

Approved

TOWN OF JERUSALEM  
ZONING BOARD OF APPEALS

January 12, 2012

The Town of Jerusalem Zoning Board of Appeals was called to order on Thursday, January 12, 2012 at 7 pm by Chairman Glenn Herbert.

Roll Call:	Glenn Herbert	Present
	Jim Crevelling	Present
	Jim Bird	Present
	Ed Seus	Present
	Dwight Simpson	Present
Alternate	Rodgers Williams	Present

Others present included: Michael Bunting, Jim Koester, Pat Killen/Town Board, and an interested neighbor, and Earl Makatura.

A motion was made by J.Crevelling seconded by G.Herbert to accept the December Zoning Board minutes as written. The motion was carried unanimously (4-yes, 0-no).

J.Bird abstained because he was not present at the December meeting.

COMMUNICATIONS:

There were no communications.

AREA VARIANCE/SPECIAL USE REVIEW:

Application #994 for Michael Bunting owning property at 10059 East Bluff Dr. to request an Area Variance to build a garage 28 ft. by 32 ft. by 20 ft. high with less front yard setback than zoning requires for a structure built on a lot located in the R1 zone on the west side of East Bluff Dr.

Mr. Bunting was present to answer questions for board members stating that it was his intent to have an engineer design the wall foundation. There will be some excavation that will be needed to be done. Mr. Bunting stated that he will be applying for Steep Slopes review before the Planning Board.

It was noted by Chairman G.Herbert that once the excavation starts, they could get into some very hard digging even rock formation.

There was a discussion about the survey map and the actual setback as measured from the center of the road to the closest point of the garage be it the roof overhang including gutters or what ever is the closest point.

Mr. Bunting pointed out that the design of the garage was going to be very simple with the garage to have a roof pitch that will keep the height within the required zoning limits. The garage will be sided like the house with two single doors and an entry door with some storage above in the pitched roof area. The garage will have electric in it. There will be no water inside the garage but there will be an outside hydrant for garden hose hookup.

Mr. Bunting pointed out that there is a distance of 35 ft. as measured from the center of East Bluff Dr. to the edge of the road. There is additional setback from the edge of the road to where the garage will be built. This gives an additional 6.67 ft. for an area for vehicle safety before pulling out onto East Bluff Dr.

The area variance test questions were reviewed as follows:

- 1) Could granting the Area Variance change the character of the neighborhood (0=yes, 5=no).
- 2) Are there alternatives that would not require an area variance? (5=no, 0=yes).
- 3) Is the request substantial? (1=yes, 4=no). G.Herbert-no, J.Crevelling=yes, J.Bird-no, E.Seus-no, D.Simpson-no. J.Crevelling stated that the request is substantial because the request is almost half of what is required by the zoning for the R1 zone. E. Seus felt that given the location the request is not substantial.
- 4) Would the granting of this variance have potential adverse impacts on physical or environmental conditions in the neighborhood? (0=yes, 5=no).
- 5) Is the alleged difficulty self-created? (5=yes, 0=no).

A motion was made by G.Herbert seconded by D.Simpson to grant this area variance that the garage is to come no closer than 41 ft. as measured from the center of East Bluff Dr. to the closest point of the garage including roof overhang.

The motion was carried unanimously as follows: J.Crevelling-grant, E.Seus-grant, J.Bird-grant, D.Simpson-grant, G.Herbert-grant.

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

OTHER BUSINESS:

Chairman G.Herbert stated that the Board needed to elect new Zoning Board Chairman and Vice-Chairman for the upcoming 2012 year.

A motion was made by J.Bird and seconded by D.Simpson to keep Glenn Herbert as Chairman and Jim Crevelling as Vice-Chairman for 2012. He stated that they have done a very good job and should continue.

The motion was carried unanimously (5-yes, 0-no).

Chairman G.Herbert introduced Rodgers Williams the new Zoning Board Alternate.

Town Board Member P.Killen, Zoning Board liaison, spoke briefly with the board.

There being no further business, a motion was made by J. Crevelling and seconded by J.Bird to adjourn the meeting. Motion was carried unanimously (5-yes, 0-no). Meeting was adjourned at 7:45 pm.

Respectfully submitted,

Elaine Nesbit/Secretary