ozzella
Don Sue
Joe Chamberlain
Carolyn Hemphill, Secretary
Donna Stady, Secretary

Ron Kyser

Also Present: Attorney Wendy Tuttle; CEO Jerry Dzurhoff

Public Hearing: Interpretation of Zoning Ordinance for Sun Communities LLC. Valley View Estates is installing two double-wide mobile home units #184 and #186. A building permit was properly issued by Code Enforcement Officer Dzurhoff for the installation. As staking of lots was performed, complaints arose by Valley View residents. Speaking against the installation of the lots #184 and #186 are residents namely: Terry Wiedemann, Bill Vincoski, Jim Goodwin.

At time of staking of lots, Code Enforcement Officer Dzurhoff is summoned by complaints from residents that lot size is too close. Inspection by CE Officer reveals discrepancies of approximately 14 feet 6 inches between new lot #187 and old lot #186 and approximately 8 feet 6 inches between new lot #184 and old lot #183. Zoning ordinance states: "there shall be at least 20 foot clearance between individual mobile homes and between mobile homes and any permanent structure in the court.

Other complaints not relevant or under Zoning Board control were expressed by Valley View Estates residents and CE Officer Dzurhoff gave residents suggestion that they could contact Eric Wohlers at the County Health Department regarding permits for operation of mobile home parks.

Present is Attorney for Valley View Estates, J. Kirby Colling, and acknowledges that management is aware of issues regarding clearance between mobile homes. Brandon George representing Sun Communities LLC also acknowledges management is aware of clearance issue and they are in process of rectifying the situation.

Wendy Tuttle, Esq. Town of Allegany Attorney reminds Sun Communities LLC via J. Kirby Colling, Esq. and Brandon George that new building permits need to be applied for with the two lots at issue.

Joe Chamberlain makes motion to close public hearing at approximately 7:30 p.m. and seconded by Don Sue. Chamberlain-aye; Sue-aye; Ozzella-aye; Jones-aye. Motion carried.

Regular Meeting: The regular meeting was opened by Chairman John Jones with the salute to the flag at 7:35 p.m.

Carol Ozzella made a motion to accept the minutes of the March 2, 2015 meeting, as written, seconded by Don Sue. Ozzella-aye; Sue-aye; Chamberlain-aye; Jones-aye. Motioned carried.

New Business: Discussion of Carolyn Hemphill, Zoning Board Secretary's retirement as Zoning Board Secretary. Welcomed Donna Stady as Zoning Board Secretary.

Discussion was made regarding the Valley View Estates Mobile Home park and prior Zoning laws enacted in 1970's. Exhibits for this meeting were Letter from Wendy Tuttle, Esq. to J.Kirby Colling, Esq. dated March 18, 2015, Sketch Map of Mobile Homes, Sketch Map of Mobile homes, Zoning Ordinance packet dated December 10, 1970 (9 pgs booklet). Four Exhibits were marked and dated for 3/30/2015.

Carol Ozzella made motion to affirm the decision of the CE Officer and his duty of issuing a Stop Work Order to Valley View Estates regarding their mobile home installation, seconded by Joe Chamberlain. Ozzella-aye; Chamberlain-aye; Sue-aye; Jones-aye. Motion carried.

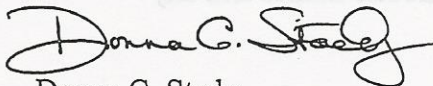
Discussion was had regarding revising or amending Procedures for Appeals to Zoning Board or to update them upon. Discussion was had regarding upcoming cell tower installation requests, no requests being made in writing as of today's date 3/30/2015.

Joe Chamberlain made motion to close meeting at 7:56 p.m., seconded by Don Sue.

Chamberlain-aye; Sue-aye; Ozzella-aye; Jones-aye.

Meeting adjourned 3/30/2015.

Sincerely,



Donna G. Stady

Secretary/Recorder to Zoning Board for Town of Allegany