

## Zoning Board Minutes

Town of Groveland

4955 Aten Rd.

Monday May 17, 2021 at the Town Hall

Members Present: Code Officer: Ron Maxwell

Chair Courtney Burnette

Rick Sleggs

Applicants:

Pattie Johnston

Angela McConnell

William Magee

Christopher & Cindy Rau

Absent: Pete Dolan

Others Present:

Members of the Community

### CALL TO ORDER

Chair Courtney Burnette called the meeting to order at 7:05 PM. There was a quorum present. Chair Burnette began the meeting by reading aloud the Public Hearing Announcement for the McConnell and Rau variances. The Public Hearing had appeared in the Livingston County News on May 6, 2021.

### PUBLIC HEARING: McConnell

Chair Burnette invited Angela McConnell, representing David McConnell, to come forward and speak about the rear yard setback variance that did not meet code.

Angela McConnell explained to the board and the community members in attendance that she would like to place a 12' x 12' addition onto her garage for more space. No letters or calls were received regarding this variance.

Rick Sleggs questioned if the overhead electric in the plans would be a problem. Code Officer Ron Maxwell stated that he would check with the electric company before issuing the permit.

The board reviewed the 5 questions and included in file:

1. *Will an undesirable change be produced in the character of neighborhood, or will a detriment to nearby properties be created by granting the variance? No, not as close to the property line as the existing garage.*

**APPROVED**

2. *Can the benefit sought by the applicant be achieved by some feasible method other than a variance? No, they would need a front yard or rear yard variance.*
3. *Is the requested variance substantial? No, less than 50%.*
4. *Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? No, existing garage is already closer to the property line.*
5. *Is the alleged difficulty self-created? Yes, would like to expand the house.*

Chair Burnette read the SEQR Type II action which applies as follows: (*#(12)-construction or expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds, or other buildings not changing land use or density.*)

The variance request has been sent to Livingston County Water and Sewer Authority (LCWSA). County Planning had also considered each variance requests a matter of "local option."

Rick Sleggs made the motion to approve the 6' rear yard set back variance to add a 12' x 12' addition to the existing garage.

Bill Magee seconded the motion.

All in favor: Courtney Burnette-AYE Pattie Johnston-AYE, Rick Sleggs-AYE, William Magee-AYE.

Opposed: None.

Abstained: None.

MOTION PASSED.

The necessary form was signed and was given to the Town Clerk to be processed.

**PUBLIC HEARING: Rau**

Chair Burnette invited Mr. Rau to come forward and speak about the side yard variance that did not meet code.

**APPROVED**

Mr. Rau stated he wishes to extend his current enclosed porch 5' to the North, to create more space for visiting friends and family.

Neighboring members of the community were present for the public hearing and raised concerns with the variance requested.

Kathy Magliozzi lives in the home to the North of the Rau property. She is concerned that the addition to the enclosed porch will obstruct her view of the lake to the South. Magliozzi and Rau have previously discussed the concerns and have come to an agreement that both parties would be happy with a 4' addition opposed to the original 5'.

William Magee stated that he has no concerns with granting the variance since the two effected parties have come to an agreement on their own.

The board reviewed the 5 questions and included in file:

1. *Will an undesirable change be produced in the character of neighborhood, or will a detriment to nearby properties be created by granting the variance? No, it is consistent with neighboring properties.*
2. *Can the benefit sought by the applicant be achieved by some feasible method other than a variance? No, they want to stay within the footprint of the existing porch and add 4' to the North.*
3. *Is the requested variance substantial? No, less than 50%.*
4. *Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? No, consistent with what is already there.*
5. *Is the alleged difficulty self-created? Yes, wants to expand the front porch.*

Chair Burnette read the SEQR II action which applies as follows: *(#(12)- construction or expansion or placement of minor accessory/ appurtenant residential structure, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density.)*

The variance request has been sent to Livingston County Water and Sewer Authority (LCWSA). County Planning had also considered each variance requests a matter of "local option".

William Magee made the motion to approve the a 2.2 + or- North side yard area variance for a 4' addition.

Pattie Johnston seconded the motion.

**APPROVED**

All in favor: Courtney Burnette-AYE, Pattie Johnston-AYE, Rick Sleggs-AYE, William Magee-AYE.

Opposed: None.

Abstained: None.

MOTION PASSED.

The necessary form was signed and was given to the Town Clerk to be processed.

William Magee made the motion to close the public hearings, Rick Sleggs seconded the motion.

All in favor: Courtney Burnette-AYE, Pattie Johnston-AYE, Rick Sleggs-AYE, William Magee-AYE.

Opposed: None.

Abstained: None.

MOTION PASSED.

**CONSIDER ZONING BOARD PAST MINUTES FROM APRIL 19, 2021.**

The above was next considered for approval/comments.

Pattie Johnston made the motion to approve the minutes as presented, Rick Sleggs seconded the motion.

All in favor: Courtney Burnette-AYE, Pattie Johnston-AYE, Rick Sleggs-AYE, William Magee – AYE.

**APPROVED**

Opposed: None.

Abstained: None.

MOTION PASSED.

**ADJOURNMENT.** *There being no further business to conduct, Courtney Burnette adjourned the meeting at 8:05 PM.*

William Magee made the motion to adjourn the meeting. Pattie Johnston seconded the motion.

All in favor: Courtney Burnette-AYE, Pattie Johnston-AYE, Rick Sleggs-AYE, William Magee-AYE.

Opposed: None.

Abstained: None.

MOTION PASSED.

Submitted by,

*Trista A Tozier*

Trista A Tozier

Zoning Board Secretary