

TOWN OF GRANBY ZONING BOARD OF APPEALS

Meeting Minutes

July 24, 2018

AGENDA: Fatcheric Public Hearing
Regular Meeting

MEMBERS: Michael French, Chairman
Peter LeoGrande
Patricia Simmons
Tom Thompson - absent
Tina Sawyer

ALSO PRESENT: John Fatcheric.

Chairman French opened the meeting at 7:00 pm.

* * * * *

PUBLIC HEARING

Area & Use Variance Requests

John & Marie Fatcheric –3 Terry Lane, Fulton
Tax Map #302.00-01-06

Chairman French reconvened the Public Hearing that had been tabled on July 17, 2018 at 7:01 pm. The applicants are requesting 3 separate variances that are substantial for relief of the following regulations:

Section VI, Subsection C – Non-Conforming Buildings and Uses – Restoration;

Section XI - Definition of a Lot;

Section III – Use Chart – Manufactured Homes in the R-1 Zoning district.

Chairman French explained that he had visited Code Enforcement and the assessor records reflect three separate dwellings on a single property, therefore the subdivision survey map that the Fatcheric’s commissioned in 2014 was never filed with the County Clerk’s office. Two of the dwellings are pre-existing in an R-1 zoning district, which is highly regulated for use in order to build, protect and retain the value in the housing stock which in turn increases the base value of the Town. The Zoning Ordinance deals with pre-existing buildings and uses within Section VI: Non Conformities; whereas provisions for rebuilding in the event of loss and occupying the same footprint are allowed, total replacement is not allowed and once a structure is removed it may not be replaced unless it conforms to the current district and dimensional regulations. The third issue deals with utilizing a single wide in a district that requires a minimum of doublewides, which the applicant’s were aware of when they purchased their doublewide in 2014 and attempted to subdivide the parcel. The Board members were in agreement that the requests were all substantial and that maybe if only one existed they could consider some relief but the property design is too small as it is developed. Chairman French urged the applicant’s to re-file their subdivision request to alleviate future issues and attempt compliance with the Zoning Ordinance. He also stated that the applicants were within their rights to rebuild the damaged structure by working with the Codes office to document what is damaged

and what needs replacing. Without any further comment from the public or Board members, Chairman French closed the Hearing at 7:11 pm.

* * * * *

REGULAR MEETING

John & Marie Fatcheric –

The Regular Meeting was opened at 7:04 pm.

*Without any further discussion from the Board Members a motion was moved by Member Simmons and seconded by Member Sawyer to approve the three requested variances to allow the replacement of a manufactured home on property located at 3 Terry Lane, Fulton, NY 13069 Tax Map #302.00-01-06 is hereby **DENIED**.*

A roll call vote was taken:

<i>Michael French, Chairman</i>	<i>Naye</i>
<i>Peter LeoGrande, Member</i>	<i>Naye</i>
<i>Patricia Simmons, Member</i>	<i>Naye</i>
<i>Tom Thompson, Member</i>	<i>Absent</i>
<i>Tina Sawyer, Member</i>	<i>Naye</i>

*0 AYES 4 NAYES 0 ABSTENTIONS – Resolution 2018-02 - **DENIED**.*

MINUTES

A **motion** was **moved** by Member LeoGrande to approve the meeting minute’s for June 12, 2018. The motion was seconded by Member Sawyer, all were in favor without further discussion and the **motion carried**.

ADJOURN

With no other business before the Board a **motion** to adjourn at 7:14 pm was **moved** by Member Simmons and seconded by Member Sawyer, all were in favor and the **motion carried**.

Respectfully submitted by:

Lisa Somers
ZBA secretary