

# VILLAGE OF BENTLEYVILLE

---

## PLANNING AND ZONING MINUTES

MARCH 13, 2018

The meeting was called to order at 7:00 p.m. by Katie Bunker

### ATTENDEES

<input checked="" type="checkbox"/>	Katie Bunker, Chair	<input checked="" type="checkbox"/>	Kathleen Hale
<input checked="" type="checkbox"/>	Peter Kelly	<input checked="" type="checkbox"/>	Doug Miller
<input checked="" type="checkbox"/>	Len Spremulli, Mayor	<input checked="" type="checkbox"/>	Jeff Filarski, Village Engineer & Building Official

Also in attendance: John Maxfield, homeowner 35036 Cannon Road  
Christopher Horn, Attorney on behalf of applicant  
Shirley Gajan (and daughter Laurie), 35032 Cannon Road  
Charles Nemer, Law Director

### Agenda Item

1. Request by John Maxfield and Anne Carrol of 35036 Cannon Road for a variance to install a six foot (6') high privacy fence within the Cannon Road Right-of-Way, next to an existing split rail fence that is located approximately seven feet (7') within the Right-of-Way. The proposed fence will be installed one foot (1') north of the existing split rail fence, thereby one foot (1') further into the Right-of-Way. The existing split rail fence will remain in place.

Presentation by Dr. Maxfield and his attorney stated the request was submitted to keep chickens contained on property AND for privacy from the street and neighbors for the Maxfield/Carrol residence. Comments presented by the Gajan family stated they are not in favor of any fence but that their true concern would be the fence obscuring view of the water behind both properties. Dr. Maxfield assured the Gajans that the fence would be angled to permit continuance of their view.

Discussion and questions from the Commission members followed. The Commission questioned Dr. Maxfield on the necessity of a new fence to further encroach on the Right-of-Way vs. placement to the south side of the current split rail fence (position closer to the house).

Motion to vote on the variance request: Doug Miller

Second: Leonard Spremulli

Roll Call:	Katie Bunker	NO	Kathleen Hale	NO	Peter Kelly	NO
	Doug Miller	NO	Leonard Spremulli	NO		

No further business to come before the Commission. Meeting adjourned at 7:50 p.m.

Respectfully submitted by Katie Bunker, Chair