

Town of Conklin Zoning Board of Appeals – June 14, 2016

MEMBERS PRESENT: William Northwood, Chairman; Harold Cole, Art Boyle, Elizabeth Einstein
Norm Pritchard

ABSENT: Tom Kelly, Paul Schofield

ATTORNEY: Nathan Vanwhy

ALSO PRESENT: Ron Lake, Code Officer
Renee Hauss, Secretary
Mary Plonski, Code Office
Chuck Francisco, Town Board Liaison

VISITORS: Kelly Howe
Kyle Howe
Susan Lott
Linda Romanczuk

7:00 P.M. Chairman Northwood called the meeting to order

Chairman Northwood reviewed emergency procedures to all that were present.

Agenda Item #1 **Kyle and Kelly Howe, 64 Hardie Road, Conklin, NY 13748**
Tax Map No: 178.03-3-18 Request for Area Variance

Chairman Northwood read into record the following correspondence:

1. Broome County letter dated June 6, 2016
2. Broome County Health Department comments dated June 6, 2016

Kelly Howe presented to the board that her and Kyle would like to add a 24' X 24' great room and dining room to their home for additional living space. Currently their home is just over 900 square feet and they would like to have additional living space. There will not be any additional bedrooms or plumbing. This addition would give them a setback of 33' and the zoning requirement is 40'. Therefore, they are requesting an Area Variance for 7'. Neighbors present at the meeting (Susan Lott and Linda Romanczuk) stated that they have no issue with the Howe's proposed addition to their home. Kelly Howe also presented a signed petition to the board by four neighbors stating that they have no objection to the addition.

Art verified the side lines to be 477' on each side. Hal asked how the right-of-way was determined. Ron Lake responded that he used the GIS system to determine the right-of-way. Ron stated that there are homes in this area that do not meet the current code for the setback requirement. He stated that the 40' setback may not have been in place at the time of their initial builds. Many of the homes have a larger variance than the 7' variance the Howe's are requesting. Art stated that there is a garage next to the house that looks like it is not being used. Could this garage be renovated into additional living space? Kyle stated that the garage was never built properly. The concrete floor heaves throughout the different seasons. He also will be using the garage to store his vehicle.

Harold Cole made the following motion: I move that we grant the application of Kelly and Kyle Howe for an area variance for property located at 64 Hardie Road, Conklin, New York, tax map number 178.03-3-18. To allow the front yard setback to be 33' rather than the 40' that is required in the zoning law. Because the benefit to the applicant, when considered against the detriment to the health, safety, and welfare of the community, weighs in favor of the applicant, based on the following findings of fact: it is a minimum setback request and there is no alternative for the applicant to add on to their home. An undesirable change will not be produced in

the character of the neighborhood or to nearby properties because the 7' variance is minimal and there will be no distraction to traffic on the road. The benefit sought by the applicant cannot be achieved by some other feasible method as follows: The rear cannot be utilized because of the garage and the sides will not allow for this expansion. The requested variance is not substantial because as stated before it is only 7'. The proposed variance will not have an adverse effect on the physical or environmental conditions in the neighborhood. The alleged difficulty was not self-created. This motion includes the following condition: That the project be completed by June 14 2017.

Hal Cole stated that this was a Type 2 action, therefore no SEQR is required. The area variance that is being requested is for set-back requirements.

Art Boyle second motion and all present board members approved.

Norm Pritchard motioned to adjourn the meeting and Art Boyle second. All present board members approved.

Next Zoning Board Meeting will be held on Tuesday, July 5, 2016.

Northwood closed the meeting at 7:25 p.m.

Respectfully Submitted,

Renee Hauss

Renee Hauss – Zoning Board Secretary