MINUTES
MUNICIPAL BUILDING
ZONING BOARD OF APPEALS

October 27, 2026 5:00 P.M.

PRESENT: Kevin Foltz, Chairman, Meghan Lutz, Andy Rosenberg, Dennis Stachera, Nancy Babis, Michael Leggett, Damon DeCastro, Deputy Corporation Counsel, Dan Wojewoda, Building Inspector

EXCUSED: Kevin McDonough

The Chairman explained to those present the procedure followed in these Hearings, First the explanation by the Appellant as to what he/she is appealing for, second, any questions those present wishes to ask to clarify the appeal, and third, the Board will hear any opinions for or against the granting of this variance. The chairman stressed the point that anyone wishing to speak must first state their name and address.

Roll call was taken by Chairman Kevin Foltz and all the members present stated that they have seen the properties.

The first case to be called was Case No. 2386. Appeal of Nathan Ribbeck to install a 6' wooden fence on the north side of the property located at 18 Harrison Avenue situated in a Low Density Residential Zone.

Mr. Ribbeck stated that he is the owner of 18 Harrison Ave. He said that he is before the board for an area variance for his existing fence. He stated that he is looking to get a 6' privacy fence to replace the existing 5' privacy fence. He said that the Code classifies the Utica Street side of his property as frontage and limits the height of the fence to 3'. He said that he is requesting the fence be 6'. He stated that the goal is to maintain privacy and security and usable backyard space.

Mr. Ribbeck said regarding the neighborhood character, the fence is 5' now. He said that 6' is not a substantial request. He said that there are properties in the area that are corner lots with existing fences that are taller than 3'. He said that his request will be consistent with the neighborhood.

Mr. Ribbeck said that this is not introducing anything unusual and will be replaced with a similar style wood panel 6' fence.

Mr. Ribbeck said in regards to feasible alternatives, a 3' closed or 4' open fence does not provide the same amount of privacy or security for the yard space. He said that moving the fence inward to meet the Code will reduce the amount of usable space in his backyard.

Mr. Ribbeck stated that existing conditions of the property already limit the amount of usable space in the backyard.

Mr. Ribbeck said that the location of the proposed fence is practical and if he changes the location it limits the usability and privacy of the backyard space.

Mr. Ribbeck said that in regard to the substantiality of the variance, he understands that going from 3' to 6' is substantial numerically but considering the height of the existing fence the request is not substantial. He said that this change is relatively modest.

Mr. Ribbeck said that there will be no change in traffic patterns or building footprint. He said that it will not have any noise, light or drainage impacts. He said that it does not impact the sight triangle at Harrison and Utica.

Mr. Ribbeck said as for the self-created difficulty, he understands that it is his choice to make this fence 6', however the property's configuration predates his ownership. He said that there is nothing he can do about the fact that this is a corner property.

Mr. Ribbeck said that he believes that this a reasonable request, being able to maintain privacy and usability of his yard.

Mr. Ribbeck said that there will be no impact on the neighbors. He said that he has a letter from the adjacent neighbors in support of the request.

Mr. Foltz asked if he plans on using the post that are there.

Mr. Ribbeck said no, he is going to replace them with powder coated galvanized.

Ms. Lutz stated that according to the property survey, it appears that the current fence in the City right-of-way by a few inches. She said that Building Inspection can verify that. She said that if this request is approved, she would like to make sure that the fence is out of the City right-of-way.

Mr. Ribbeck asked if that is a distance from the sidewalk.

Ms. Lutz said yes.

Mr. Foltz said that the application sent the Board a great package.

Ms. Babis said that she has a questions about the driveway. She said that currently it has an angle to it. She asked if they had plans to widen the driveway.

Mr. Ribbeck said that he would like to eventually. He said that it is pretty narrow the way the fence is configured. He said that for this winter they would like a spot to place their snow. He said that eventually they would like to look into adding a third lane.

The meeting was opened to the public.

Ms. Candice Woloszyn, 600 Walnut Street, stated that she received a letter. She said that he just bought the house. She said that if he feels that he needs a 6' fence for privacy and security, why you bought the house.

Mr. Ribbeck said that it already has an existing 5' fence. He said that it is in a dire condition. He said that he is aiming for 6' because that is the height limit for side and rear yards allowed by Code.

Ms. Woloszyn said that the variance says that you just want to do this on the north side that is not what you spoke of.

Megan Brewer explained that the north side is the only one that requires a variance.

Ms. Woloszyn said that she does not want to live in a neighborhood with 6' fences all the way around them for security.

Mr. Foltz said that this is a corner lot, when people are walking and driving by, he doesn't have any privacy.

The meeting was closed to the public.

There being nothing further Meghan Lutz made a motion to approve the variance request to install a 6' wooden fence on the north side of the property as follows:

AND IT APPEARING, the fence not be installed in the City right-of-way,

WHEREAS, benefit cannot be achieved by other means feasible to the applicant, and

WHEREAS, there will be no change to the character of the neighborhood, and

WHEREAS, request is not substantial, and

WHEREAS, there will be no adverse physical or environmental effect, and

WHEREAS, alleged difficulty is not self-created, and

WHEREAS, premises shall be kept in a neat, clean, and orderly condition

Seconded by Nancy Babis.

Kevin Foltz-yes
Meghan Lutz-yes
Andy Rosenberg-yes

Nancy Babis-yes
Dennis Stachera-yes
Michael Leggett-yes

AREA VARIANCE GRANTED

Andy Rosenberg made a motion to approve the minutes from the September 22, 2026 meeting. Seconded by Dennis Stachera. Ayes-6 Noes-0

Andy Rosenberg made a motion to adjourn; Motion seconded by Meghan Lutz. Ayes-6 Noes-0

MEETING ADJOURNED

The next regularly scheduled meeting will be Tuesday, November 24, 2026 at 5:00 p.m.