

TOWN OF JERUSALEM
ZONING BOARD OF APPEALS

January 14th, 2016

The regular monthly meeting of the Town of Jerusalem Zoning Board of Appeals was called to order on Thursday, January 14th, 2016 at 7 pm by Co-Vice-Chairman Dwight Simpson.

Roll Call:	Glenn Herbert	Excused
	Dwight Simpson	Present
	Ed Seus	Present
	Rodgers Williams	Excused
	Earl Makatura	Present
Alternate	Joe Chiaverini	Present
Alternate	Kerry Hanley	Present

Others present included: Beth Keesom, Hendrik Keesom, Zack DeVoe/CEO-in-Training, John F. Phillips/CEO, Paul Anderson/Town Bd. and Tim Cutler/Planning Board.

A motion was made by E.Seus and seconded by D.Simpson to accept the December Zoning Board minutes as written. Motion carried unanimously.

COMMUNICATIONS:

There were no communications.

AREA VARIANCE/SPECIAL USE REVIEW

Application #1064 for Hendrik Keesom owning property at 3457 Brandy Bay, Penn Yan, NY requesting an Area Variance to build a 3 ft. single floor addition to existing home to come under the existing roofline and would come no closer to the east side yard property line than 5.2 ft. as measured from the proposed roof overhang.

Mr. & Mrs. Keesom were present to answer questions for board members. They noted that they had notified their neighbors and had talked to their nearest neighbor on the east side and he had no problem with what they wanted to do.

Mr. Keesom had some enlarged pictures showing the existing house and the adjacent property to the east and showed the board members where the addition would be added and how the addition would be partially coming under the roofline of the existing house so that the building window envelope would include the overhang. The proposed distance to the east side yard property line at the closest point would be 5.2 ft.

There was a question from Co-Chairman D.Simpson regarding the amount of sq. footage that was allowed for this property from the Brandy Bay Club which is located adjacent to the lots on Brandy Bay and owned in common by several property owners.

It was noted that each property owner that is part of this association has 1297 sq. ft. each that can be included as part of their individual lots for the calculation of lot coverage.

The area variance test questions were read and reviewed with the following results:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby property owners will be created by the granting of the area variance: (5-no, 0-yes).
2. Whether the benefit to the applicant can be achieved by some other feasible method than an area variance: (4-no, 1-yes). E.Makatura-yes, E.Seus-no, D.Simpson-no, J.Chiaverini-no, K.Hanley-no.
3. Whether the requested area variance is substantial: (5-no, 0-yes).
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district: (5-no, 0-yes).
5. Whether the alleged difficulty was self-created: (4-yes, 1-no). E. Makatura-yes, E.Seus-yes, D.Simpson-yes, J.Chiaverini-yes, K.Hanley-no.

There being no further discussion, a motion was made by D. Simpson seconded by E. Seus to grant the area variance for Application #1064 to allow for the single story 3 ft. wide addition to the existing home to come no closer to the east side yard lot property line than 5.2 feet as measured from the closest part of the building including the roof overhang.

The motion was carried with a poll of the board as follows: E. Makatura-grant, J.Chiaverini-grant, D. Simpson-grant, E.Seus-grant, K.Hanley-grant.

Board members were in unanimous agreement that this is a SEQR Type II action.

In granting this area variance the board finds that the strict application of this chapter would deprive the applicant of reasonable use of the land and is the minimal variance that will accomplish this purpose. This variance will not be injurious to the neighborhood nor alter the essential character of this locality.

OTHER BUSINESS:

It was noted that there is at least one Area Variance Application on the February agenda at this time.

Everyone welcomed our new Alternate Zoning Board Member, Kerry Hanley.

There being no further business, a motion was made by E.Seus seconded by E.Makatura to adjourn the meeting. The motion was carried unanimously. Meeting adjourned.

Zoning Board Minutes
January 14th, 2016

Respectfully submitted,
Elaine Nesbit/Secretary