

APPROVED

MARK FRASER
Chairman

JOHN MAXWELL
Vice Chair

**TOWN OF CARMEL
ZONING BOARD OF APPEALS**



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*Director of Code
Enforcement*

BOARD MEMBERS

ROSE FABIANO
ROGER GARCIA
SILVIO BALZANO
PHILIP AGLIETTI

ZONING BOARD OF APPEALS MINUTES

February 27, 2014

**PRESENT: CHAIRMAN, MARK FRASER, VICE-CHAIR, JOHN MAXWELL, ROSE FABIANO,
SILVIO BALZANO, PHILIP AGLIETTI**

ABSENT: ROGER GARCIA

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Robert Frenkel	75.8-2-21	1	Heldover.
Kenneth Johnson	85.15-1-4	1	Granted.
Eric Balogh	76.19-1-32	1-3	Granted.
Minutes – 1/23/2014			Heldover.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Rose Trombetta

Application of Robert Frenkel for a Variation of Section 156-15 seeking permission to construct 2nd story addition and 2 car attached garage. The property is located at 43 Tamarack Road, Mahopac and is known by Tax Map #75.8-2-20.

Code Requires	Will Exist	Variance Required
Building Coverage 15% Max	26%	11%
Front Yard 25'	15'5"	9'7"
Side (East) 15"	13'6"	1'6"
Side (West) 15"	6'7"	8'5"

Mr. Fraser stated the application is heldover because of the placement of the sign. He said the sign needs to be place in the center of the property.

Mr. Balzano moved to holdover the application. The motion was seconded by Mr. Aglietti with all in favor.

Application of Kenneth Johnson for a Variation of Section 156-15 seeking permission to retain existing deck. The property is located at 8 Perch Drive, Mahopac and is known by Tax Map #85.15-1-4.

Code Requires	Will Exist	Variance Required
20'	18'1"	1'9"

Mr. Kenneth Johnson was sworn in.

Mr. Fraser stated he did not have any comments.

Mrs. Fabiano asked the applicant when the deck was built.

Mr. Johnson replied 10 years ago.

Mr. Fraser asked if anyone in the audience wished to be heard on this application.

Mr. Balzano moved to close the public hearing. The motion was seconded by Mr. Aglietti with all in favor.

DECISION OF THE BOARD

Mrs. Fabiano moved to grant the variance. The motion was seconded by Mr. Aglietti with all in favor.

Application of Eric Balogh for a Variation of Section 156.15 seeking side and front yard variances for a proposed garage, addition and deck. The property is located at 9 Fox Hill Rd, Mahopac and is known by Tax Map #76.19-1-32.

Code Requires	Will Exist	Variance Required
House Rear 40'	11'	29'
Detached Garage 40'	20'	20'

Mr. Willie Besharat, Architect for the applicant was sworn in. He addressed the board and stated this application is to renovate an existing home and add an addition. He said there is an existing detached single car garage which will be attached to the house and made into a family room. There will not be a second floor addition or basement. He said we are also proposing a detached garage to accommodate vehicles and equipment. He said there are a couple of structures on the property that will be removed.

Mr. Fraser asked what kind of equipment.

Mr. Besharat apologized and stated it's not equipment. There will be cars, ATV's and quads stored in the garage. He stated the property is a very odd shape piece of property and the best location for the garage would be on the top.

Mr. Fraser commented that the survey did not clarify that there was an existing garage and it is now being converted to a family room. He asked why does the deck have to protrude out past the rear of the house.

Mr. Besharat stated if the deck is the same size, you would not be able to go to the backyard from there because the property drops down substantially. You would not be able to walk around it.

Mr. Fraser stated I understand that, but why can't you cut the deck off to the back of the house and put stairs down and over.

Mr. Besharat stated yes I can, but it is being done for convenience. If we put stairs, we would need a variance for that.

At which time, the applicant Mr. Balogh was sworn in and Mr. Besharat explained to him what Mr. Fraser was asking them to do. Mr. Besharat stated we do not have an objection to that.

Mr. Fraser stated as far as the garage is concerned, can we move it to minimize the 50% variance?

Mr. Besharat said that is where the septic fields are located. He said we could probably move it between 5 to 7 feet.

Mr. Fraser said that would be good.

Mrs. Fabiano stated there is 4 feet on either side of the garage; can it be cut back to 3 feet on each side? Can you make the garage a little smaller?

Mr. Besharat said we could do that. We will push it back to 30 feet instead of 20 feet.

Mr. Fraser asked what size will the deck be if we cut the piece off.

Mr. Besharat said we could cut the corner of the deck by approximately 14 feet from the property line.

Mr. Fraser said the variance request would stay the same because of the stairs. He said we will leave it at 11 feet.

Mr. Fraser also stated there will be no running water in the garage.

Mr. Maxwell and Mr. Aglietti agreed with the Chairman.

Mrs. Fabiano commented that the plans looks like a rental property on the 2nd floor.

Mr. Fraser stated they will not have running water.

Mr. Besharat said there will be a loft area to be used as storage which will not be more than 6'6" in height.

Mr. Fraser said to keep it under 6'8" to the bottom of the collar ties.

Mrs. Fabiano commented the garage is very long. Half of it will be the 2nd floor and the other half will have a lift in the back.

Mr. Besharat said it is not a commercial garage type lift. They make lifts for residential. The applicant has a collectible car that will be housed in the winter time on the lift and he will use the bottom of it for storage.

Mrs. Fabiano asked if the garage door will be moved to the side.

Mr. Besharat replied yes.

Mr. Fraser asked if anyone in the audience wished to be heard on this application.

Mr. Aglietti moved to close the public hearing. The motion was seconded by Mr. Maxwell with all in favor.

DECISION OF THE BOARD

Mr. Maxwell moved to grant with the changed setback to the garage to 30 feet. The house will remain with the 11 foot variance, but the deck will line up with the back of the house and the stairs will encroach into the same setback. There will not be running water in the garage and it the height will be 6'6" to the underside of the collar ties. The motion was seconded by Mr. Balzano with all in favor.

MINUTES - 1/23/2014

Heldover.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Rose Trombetta