

MINUTES
TOWN of DIX - ZONING BOARD of APPEALS
MEETING #120713

Date: December 7, 2013
Present: Frank J. Hammond, ZBA Chairperson
Steve Stephany, ZBA Secretary (telephonically)

Richard Husted, Town of Dix CEO

James Sgrecci, 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 11/27/13.
- Appropriate signage notice of this hearing was erected on or before 12/5/13.

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

Sgrecci, 1830 Meads Hill Road, Watkins Glen, NY - Request for an Area Variance to allow for the construction of a pole barn building larger than 720 SF on an Open Space lot of less than 10 acres.

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 in the area as a result of erecting the proposed structure. 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 building must be constructed at the location as shown on the application documents to meet his current needs. 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 100' from the road centerline. All other setbacks, as well, will be equal or greater than those noted in the Town of Dix Zoning Ordinance for setbacks from surrounding properties. 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 this property has been owned and/or lived on by his family since 1998, prior to the Town of Dix Zoning Ordinance building requirements. Therefore, he does not consider this issue to be self-created,

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 structures have been existing prior to the effective date of The Town of Dix Zoning Law, 1/26/2007.

Decision for Area Variance: Approved by unanimous vote under criteria noted above.

Meeting Adjourned: 9:15AM

Respectfully Submitted,

Steve Stephany, Secretary