

ROUND LAKE ZONING BOARD OF APPEALS MEETING HELD SEPTEMBER 25, 2014.

PRESENT: C. Brent Elford, Chair
Sharyn Marchione

Sharon Pineo

ABSENT: Tim Palmer
Michael Allen

Mark Marion

ALSO PRESENT: Village Attorney Thomas Peterson CEO Peter Sheridan

APPROVAL OF MINUTES

MOTION by Mr. Elford to approve the minutes as presented of the May 22, 2014, Zoning Board of Appeals meeting **SECONDED** by Mrs. Marchione.

MOTION APPROVED

MOTION by Mr. Elford to approve the minutes of the August 28, 2014 Zoning Board of Appeals minutes as corrected, **SECONDED** by Ms. Pineo.

MOTION APPROVED

Appeal 2014-03: Beth Kiingati, 9 Saratoga Avenue, Round Lake, NY.

Dennis & Beth Kiingati are requesting an area variance to construct a rear deck on the north side of their house. The deck will extend 3 feet beyond the farther point of the house. There is a 6 foot stockade fence already on the rear property line. The Board reviewed the survey of the property and the placement of the proposed deck.

Ms. Pineo commented that anytime an addition is made to a house that is not consistent with period architecture that change detracts from the character of the Village.

Decks were not used in the 1800's. Adding a deck creates an inconsistent look and can increase the footprint of a house, depending whether the deck is anchored or not anchored to the living space.

Ms. Pineo would like written assurance from Beth Kiingati as a condition of granting the variance relief she seeks, that this deck would not be attached to the house by bolts or any type of permanent anchor.

The Zoning Board reviewed the applicants' demonstration for a variance:

1. Would the variance result in an undesirable change in the neighborhood or detriment to nearby property? **NO – 2 YES - 1**
2. Can the benefit sought by the applicant be achieved by a feasible alternative to the variance? **YES** A patio could be put in place.
3. Is the requested variance substantial? **NO**

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** A use was created with the existing door and no deck.

MOTION by Mr. Elford to grant a variance to allow the Kiingatis to construct a rear deck that will extend 3 feet off the north side of the house and to the west to square off the house, **SECONDED** by Mrs. Marchione.

MOTION by Ms. Pineo to amend the motion to add a condition that will assure that this deck will not become a permanent structure; it will not have footers or be bolted to the house, **SECONDED** by Mr. Elford.

MOTION by Mr. Elford to accept the granting of the variance for the construction of the rear deck, **SECONDED** by Ms. Marchione.

MOTION APPROVED

MOTION by Mr. Elford to accept the conditions to the variance that was granted to Beth Kiingati as stated, **SECONDED** by Ms. Pineo.

MOTION APPROVED

Mr. Palmer arrived.

MOTION by Mr. Elford to go into executive session to discuss pending litigation, **SECONDED** by Ms. Pineo.

MOTION APPROVED

MOTION by Mr. Elford to return to the regular session of the Zoning Board of Appeals meeting, **SECONDED** by Mrs. Marchione.

MOTION APPROVED

MOTION by Mr. Elford to adjourn the meeting at 8:22 P.M.

MEETING ADJOURNED.

Respectfully submitted,

Lois J. Whitbeck
Village Clerk