

UNION VALE ZONING BOARD OF APPEALS

Minutes of the Regular Meeting

7:30 pm

December 6th 2022

Members Present: Chairperson Jane Smith and Board members Dennis Dunning & John Hughes

Members Absent: Ilana Nilsen & Michael McPartland

CALL TO ORDER / DETERMINATION OF QUORUM

Chairperson Jane Smith determined that there was a quorum for the Zoning Board of Appeals (“the Board”) to conduct business and called the meeting to order.

CORRESPONDENCE

None

BUSINESS SESSION

Reviewed the agenda.

PUBLIC HEARING

None

REGULAR SESSION / NEW BUSINESS

PROJECT NAME

Applicant: Erik Wilson
Owner: Joseph & Jacqueline Kile
Address: 19 Patrick Dr, Lagrangeville NY 12540
Parcel #: 6761-00-027072
Meeting # 2

PROJECT DETAILS

Application for three area variances for the construction of an accessory dwelling attached to existing garage within the RA-3 Zone.

- **Kile Area Variance 1-** § 210-20; § 210-56B.(1)(a)[3]
- **Kile Area Variance 2-** § 210-56B.(1)(a) [4]
- **Kile Area Variance 3-** § 210-56B.(1)(a)[6]
- Lot size area variance of .68 acres
- Extended foundation footprint 810 sqft
- Door placement in front elevation

Mr. Wilson explained that the use variance has been eliminated as per the new plan that was resubmitted to the Zoning administrator, however a third area variance is needed for the placement of the door in the front elevation. The accessory dwelling has now been connected to a portion of the existing garage.

Ms. Kile explained that even though they are requesting the door to be located in the front elevation, the way it is designed prevents the neighboring property owner from being directly across from the entrance and allowing more privacy, and stated the house is set back fairly far from the road. Chairperson Smith commented that the code is designed to prevent the dwelling from appearing like a two-family, however the design of this structure will seemingly fit into the existing character of the home.

Mr. Wilson also commented that they no longer need a side line area variance as the new plan allows the addition to meet the setback requirements. He continued that they will require a foundation area variance because even though the proposed 960 sqft addition is less than the maximum allowed under Code section 210-56 B. (1)(b) [3] for an accessory structure constructed at the time of the principal structure, the code only allows for an extended footprint of 150 sqft when the apartment is created through conversion of space with an existing dwelling, thus requiring an 810 sqft area variance. The board discussed the connection between the proposed addition and existing garage space which had recently been renovated to a storage room.

With no more questions or comments Chairperson Smith offered the following motion that passed unanimously:

“The Town of Union Vale Zoning Board of Appeals hereby acts as follows on the Application of Erik Wilson on behalf of Joseph & Jacqueline Kile, located at 19 Patrick Dr, Lagrangeville NY 12540 Parcel #: 6761-00-027072”

Accepted the Application for an area variance for

- 1 Lot size area variance of .68 acres,**
- 2 Extended foundation footprint 810 sqft**
- 3 Door placement in front elevation**

For the construction of an accessory dwelling attached to existing garage within the RA-3 Zone.

- 1. *Classifies the application as “TYPE 2” under NYC RP Part 617.5 and as such, is precluded from environmental review under SEQRA.*
- 2. *Schedules a Public Hearing on the Application for Tuesday, January 3rd 2023 at 7:35 pm and directs the secretary to provide timely notice thereof.*
- 3. *Advises the Applicant that all costs involved in notifying the Public shall be reimbursed to the Town of Union Vale.*
- 4. *Advises the Applicant that a visit to the premises may -or- may not be scheduled.*

OTHER BUSINESS

None

ADJOURNMENT

As there was no further business, a motion was made by the Chairperson Smith and unanimously accepted by the Board, to adjourn the meeting at 8:37 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday January 3rd 2023, at 7:30 PM.** The agenda will close on **December 20th 2022 at 12:00 Noon.** Items for consideration at the **January** meeting must be received by that date.