

Minutes of the Zoning Board of Appeals Meeting of the Town of LaFayette held June 8, 2004, at 7:30 p.m. in the Meeting Room of the LaFayette Commons Office Building at 25577 Route 11 in the Town of LaFayette.

Present: Stephen Beggs, Chairman
Albert Miller, Member
Robert Drumm, Member (Arrived 7:50 p.m.)
Daniel Kuhns, Member
Jerry Doolittle, Member

Recording Secretary: Mary Jo Kelly

Others Present: Karen Godsoe, ZBA Attorney
Russell Burlingame, Applicant
Jason Griffin, Applicant
Tracey Haynes, Webb Road

Chairman Beggs welcomed everyone and everyone introduced themselves.
Chairman Beggs asked if there were any corrections or additions to the May 11, 2004 Meeting Minutes as submitted by the Secretary. There were none. He advised the Minutes will stand as submitted.

**CASE # 567 – Public Hearing for Appeal of Russell Burlingame, Jr.
for a variance on his property located at 4202 West
Shore Manor approximately ½ mile north of the West
Shore Manor and Apulia Rd. intersection in an
Agricultural/Residential District. (Tax Map # 003.-03-
22)**

Chairman Beggs opened the public hearing on the above application. He asked the applicant to review his proposal.

Russell Burlingame said the addition is 22' x 16'. He is proposing to bring it off the rear of the house.

Chairman Beggs asked if he had a sketch or survey that shows the dimensions of the property.

Russell Burlingame submitted a survey prepared by Cottrell and dated February 16, 2004.

Chairman Beggs said basically he will be 25' from the rear property line. The side line would be maintained at 9'. He is not proposing to encroach on the current distance from the side property lines.

Russell Burlingame showed the Board the deed that he owns the property.

Chairman Beggs asked if he owns the blue line.

Russell Burlingame said it references it in the deed.

Chairman Beggs asked if anyone is present to oppose or support this application.

No one came forward.

Chairman Beggs closed the public hearing. He said Russell Burlingame wants to build on the rear of his house, the lake side, to be within 25' of the rear property line assuming the retaining wall is the rear property line which means a 6' rear-yard variance is required.

Member's Kuhns moved and Doolittle seconded the motion to make this Board Lead Agency, this is an unlisted action and a negative declaration in the SEQR process and to grant approval of a 6' rear-yard variance for Russell Burlingame.

Karen Godsoe asked if the Board wanted the setback to be within 24' of the rear property line.

Chairman Beggs said yes.

Karen Godsoe said the Board will be granting a 6' variance such that the structure would be 24' from the rear property line. She asked if there were any conditions.

The Board didn't believe so.

Chairman Beggs said the applicant has stated the fact that the addition will be in line with the existing structure so there will be no further encroachment on the neighboring properties. There's no room for expansion on the sides so the applicant can only extend toward the rear which he has asked to do.

The above motion passed unanimously.

CASE # 568 – Public hearing for Appeal of Jason Griffin for a side-yard variance on his property located at 3258 Webb Rd. approximate 650' west of the Route 11 and Webb Rd. intersection in an Agricultural/Residential District. (Tax Map # 024-02-02.2).

Chairman Beggs opened the public hearing for the above application. He asked the applicant to review his proposal.

Jason Griffin submitted pictures of his property. He advised the garage will be about 12' from the side property line.

Chairman Beggs said the applicant is looking for a 13' side-yard variance. He asked if anyone was present in opposition or support of this application.

Tracey Haynes said he supports this application. He thinks it would be good.

Chairman Beggs said the applicant received a building permit to erect a garage but the D.O.T. wouldn't approve the driveway. Due to the septic system and leach fields he is proposing to put the garage on the other side of the house.

Tracey Haynes said he has no objections to the application or where he is proposing to put the garage. He can see why the garage must go on the south side of the property.

Chairman Beggs asked if anyone was present in opposition to the proposal. No one came forward.

Chairman Beggs closed the public hearing.

Member's Miller and Kuhns moved to make this Board Lead Agency, this is an unlisted action and a negative declaration in the SEQR process. Motion passed unanimously.

Karen Godsoe noted the Minutes from the last Meeting indicated a 15' variance might be needed.

The Board confirmed the garage would be 10' from the side property line so it's a 15' side-yard variance. The Board noted the septic system and the layout of the land make this the only place the driveway and garage can go.

Chairman Beggs said the hardship would be that the D.O.T. will not grant a driveway permit for safety reasons on the north side of the house. Due to the septic system and location of the leach fields, and the practical difficulty of maintaining the driveway where it is and having access to the garage make there no other place to put it on the property other than where it is being proposed.

Member's Miller moved and Doolittle seconded the motion to grant a 15' side-yard variance to Jason Griffin. Motion passed unanimously.

Members Miller moved and Doolittle seconded the motion to adjourn. Motion passed unanimously.

The Zoning Board of Appeals Meeting adjourned at 8:02 p.m.

Respectfully submitted,

Mary Jo Kelly
Secretary