

MINUTES
TOWN of DIX - ZONING BOARD of APPEALS
MEETING #2012.02

Date: February 25, 2012
Present: Frank J. Hammond, ZBA Chairperson
Steve Stephany, ZBA Secretary
Dominick Smith, ZBA Member

Richard Husted, Town of Dix CEO

Keith Vanderburg, Applicant

Meeting Called to Order: 9:00AM

Old Business: None

New Business:

Noted:

- Public notice of this hearing appeared in The Review and Express on 2/15/12.
- Appropriate signage notice of this hearing was erected on 2/5/12.

Review of Applications: The following Application(s) were submitted to the ZBA by the Code Enforcement Officer:

Vanderburg, 2222 Baker Hill Rd, Watkins Glen, NY - Request for Area Variance to allow for the construction of a pole barn building less than 100 feet from roadway right of way.

Discussion: Criteria considered for granting of an Area Variance is addressed as follows:

1. Applicant states he does not believe there will be any undesirable change as a result of erecting the proposed structure. The building will be partially hidden by woods on the South and East side and there are no houses on those sides. On the West side there is only one house, approximately 200' away. The pole barn building would not be directly in front of any house.
The ZBA determines that there is no significant potential to produce undesirable change in the character of the neighborhood or a detriment to nearby properties.
2. Applicant states that the placement of the building is best suited where the end of his driveway currently is, such that it is readily available to his house. Other locations would be too far away from the house and inconvenient.
The ZBA determines that the benefit sought by the applicant cannot be achieved feasibly on this property without an Area Variance allowing the erection of the proposed structure as requested.
3. The applicant states that he does not believe the variance is substantial. The building is planned to be set in such a way that the front corner will be approximately 60' from the road centerline, the back of the building

will be further from the road centerline as it is perpendicular to the house and running away from the road centerline.

The ZBA determines that this Area Variance is not substantial.

4. The applicant states that he does not anticipate any physical or environmental issues.

The ZBA determines that an Area Variance allowing the erection of the proposed structure does not appear to create an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

5. The applicant states that his house was originally set in 1995, prior to the recent building requirements. At that time, he had purposely set the house back not more than 100' because of incurring additional utility expenses. At that time, there was no minimum setback requirement from the town that would have allowed him to pre-plan additional buildings.

The ZBA determines that the issue requiring this Area Variance for the erection of the proposed structure was not self created since the property was owned by the applicant and his house was set prior to the effective date of The Town of Dix Zoning Law, 1/26/2007.

Decision for Area Variance: Approved by unanimous vote.

Other Business: Election of ZBA officers.

The following officers were unanimously elected by the ZBA members:

Chairperson: Frank J. Hammond

Secretary: Steve Stephany

Meeting Adjourned: 9:15AM

Respectfully Submitted,

Steve Stephany, Secretary