

**ZONING BOARD AGENDA**  
**Thursday October 10, 2024**

OPEN MEETING / PLEDGE TO THE FLAG

ROLL CALL:

	Rodgers Williams	Absent
	Randy Rhoads	Present
	Earl Makatura	Absent
	Lynn Overgaard	Present
	Steve Schmidt	Present
Alternates	Donald Wright	Present
	David Hostutler	Present

Others present included:

Daryl Jones, Town Board Liaison. Matt Mitchell. Gene Mitchell. Don Gallagher.

Meeting called to order at 7 pm.

Approval of September minutes approved as corrected.

Corrections: Zoning board member **S.Schmidt** was listed as absent, member was present.

Minutes stated the term locked instead of the term lofted referring to **Covert Security** building.

Motion made by **S.Schmidt**. Seconded by **D.Wright**.

COMMUNICATIONS – None

AREA VARIANCE/PUBLIC HEARINGS:

**App #Z24-0026**-Matt Mitchell. Area Variance Application.  
688 Old Pines Trl (Tax Map) 61.33-1-3

Property owner **Matt Mitchell** is present. He tells the board he bought the property 24 years ago and currently lives down the road at 1099.

Recently he decided it was time to build on the vacant property. He will live in the new build as a primary residence, keeping the residence at 1099 as well.

He is asking for rear lot setback on behalf of his neighbor to allow the neighbor to still have a view of the lake.

**R.Rhoads** confirms he is asking for a 15 foot variance. **M. Mitchell** said 30 feet is allowed but that blocks the views for neighbors.

**D. Wright** asks if the 688 lot is currently vacant.

**M. Mitchell** answers yes, the brown house next door is owned by **Don Gallagher**.

**L.Overgaard** confirms the 15-foot variance request is to move the proposed structure back.

**M.Mitchell** confirms yes, he would like to move it back as far as possible. The property behind the proposed structure is Indian Pines Park and will not ever be built on.

**R.Rhoads** states that 72 x 52 is a very large building. **M. Mitchell** replies that it is, he will use lower level as living space and one day eventually finish the up top space.

**L.Overgaard** confirms that the living space is the same level as garage, in addition to an 8 x 22 porch. **M.Mitchell** answers yes, if he is able to build far back enough.

**R.Rhoads** confirms the measurements of almost 4,000 sq ft is still under the 30% lot coverage. **M.Mitchell** answers yes, 29.7% is the max the lot can be, even with porch he will still be under.

**R.Rhoads** states yes it is close, but still under coverage. No variance is required.

**R.Rhoads** makes a motion to open the floor to the public. **D.Wright** seconds.

**D.Gallagher** is the neighbor that has asked for structure to be place further back. He spoke with the neighbor on the other side **Marion Weiss** is okay with placement too.

**D.Gallagher** states that he would prefer 20 feet so he can see the lake from his picture window.

**M.Mitchell** explains that **D.Gallagher** is a long time neighbor and he wants to keep the peace. **D.Gallagher** adds there is still 50 or 60 feet of just woods back there.

**R.Rhoads** asks if he would like to request a 15 foot or a 20 foot variance. **M.Mitchell** responds with a 20-foot variance. The property behind is a park and considered forever wild.

**L.Overgaard** added that is does not make a huge difference because it is just woods behind the structure.

**R.Rhoads** makes a motion to close the public hearing. **D. Wright** seconds.

The Area Variance test questions were read and reviewed regarding the variance with the following results: 3 majority yes, 2 majority no.

**R.Rhoads** makes a motion to accept a 20 foot variance, for a 10 foot setback. **D.Hostutler** seconds.

The board was polled as follows:

L. Overgard- Grant

R. Rhoads- Grant

D.Hostutler- Grant

D.Wright-Grant

S.Schmidt-Grant

**R.Rhoads** informs board members that applications will be sent to Planning and Zoning Board via email, hard copies will be available for pick up at the Town Hall. He also informs board members to have a picture sent to secretary **L.Swarthout** for badges.

**R.Rhoads** made a motion to close the meeting at 7:24 pm. **D.Wright** seconds.

Next meeting November 14<sup>th</sup>.