

Town of Johnsburg  
Zoning Board of Appeals  
Tannery Pond Community Center  
June 20, 2018

**Attendance:** Phil Goodman, Jim Jones, Cathy Allen

**ABSENT:** David Skibinski, Danae Tucker ZEO

**Applicants:** Kathie L. Johnson, Jerry Pellini

**Guests:** none

**Call meeting to order:** 1:20pm

**Public Hearing:** V-03-2018 Ms. Johnson & Mr. Pellini would like to put an addition onto their home but need a variance for 14 feet of relief from the zoning code.

Mr. Goodman made a motion to close the public hearing at 1:25pm and open the regular hearing, seconded by Mr. Jones all in favor.

1:26 pm opened the regular meeting of the Zoning Board.

6/20/2018

Town of Johnsburg Zoning Board of Appeals

Variance # V-03-2018

This is a request for an area variance from Kathie J. Johnson and Jerry Pellini to be able to build an addition onto their existing house at 21 Fairview Avenue, North Creek, NY 12853 (Lot # 66.14-2-70). The owners will need a frontline variance of 14 feet to construct then addition.

Background: The owners have a house on their lot that is grandfathered to be closer to the road that the current zoning regulations allow (30 feet). The main structure is 16 feet from the road (Fairview Avenue) and has an attached porch that is about 10 feet from the road. They would like to build an addition that would be the same distance from the road as the main

structure of the existing residence. To build the proposed addition they need 14 feet of frontline relief.

Philip Goodman makes a motion to grant 14 feet of frontline relief and approve variance application V-03-2018.

Rationale:

- 1) Granting this relief will not cause an undeniable change to the character of the neighborhood. The addition will be the same distance from the road as the rest of the existing main house, and 8 feet further from the road than the existing porch. Other houses in the neighborhood were also built closer to the road before our current zoning plan and the newer existing standard of 30 feet.
- 2) The lot is limited by size and physical characteristics; fitting the addition to the existing building cannot be otherwise attained without the variance.
- 3) The variance is not substantial considering the rest of the front main structure of the building will be the same distance from the road, and the pre-existing porch is already 8 feet closer to the road as the proposed addition. The addition will be well within the regulated setbacks on the side (32 feet) and back (70 feet).
- 4) The physical and environmental conditions in the neighborhood will not be negatively impacted. There are no substantive additional environmental issues associated with the addition, and the existing septic capacity and location are sufficient.
- 5) The required variance is a self-created issue, because the owners desire to make improvements to the existing residence, but in our opinion that circumstance does not preclude the issuance of the variance.

Motion seconded by:

James Jones. Motion passed

### **Approval of Minutes:**

### **ZEO Report:**

Mr. Goodman made a motion to adjourn the Zoning Board meeting at 1:45pm, seconded by Mr. Jones all in favor.

Respectfully,

Joann M. Morehouse

**Next Zoning Board meeting scheduled for July 2, 2018 at Tannery Pond**