

**Town of Horicon
Zoning Board of Appeals**

**July 25, 2017
Minutes**

Present at Meeting:

Thad Smith, Chairperson
Gary Frenz
Pat Farrell
Scott Olson
James Dewar

Also Present: Michael D'Angelico and James Steen

Agenda Items: File # 2017-10 AV Tax Map # 39.9-1-22
File # 2017-11 AV Tax Map # 105.10-2-5

Pledge

Chairperson Thad Smith called the meeting to order at 7:00 p.m.

Chairperson Thad Smith appointed alternate #1, James Dewar as a voting member in the absence of Vice-Chairperson Cheryl Erickson.

Review of Minutes: Pat Farrell made a motion to **accept the June 27, 2017** minutes as written. Second by Scott Olson. **ALL AYES.**

NEW BUSINESS: File 2017-11 AV
Tax Map 105.10-2-5
Michael and Donna D'Angelico
23 Hayesburg Road
Brant Lake, NY 12815

Requesting an after the fact Area Variance for a Rear Yard Setback from Zoning Code Section 6.10 and Section 8.01 B to enclose the back and side of a carport on a detached garage to sit 11.5' from the rear where 22.5' is required.

Michael D'Angelico was present to speak about this project.

Gary Frenz asked if the deed was on file for this proposed project and Secretary Terri Katsch responded yes, it is on file.

Zoning Administrator Jim Steen stated that the garage was built in 2013 and sits 23' from the rear of the property. A few weeks ago Jim Steen noticed the carport and he sent a violation letter stating Mr. D'Angelico needed a Zoning Compliance Certificate. It does meet the setback from the road but needs a variance for the rear yard setback. The rear of the property is a lot of woods and a swamp.

Scott Olson asked what the purpose of the carport is.

Mr. D'Angelico stated that he uses it for the lawnmower and other things and put the carport up in that place because the neighbor was supposed to sell the piece of property behind him to Mr. D'Angelico but never did sell it to Mr. D'Angelico which then caused the need for the setback variance.

James Dewar asked if the carport is on a cement slab.

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Mr. D'Angelico responded no, it's on blocks with 4x4's attached to the garage. He has not closed it in yet.

Gary Frenz made a motion to deem the application complete and set a Public Hearing for August 22, 2017. Second by Scott Olson.
ALL AYES.

NEW BUSINESS: **File # 2017-10 AV**
 Tax Map # 39.9-1-22
 Robert and Nancy Konczeski
 13 Maine Blvd.
 Brant Lake, NY 12815

Requesting and after the fact Area Variance for a Roadway Setback from Zoning Code 6.10 for a 12.5' x 29' ground level platform with a 3' railing to sit 48' from the center line of the road where 60' is required.

Robert and Nancy Konczeski were not in attendance and Jim Steen spoke about this project to the Board.

Zoning Administrator Jim Steen explained that the Konczeski's were here about a year ago for a variance when they built their house. When Jim drove by one day there was a deck on the home. Jim Steen asked if they had gotten a permit to build the deck and Mr. Konczeski stated he did not need a permit for the deck. A Zoning Violation was sent to the Konczeki's stating they needed to apply for a variance because the deck does not meet the Roadway setback.

Pat Farrell asked how Maine Blvd. is defined as a road.

The Board members had a discussion about roads in subdivisions.

Zoning Administrator Jim Steen responded that road is a private road owned by Meads and it serves multiple homes. It is a road in a subdivision. The Konczeski's own that lot. There is no distinction here. It is defined as a road and therefore needs a roadway setback.

Scott Olson made a motion to deem the application complete and set a Public Hearing for August 22, 2017. Second by Gary Frenz.
4 AYES, 1 NAY.

Gary Frenz stated that at the Town Board meeting there was a discussion about a decision the ZBA had made regarding Travel Trailers and Mobile Homes. The Town Board decided to form a committee to change the definition in the Town of Horicon Law regarding Travel Trailer regulations going forward. The Board members had a discussion about the Travel Trailer regulations currently in effect.

Being no further comments or questions Scott Olson made a motion to adjourn. Second by Gary Frenz. **ALL AYES.**

Communications: None
Public Comments: None
Board Comments: None
Adjourn: 7:30 pm
Next Meeting Date: August 22, 2017

Respectfully Submitted,
Terri Katsch, Secretary