

Town of Johnsburg  
Zoning Board of Appeals  
Tannery Pond Community Center  
June 6, 2016

**ZBA Members:** Cathy Allen, Phillip Goodman, James Jones

**Applicants:** Peter Gilbertson and Ellen Deprey

**Guests:** Joann Morehouse PZ Secretary, Peter Gilbertson, and Ellen Deprey

**ZEO:** Danae Tucker (Absent)

Public Hearing called to order 7:08pm by Mrs. Cathy Allen

**Variance V-02-2016- Gilbertson/Deprey-Tax Map #66.18-1-48, 58 Main Street**

This request is for an area variance to cover 6ft of side setback relief for an addition to the garage/barn. Need to have ZEO put a copy of her determination in the file for our records.

Motion to close the public hearing at 7:27 made by Mr. Goodman seconded by, Mr. Jones all in favor.

**Variance V-02-2016- Gilbertson/Deprey-Tax Map #66.18-1-48, 58 Main Street**

**Opened regular meeting at 7:27pm**

**V-2-2016 Gilbertson/Deprey-Tax Map #66.18-1-48, 58 Main Street** Mr. Goodman made a motion to grant the variance, seconded by Mr. Jones all in favor.

6/7/16

Town of Johnsburg Zoning Board of Appeals Variance # V-02-2016

This is a request for an area variance to grant 6' of sideline relief for an addition to an existing outbuilding.

Background: The landowner's (Peter Gilbertson and Ellen Deprey) would like 6' of sideline relief to build a small addition of an outbuilding that has existed on their property for many years (decades in fact prior to the enactment of the town's first zoning ordinance in the early 1960's).

Philip Goodman moved to grant Area Variance V-02-2016 and allow for the 6' of side setback relief for the outbuilding.

Rationale:

- 1) Granting this relief will not cause an undesirable change to the character of the neighborhood. The building already exists (and has since the 40's) in the back corner of the property. The addition will also not be any closer the sideline of the property than a retaining wall that already exists.
- 2) The desired result cannot be otherwise attained without the variance. The addition is being made to a pre-existing structure.
- 3) The variance is not substantial.
- 4) The physical and environmental conditions in the neighborhood will not be negatively impacted.
- 5) The condition is not self-created because it is an addition to a structure that has already existed for almost seventy years, twenty of those before any zoning existed in the town.

Motion seconded by Jim Jones.

Motion passed 3-0

Notation made that the Variance number was changed to V-2-2016 do to an error in the original typing.

**Approval of Minutes:**

Mr. Goodman made a motion to accept the minutes from the November 2015 meeting which the board forgot to do at the last meeting in May seconded by Mrs. Allen

Mrs. Allen made a motion to accept the minutes from the May 2, 2016 meeting, seconded by Mr. Jones.

7:40pm Mr. Goodman made a motion to close the meeting and seconded by Mr. Jones all in favor, motion carried.

Respectfully submitted,

Joann M. Morehouse

DRAFT