

Town of Johnsburg  
Zoning Board of Appeals  
Ski Bowl Pavilion

July 6, 2020

**Attendance:** Jim Jones, Cathy Allen, Phil Goodman, Kevin Bean, and Secretary Joann Morehouse

**ABSENT:** Danae Tucker ZEO

**Applicants:** Chris May

**Guests:** Chris May, Frank Thissell

- **Public hearing: V-01-2020-May-2832 State Route 28–Tax Map # 84.-1-8** called to order 7:04 pm by Chairman Cathy Allen. Mr. May is seeking an area variance requesting 35 feet of relief from the front setback for a garage. Mr. May is selling the property and the new homeowner wants a garage in place.  
7:08 pm Mr. Sears made a motion to close the public hearing, seconded by Mr. Bean all in favor.

**Call Regular meeting to order:** Meeting called to order by Mrs. Allen at 7:08

- **V-01-2020-May-2832 State Route 28 – Tax Map # 84.-1-8**

7/6/2020

Town of Johnsburg Zoning Board of Appeals Variance # V-01-2020 (84.-1-

8). 2832 State Route 28, North Creek, NY 12853

This is a variance for 35 Feet of front setback relief from the 100 feet scenic corridor requirement on State Route 28 between North Creek and Wevertown.

**Background:**

A number of years ago the ZBA granted Mr. May a variance to build his house on this same lot with the rationale that the new house was replacing an older house that had been much closer to the road than its replacement. The rationale for the garage setback relief of 35 feet requested in this variance is similar. Mr. May has removed a similar sized outbuilding that could have been converted into a garage that also would have been much closer to the road. The lot also has topographical limitations that makes it impractical to move the proposed garage farther from the road.

Philip Goodman moved to grant Mr. May 35 feet of relief from the 100 feet of the scenic corridor requirement and approve variance V-01-2020.

**Rationale:**

- 1) Granting this relief will not cause an undesirable change to the character of the neighborhood. A group of neighboring residences and outbuildings are just as close, or closer, to the highway as the proposed garage.
- 2) Because of the lay of the land, the building cannot be reasonably located farther away. The benefit cannot be otherwise gained without the variance.
- 3) The 35% setback relief is not substantial. The 65-foot setback is farther from the road than some of the neighboring structures.
- 4) The environment will not be adversely impacted by the variance. Construction elsewhere on the lot would impact the environment more.
- 5) The desire for a one car garage is self-created, but the desire for a garage in our climate is not unreasonable and does not preclude the granting of this area variance.

Motion seconded by Kevin Bean. Motion passed 5-0.

**Approval of Minutes:** Mr. Jones made a motion to approve September meeting minutes, seconded by Mr. Goodman all in favor

**ZEO Report:** none

Mr. Bean made a motion to close meeting at 7:30, seconded by Mrs. Thissell all in favor.

Respectfully,

Joann M. Morehouse

**Next Zoning Board meeting scheduled for August 3, 2020 at Tannery Pond**