

A Variance Appeal Hearing for 631 Main Street in the Town of Mahone Bay was held on Tuesday, April 10, 2018 at 7:00 p.m.

Present:

Mayor D. Devenne
Deputy Mayor K. Nauss
Councillor J. Feeney
Councillor R. Nowe
Councillor P. Carver
Acting CAO, M. Hughes
Development Officer, Heather Archibald

Regrets:

Councillor J. Bain

Gallery: 5

Report of the Development Officer

Council received a report from Development Officer, Heather Archibald, regarding a request received from Eric Claus, property owner of 631 Main Street, for a variance under the Land Use Bylaw. Mr. Claus would like to replace an existing fence with a new fence which would stand 36” higher than what is permitted by right under the Land Use Bylaw. The staff report highlighted the provisions in the Land Use Bylaw for a variance in a unique situation, and suggested that this request is a unique situation due to the proximity of the buildings, positioning of windows and height and size of the neighbouring property, which is why Ms. Archibald approved the request for a variance.

Comments by the Appellant

Paul Taylor, the owner of the new construction on the northwest side of Mr. Claus’ property is appealing this variance decision. He believes that if the fence is allowed it will block views from windows in one of his condo units. Mr. Taylor was reminded that views are not protected by the Town’s Land Use Bylaw.

Comments by the Variance Applicant

Council received a report from Craig Hatt, the property owner’s contractor. Mr. Hatt advised Council that due to the location of windows, the grade level and size and height of the new construction on the northwest side of Mr. Claus’ property, the property owner feels that the variance requested would return some privacy to his property.

General Public

Jacob Wheeler, the property owner abutting on the southeast of Mr. Claus’ property supports the variance and believes this fence might also return some of the privacy lost to his property with the new construction.

The meeting Adjourned upon motion at 7:23 p.m.

TOWN OF MAHONE BAY

Acting CAO, Maureen Hughes

TOWN OF MAHONE BAY

Mayor, David Devenne