

# Village of Monroe

## Zoning Board of Appeals

October 12<sup>th</sup> , 2010

The Regular monthly meeting of the Zoning Board of Appeals was held on October 12<sup>th</sup>, 2010 in the Boardroom of the Village Hall, 7 Stage Rd. Monroe, New York.

Present: Chairman Baum, Members Vitarelli, Proulx, McCarthy, Member Margotta

Absent: Members Vitarelli

Chairman Baum called the meeting to order at 8:05pm and led in the Pledge of Allegiance.

### **MINUTE APPROVAL: July 13<sup>th</sup>, 2010**

On a motion by Chairman Baum and seconded by Member Vitarelli, with all in favor, action on the Draft “Minutes” of April 13<sup>th</sup> and June 8<sup>th</sup>, 2010 minutes were approved.

**Ayes-5**

**Nay- None**

## **New Business**

### **Patricia and Dennis Hosmer**

#### **Tax Map No: 218-1-3**

The applicants Dennis and Patricia Hosmer residing at 4 Charlotte Place. Came before the zoning board of Appeals to request variances from Section 200-77 of the Zoning Law to permit a two lot subdivision of land which will have less than the required lot width, lot area and rear setback. Mr. and Mrs. Hosmer applied to the Building Department for a building permit and were denied in September for the construction of a house on proposed Lot 2 as shown on the subdivision plot in that the proposal would create two non conforming lots per Section 200-77 of the Zoning Law. Member Proulx asked why an additional lot and not an addition on the home. Mrs. Hosmer said that her and her family was facing some financial hardships and that that by building a home on the property would give them additional income. She wanted to let the board know that she already has a buyer for the lot. The Hosmers felt that their lot was oversized for the area and that the deviations were only minimal and will not change the character of the neighborhood; After the Board discussed the factors the Board determined that the detriment to the community from the community from the grant of the variances outweighed the benefit to the applicant. The Board was concerned about the future of this property if and when their were future owners they would be faced with some hardships. The Board suggested that they can create an accessory apartment for rental income for their personal needs as long as the proper

procedure is filed with the building department. The Village of Monroe Zoning Board of Appeals denied the application of Patricia and Dennis Hosmer for variances of Section 200-77 of the zoning law.

## **Yolanda Negrón**

### **Tax Map# 215-1-21**

The application of Yolanda Negrón who resides at 6 Kalvin Terrace. Mrs. Negrón is requesting a variance from Section 2010-37 (c) of the zoning law to permit an installation of an above ground pool with less than the required 15' setback. Mrs. Negrón gave the board pictures of the pool and where it was in regard to her property. It showed the location of the pool was constructed 12' from the house. The Building Department denied Mrs. Negrón's application for the construction of the pool due to the requirement that the pool be 15' from her home. Mrs. Negrón had applied for a building permit on July 26<sup>th</sup> 2010. Assistant Building inspector Cocks stated that the application for the permit was returned to Mrs. Negrón because the application was incomplete and was waiting for the completed application. Instead of the building department getting the application back he received an underwriting certificate form the electrician who did the inspection on the pool and then realized that the pool was put in without a permit. During the inspection it was determined that the pool was 12' from the house rather than the required 15'. Mrs. Negrón stated that she did not intentionally try not to get the permit she thought that the place where she purchased the pool would take care of any permits or anything she needed. After further discussion the Zoning Board granted the application of Yolanda Negrón for a variance from the requirements of Section 200-37 (c) of the Zoning law to permit the maintenance of the pool less than the 15' requirement on the condition that if the pool is ever destroyed or

removed it cannot be reconstructed in the present location and must be moved back to comply with the 15' requirement.

**Old Business**

Chairman Baum had gathered some information from other local municipalities about their fee schedules for the ZBA. There was discussion between the board members and the Assistant Building Inspector Cocks about the different fees that can be applied. There was also discussion about a new mailing procedure that it may be beneficial to go to regular first-class mailings with certificates of mailing instead of certified mail which we currently use. Certified mailing is expensive and through discussions between the ZBA they feel that regular first-class mailings with return receipt requested would serve the same purpose. These discussions will be continued at the next board meeting to iron out all of the details.

**On a motion by Chairman Baum and seconded by Member Proulx and carried. No further business the meeting was adjourned at 9:00 PM.**

Respectfully submitted,

Courtney Budrow  
Secretary ZBA