

**VILLAGE OF ROUND LAKE  
ZONING BOARD OF APPEALS**

Daniel Shapiro, Chair  
Dan Curtis, Member  
Harry McDonnough, Member  
Mark Marion, Member  
Laurie Naranch, Member

Thomas Peterson, Counsel  
Peter Sheridan, Code Enforcement Officer

**MINUTES – Meeting 10/30/18**

Daniel Shapiro called the meeting to order at 7:00 P.M. All members present.

**Santy Application:**

The hearing regarding the application of Lisa Santy for relief from certain area setback and coverage requirements for the erection of a garage was continued.

Concerns were expressed regarding the difficulty of determining accurate property lines and potential infringement of village property, including the potential for making difficult access to the tree line between Wiley and Lake Avenues. Code Enforcement Officer Sheridan assured the Board that as discussed, the structure would neither infringe on Village property nor present difficulties of access.

The hearing was closed.

Daniel Shapiro motioned approval of the application with specific conditions. Discussion was had and the motion was modified, re-motioned by Mr. Shapiro to read as follows:

Motion to approve variance of side and rear setback requirements and the coverage requirement as follows:

For the side yard, 2'10" from the from the property line as set forth on document "A" consisting of a map as executed by and amended by applicant. Such setback relief runs only for the length of the proposed structure, as depicted on document "A" consisting of a dimensional rendering thereof and in no event to exceed 20 feet.

For the rear yard, 1'0" from the property line as set forth on document "A" consisting of a map as executed by and as amended by applicant. Such setback relief runs only for the width of the proposed structure, as depicted on document "B" consisting of a dimensional rendering thereof and in no event to exceed 12 feet.

For the coverage requirement, 3 percent coverage in addition to the 20 percent of current coverage.

Conditions:

In accord with Applicant's representations and in order to protect the character of the neighborhood and to minimize adverse impacts thereon, the following conditions are imposed:

- 1) The structure shall not be based on a foundation of any kind and shall be constructed in such manner as to achieve consistency with the historic nature of Alumni Hall and surrounding community, as required by the Uniform Building Code.
- 2) The structure shall be designed and used for the sole purpose of garaging and storage and shall consist of a single story, not exceeding 12 feet in height and without any foundation, basement or crawl space.

The matter is referred to the Planning Board for its additional action.

The motion was unanimously approved.

A SEQRA was conducted by the Board.

- 1) Would the variance result in an undesirable change in the character of the neighborhood or a detriment to nearby properties?
  - a. Yes – The structure could be aesthetically problematic and there is no comparable setback. However, the applicant is willing to erect a suitable structure and since the property's shortest setback adjoins the park, no rationale for conformity in setbacks exists.
- 2) Can the benefit sought by the applicant be achieved by a feasible alternative to the variance? – No.
- 3) Is the requested variance substantial? – Yes.
- 4) Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood? – No.
- 5) Is the alleged difficulty self-created? – Yes.

It was unanimously determined that the action was a "Type II", but that the grant would have no significant adverse environmental impact. It made a negative declaration in the matter.

**Interpretation:**

Samantha Miller requested an interpretation of the zoning law to permit her continued maintenance of chickens on her residential property. After discussion with the Building Inspector and Counsel, it was determined that the right to farm law applied to her situation and that no interpretation of the zoning law was required.

**Administration:**

The consensus of the Board is that absent extraordinary circumstances, a survey should be submitted in an area variance application.

Meeting Adjourned.