

Town of Groveland Zoning Board of Appeals

**Meeting
Monday, January 21, 2013**

Zoning Board of Appeals members present: Ron Merrick, Chairman, Phil Livingston, Courtney Burnette, William Magee and Patricia Johnston, Alt. Absent: Kevin Niedermaier

Also present: CEO Ron Maxwell and Joseph Stagnitto

Chairman Ron Merrick opened the meeting at 7:00 PM.

Review and approval of 12/19/2011 ZBA meeting minutes: Motion by William Magee to approve the minutes as submitted, seconded by Phil Livingston. All in favor.

Review and approval of 8/20/2012 ZBA meeting minutes: Motion by Courtney Burnette to approve the minutes as submitted, seconded by Patti Johnston. All in favor.

Review and approval of 10/15/2012 ZBA meeting minutes: Motion by Courtney Burnette to approve the meeting minutes as submitted, seconded by William Magee. All in favor.

The Chairman opened the public hearing at 7:10 PM and read the notice for the application of Joseph Stagnitto for a 54' front setback variance to increase the size of a pre-existing deck on premises located at 5919 West Lake Road in the Town of Groveland. This variance is required because it fails to meet the front setback of 75 ft from the centerline of West Lake Road per Section 27, F. Yards #1-(LSR District).

The Chairman read correspondence received from the neighbors on the north and south side of the property and neither of them had any objections or concerns with the variance. A summer resident of the West Lake Road wrote a letter addressing concerns and comments for the Board to consider. He assumed that the house was a new construction in the same footprint of a house that had been previously demolished on the site however the CEO checked the survey map of the premises and determined that the basement and first floor were not demolished, the owner just added a second story. Mr. Stagnitto was present and verified that they just added a second story to the existing house. The other questions in his letter concerned demolition and new constructions and are not applicable to the review of this application. The County Planning Board reviewed the application and determined that approved or disapproved is a matter of local option.

Mr. Stagnitto explained that right now there is a big drop in the area of the proposed deck extension and believes it would be safer to have that area covered with a deck.

The Board considered the following questions:

1. Can the benefit be achieved by other means feasible to applicant: no
2. Is there an undesirable change in neighborhood character or to nearby properties: No
3. Is the request substantial: no
4. Will the request have adverse physical or environmental effects: No
5. Is the alleged difficulty self-created: Yes

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Motion by William Magee to approve the requested 54 foot front setback variance at 5919 West Lake Road to increase the size of a pre-existing deck, seconded by Courtney Burnette. All in favor.

Motion by Courtney Burnette to adjourn the meeting at 7:50 PM, seconded by Patti Johnston. All in favor.

Submitted by
Karol Thomas
Recording Secretary