

Town of Jerusalem  
Zoning Board of Appeals

October 13, 2016

The regular monthly meeting of the Town of Jerusalem Zoning Board of Appeals was called to order on Thursday, October 13<sup>th</sup>, 2016 at 7 pm by Chairman Glenn Herbert.

Chairman G.Herbert asked all present to stand for the Pledge to the Flag.

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

Others present included: Gary Dinehart/Town Bd. , Jim and Nancy Jameson.

A motion was made by E.Seus seconded by G.Herbert to approve the September Zoning Board minutes as written. The motion was carried unanimously.

COMMUNICATIONS:

There were no communications

AREA VARIANCE/SPECIAL USE REVIEW:

Application #1079 for Jim Jameson for property at 1139 West Lake Rd., Branchport, NY requesting an Area Variance to build a mudroom & porch on the one side of the existing home and to add a small bathroom on the other side of the existing home. Both additions will be added in such a manner that they will be filling out the corner areas on the side of the home that faces the west. The home is pre-existing, non-conforming, in that it has only an approximate 13.4 ft. setback from the edge of the road right-of-way and the zoning requires a 20 ft. rear yard setback.

Mr. Jameson and his wife were present to explain their request and to answer questions for board members regarding this application.

It was noted by Mr. Jameson that the requested variance would bring them .4of a ft. closer to the road right of way with the new addition on the one side of the home since the position of the house sits at a slight angle on the lot and the distance widens as you move in a northerly direction.

There were few questions regarding this application. Board members had visited the site. It was noted by the Zoning Secretary that this application will be in front of the Yates County Planning Board for their October meeting since they did not hold a meeting in September.

The area variance 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: (0-yes, 5-no).
- 2)Whether the benefit to the applicant can be achieved by some other feasible method than an area variance: (0-yes, 5-no).
- 3)Whether the requested area variance is substantial: (0-yes, 5-no).
- 4)Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district: (0-yes, 5-no).
- 5)Whether the alleged difficulty was self-created: (5-yes, 0-no).

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

There being no further discussion, a motion was made by G.Herbert seconded by E.Seus to approve this application as applied for with the new additions to come no closer to the road right-of-way than the 13 ft. as shown on the application paperwork and this as measured from the closest part of the home including roof overhang. It is also noted that this approval is subject to the Yates County Planning Board's review at their October meeting.

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

OTHER BUSINESS:

Board members were reminded to pick up their mail from their mailboxes and to were referred to a couple of articles in "Talk of the Towns & Topics".

G.Herbert asked if all had taken an opportunity to review the proposed draft local law for the solar systems. He urged anyone who wanted a copy to let him know so he could forward a copy to them.

There being no other a business, a motion was made by R.Williams seconded by K.Hanley to adjourn the meeting. The motion was carried unanimously and the meeting was adjourned.

Respectfully submitted,  
Elaine Nesbit/Secretary

