

**TOWN OF BARRE
ZONING BOARD OF APPEALS
REGULAR MEETING
SEPTEMBER 15, 2008**

CALL TO ORDER: 7:00 P.M.

BOARD MEMBERS PRESENT

Mark White
Charlie Swan
Jeanne Martillotta
Dale Laubacher
Steve Karas

BOARD MEMBERS EXCUSED

Also present: Leroy Hawkins, Shellye Dale Hall

I. INTERPRETATION OF ZONING CODE SECTION 606, pp C Sections 3 and 4

The property at 13895 Root Road, owned by Leroy Hawkins, contains two single homes, a barn, a church and a garage. One of the houses, which is presently rented out to a tenant, is located 24.75 feet from the center line of Root Road. The tenant was observed by Shellye to be replacing the roof of the enclosed porch - without a building permit. He stated that the roof had collapsed, and was willing to come in and get a building permit. However, since he was not the owner, Mr. Hawkins had to be the one to apply for it.

Since the two homes located on the property is in violation of the zoning ordinances of the town, and that this particular dwelling is in the right of way because of its proximity to the road, Shellye was not comfortable issuing a permit without the approval of the zoning board, and asked that they provide an interpretation of Section 606.

Mr. White stated that the property pre-dates current zoning, and should be considered grandfathered in.

INTERPRETATION OF SECTION 606 OF THE ZONING REGULATIONS, as requested by the Code Enforcement Officer.

The question before the Board was whether or not Section 606 should be applied to the property located at 13895 Root Road, where the following conditions exist:

1. House in question is 24.75 feet from the center of Root Road;
2. Structure had damage in excess of 75% of assessed value;
3. Two single family homes exist on one property; should the property owner be required to divide the parcel to meet zoning regulations?

The property owner has requested a building permit to replace collapsed roof on porch.

DECISION

The Zoning Board finds that Section 606 entitles Mr. Hawkins to make repairs on his property; thus, a building permit should be given. Future construction on property is allowed as long as property conforms to current zoning code.

UPON ROLL CALL VOTE:

Mr. White	Aye
Mr. Swan	Aye
Mrs. Martillotta	Nay
Mr. Laubacher	Aye
Mr. Karas	Aye

II. APPROVAL OF MEETING MINUTES - 8-18-08

Mr. Swan made a motion to accept the May minutes as submitted, seconded by Mr. Laubacher and carried.

NEW BUSINESS

The board will address issue with Larie Vagg property at a public hearing on October 20, 2008. Letter will be sent to Mr. Vagg advising him of hearing.

ADJOURNMENT

Mr. Swan made a motion to adjourn at 7:40, seconded by Mrs. Martillotta and carried.

Lisa M. Tucker, Secretary