

Approved

TOWN OF JERUSALEM
ZONING BOARD OF APPEALS

April 13th, 2017

The regular monthly meeting of the Town of Jerusalem Zoning Board of Appeals was called to order on Thursday, April 13th, 2017 at 7 pm by Vice-Chairman Rodgers Williams.

Vice-Chairman Rodgers Williams asked all present to stand for the pledge to the Flag.

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

Others present included: Larry DeWine, Jim Toomey, Steve Coates, Sue Christiano, Steve & Jane Smith.

A motion was made by E. Makatura seconded by K.Hanley to approve the February minutes as written. The motion was carried unanimously.

There were no applications for review in March therefore the March Zoning Board meeting was cancelled.

COMMUNICATIONS:

There were no new communications.

AREA VARIANCE/SPECIAL USE REVIEW:

Application #1086 for Larry DeWine and Nora Caufield for property at 4120 West Bluff Dr., Keuka Park, NY requesting an area variance to build a new single family home on the west side of West Bluff Dr. (lake side) with less setback from the rear yard property line than zoning requires for a portion of the lot that is located between the road and the lake.

Mr. DeWine was present to describe for the board the proposed plan for the single family home and noted that the requested rear yard setback of 35 ft. from the center line of West Bluff Dr. was the same requested area variance given to both properties at 4074 and 4092 West Bluff Dr. which are north of his property.

Board members did not have any real concerns with this request noting that the measurement for the setback did include the roof overhang.

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 properties 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) R.Williams-no, E.Seus-no, E.Makatura-no, K.Hanley-no, K.Smith-yes.

3)Whether the requested area variance is substantial: (5-no, 0-yes).

4)Whether the proposed area variance will have an adverse effect or impact on the physical or environmental condition of the neighborhood or district: (5-no, 0-yes).

5)Whether the alleged difficulty was self-created: (0-no, 5-yes).

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

A motion was made by K.Smith and seconded by R.Williams to approve this area variance application giving a variance of 10 ft. allowing the proposed home to be 35 ft. as measured from the center line of the road to the closest part of the home including the roof overhang.

The motion was carried with a poll of the board as follows: E.Seus-approve, K.Hanley-approve, E.Makatura-approve, R.Williams-approve, K.Smith-approve.

Application #1087 for Kevin Bailey for property on East Bluff Dr. requesting an Area Variance for an 8 ft. by 10 ft. deck to be attached to a proposed of stairs and landings that will be used as lake access at this sight. The area variance requested is for a rear yard setback for the proposed deck which is considered an accessory structure and will not meet the required rear yard setback when placed on the portion of the lot located between the road and the lake. The required setback is 20 ft. from the rear yard lot line and the requested setback is 4 ft.

Mr. Bailey was not present to review this application, it will be rescheduled for the May Zoning Board meeting.

OTHER BUSINESS:

There were some concerned neighbors in from East Bluff Dr. that live around the property that has a new home being built at 6637 East Bluff Dr. In July of 2016 after 2 or 3 meetings, an area variance was granted to allow 22.7% lot coverage at this location by a new home and attached garage after the removal of an existing home and an existing garage. The new house footprint is pretty much established and the neighbors are concerned that it exceeds the lot coverage that was granted.

CEO Zac DeVoe has checked the plans with the Contractor and has gone over the plans himself as well as talking with one of the concerned neighbors. He feels confident that the house is being built in accordance with the approved plans and does not exceed the lot coverage that was granted by the zoning board.

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After further discussion, a motion was made by R.Williams and seconded by E.Seus to have CEO DeVoe go out and physically measure the footprint of the house and garage to determine the square footage of what is actually being built and then to see if it meets the lot coverage of 22.75% that was granted by the Zoning Board.

Another concern that was brought up by the concerned neighbors had to do with the Steep Slopes plan that was reviewed and approved for this same project.

The concern of the neighbors was how the drainage area on the south side of the lot would be completed. This matter is a concern for the Planning Board and the YC Soil & Water Dept. along with the design Engineer that will need to certify that the steep slopes plan is completed as it was submitted and approved by both YC Soil and Water Dept., and the Jerusalem Planning Board. This project is also reviewed by the Code Enforcement Officer as part of the final approval process.

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

Respectfully submitted,
Elaine Nesbit/Secretary