

**CITY OF MANCHESTER**  
**BOARD OF ADJUSTMENT MINUTES**  
**MARCH 12, 2015**

**ATTENDANCE**

Chairman Kent Goddard – Absent  
Vice-Chairman Fred Mayer – Present  
Alternate Member Richard Baumann – Present  
Alternate Member J.R. Brown – Present

Member Dan Miller – Absent  
Member Stephen Moeckel – Present  
Member Alan Nissenbaum – Present

**CITY OFFICIALS**

City Attorney Patrick Gunn  
P&Z Director Kathy Arnett  
P&Z Assistant Melissa Barklage

**COURT REPORTER**

Lauren Goodman

**ATTENDEES**

Judy & Gary Winters

Case #15-V-001

**CALL to ORDER**

Vice-Chairman Mayer called the meeting to order at 6:30 p.m. and asked the Planning and Zoning Director to call the roll. The record of attendance is shown above.

**APPROVAL OF MINUTES**

A motion to approve the December 11, 2014 minutes as submitted was made by Member Nissenbaum and seconded by Member Bauman. A voice vote was taken, with no opposition. Minutes approved.

**NEW BUSINESS**

- A. CASE #15-V-001** – A variance application is submitted by Alan Ladig, on behalf of Judy and Gary Winters, to encroach into the rear yard setback by twenty-three (23) feet and into the side yard setback by nine (9) feet for the purpose of replacing an existing tie wall with a masonry block wall at 585 Arblay Place. The property is zoned R-1 Single Family Residential

Director Arnett gave the details of the variance case. A permit was submitted by Alan Ladig, on behalf of Gary & Judy Winters. Mr. & Mrs. Winters wish to replace an existing tie wall that was built in 1992 with a masonry block wall in their backyard. City Code requires that any structure being built on the lot adhere to side yard and rear yard setbacks. The survey, however, that came with the permit application showed that the proposed block wall would encroach twenty-three (23) feet into the rear yard setback and nine (9) feet into the side yard setback. Therefore, two variances are being requested by the petitioner. One variance request is to reduce the rear yard setback from thirty-five (35) feet to twelve (12) feet. The other variance request is to reduce the side yard setback from ten (10) feet to one (1) foot.

Director Arnett noted the replacement wall will not encroach into the ten (10) foot easement in the rear of the property. She also noted that the steep slope of the backyard made some type of retaining wall necessary. The neighboring property has a similar wall in the same location and

additional walls are located in the subdivision common ground beyond the rear lot line of the petitioner's property.

Mrs. Judy Winters testified that she agreed with the statements made by Director Arnett. Mrs. Winters had nothing further to add to the case.

Director Arnett verified the adjacent property owners were notified about the variance request. She noted that the Department received no comments in support of or in opposition to the variance case.

With all the questions satisfactorily answered, Member Moeckel made the motion to approve the variance of both the rear yard setback from thirty-five (35) feet to twelve (12) feet and the side yard setback from ten (10) feet to one (1) foot. Motion was seconded by Member Nissenbaum. The resulting vote was 5-0 in favor of granting the variance.

### **ADJOURNMENT**

The meeting adjourned with a motion by Member Baumann and seconded by Member Brown at 6:45 p.m.