

MARTINSBURG BOARD OF ZONING APPEALS**July 16, 2013, 6:30pm****232 N. Queen Street****J. Oakley Seibert Council Chambers****Regular Meeting Minutes**

With a quorum present, Chairperson Casabona called the regular scheduled meeting of the City of Martinsburg Board of Zoning Appeals to order at 6:33 pm. The following Boardmembers were present: Brenda Casabona, April King, Bridget Cohee, and Mary Dulyea. Not present were Matthew Coffey, Bill Blackburn, and Frank Bradley. Also in attendance were City Planner Tracy Smith, Planning Secretary Debra Dietz and Legal Counsel Kin Sayre.

APPROVAL OF April 2, 2013 MEETING MINUTES.

The minutes were approved by unanimous consent.

OLD BUSINESS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

1. **CASE #V 13-037. 209 N. Redhill Road. Public Hearing.** Application requesting a variance from Section 422.2 "Fences, Walls, and Hedges" for construction of 6 foot privacy fence within front yard area. Mark and Andrea Scappini, Appellants.

Mark Scappini, appellant, presented the request to construct a 6 foot privacy fence within front yard area. Mr. Scappini stated that he has started installing the vinyl fence along the opposite property line.

City Planner, Tracy Smith confirmed that the reason for the appeal is only for the property line along North Street. The 6 foot fence does not impact traffic visibility. Neighbors have signed a letter consenting to the fence being installed. City Staff does not have any concerns with the installation of this 6 foot fence.

Chairperson Casabona asked if a pool were to go on said property, a four (4) foot high fence would be required. City Planner, Tracy Smith confirmed.

Chairperson Casabona opened the public hearing at 6:40 pm.

- City Planner Tracy Smith read the names of neighbors in favor of the appeal. Neighbor's names were Ethel Bovey, Ruth Duffendorfer, Don Agee and Marshall Cohan.
- Dr. Lee Horton of 406 N. Red Hill Road was present to speak in favor of the appeal. Dr. Horton stated that he lives directly across from the appellant. Dr. Horton advised that no houses front on the street where the appellant is asking to put the 6 foot privacy fence. Dr. Horton thinks it would be a nice exception to the ordinance. Dr. Horton has faced a similar exception on his property and feels the fence would fit in nicely, not crowding or encroaching.

As no one else came forward to speak in favor or against, Chairperson Casabona closed The Public Hearing segment at 6:44 p.m.

Zoning Ordinance Section 903.21 Conditions for Granting An Appeal was read by Chairperson Casabona . Discussions included location, height, topography, privacy, neighboring properties and existing fences.

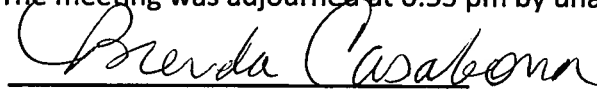
Boardmember Cohee, made the motion to approve this request. Boardmember Dulyea seconded the motion that was followed by a unanimous vote of "aye". Motion carried. Appeal was approved.

DISCUSSION

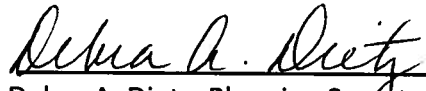
- Open Governmental Proceedings Act
Postponed until next month.

ADJOURNMENT

The meeting was adjourned at 6:53 pm by unanimous consent.



Brenda Casabona, Chairperson



Debra A. Dietz, Planning Secretary