

**ZONING BOARD OF APPEALS**  
**TOWN OF LLOYD**  
**AGENDA**

**Thursday, November 8, 2018**

New Submission Date: December 3, 2018

Next ZBA Meeting: December 13, 2018

**CALL TO ORDER TIME: 7:00 PM**

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.**

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**New Public Hearing**

**Vedder. Emmett, Jr., 840 N Chodikee Lake Rd, SBL# 79.2-2-3.100 in R1 Zone.**

*Applicant is requesting an 8' 9" area variance to place a 24' x 12 ' garage in the front yard.*

*The Board asked for an exact location of the septic tank and leach field are and the measurements from the existing sheds to the property lines for the next meeting.*

100-16 (1) No accessory building shall be located within a front yard.

**New Business**

**Budnik, John & Debra, 289 Hurds Rd, SBL# 94.2-1-4.120 in A Zone.**

*Applicant is seeking an area variance relief of .97 acres to then apply to the Planning Board for an accessory apartment in their detached 28 x 24 sq. ft 2-story building on the parcel.*

100-42 Accessory Apartments:

1. One accessory apartment per single-family dwelling shall be allowed by special use permit within a principal building as provided in the [Use Table](#),<sup>[1]</sup> provided that:
  - A. The principal dwelling on the premises is owner-occupied. For purposes of this section, the principal dwelling is defined as a detached single family dwelling.
  - B. The lot containing the accessory apartment contains the minimum acreage for the zoning district as set forth in the [Dimensional Table](#).<sup>[2]</sup>
  - C. The accessory apartment shall not be counted as a residential unit for the purposes of determining density.

D. The accessory apartment is self-contained, with separate cooking, sleeping, and sanitary facilities for use by the occupant(s).

E. The accessory apartment shall have only one bedroom or be a studio apartment, and no other space shall, in the opinion of the Planning Board, be so configured that it could be used as a second bedroom (i.e., a den, a sewing room, etc.).

F. The accessory apartment is subordinate to the principal residence and contains no greater than 650 square feet of gross floor area and no less than 400 square feet of gross floor area.

(1) Area shall be measured from the outside of exterior walls and from the center line of interior walls. It shall include all spaces accessible to the unit, including hallways, bathrooms, closets, etc.

(2) The six-hundred-fifty-square foot limitation may be adjusted, with permission of the Planning Board, to reasonably accommodate the existing shape of the area being converted to the accessory apartment.

G. Off-street parking shall be provided in accordance with § [100-29](#).

H. Approval has been granted by the Ulster County Health Department for any required on-site sanitary or water supply system, including, as may be applicable, a determination that the water supply and sewage disposal facilities are adequate to accommodate the additional demands of the accessory apartment.

I. Any additional exterior entrances that may be created for the principal structure shall be located at the side or rear of the structure.

J. If a secondary structure (garage, carriage house, etc.) is used to house the accessory apartment, the following conditions must be met:

(1) The secondary structure must have its use related to the principal dwelling (i.e., the garage must be primarily used for parking cars, storage, etc., of the principal dwelling).

(2) The accessory apartment must be a secondary use of the secondary structure.

(3) The accessory apartment must comply with the limitations and requirements listed above for accessory apartments.

(4) The secondary structure must, in the opinion of the Planning Board, architecturally mirror and enhance the appearance of the principal structure (i.e., siding should match, windows and doors should be similar in appearance and trimmed appropriately, etc.).

(5) The secondary structure must conform with the side yard setbacks of a principal dwelling, regardless of the secondary structure's preexistence to setback requirements.

(6) If an accessory apartment is created through the conversion of an accessory structure more than 50 years old, the conversion shall be accomplished in a manner that preserves the historic architectural features of the structure.

K. Site plan review shall be required for an accessory apartment.

L. The applicant acknowledges, in writing, to the Town of Lloyd the understanding that, should the parcel be sold, the Town Code Enforcement Officer is authorized to conduct a site visit to verify that the accessory apartment is in compliance with the conditions of the special use permit issued for the property.

**Jensen, Mark, 115 Carly Drive, SBL# 79.4-2-45.200 in R1 Zone.**

*Applicant is seeking an area variance to allow a two-lot subdivision with the two flag lots with the purpose of constructing two single family dwellings.*

100-14 (4) For subdivisions of four or fewer lots, only one flag lot shall be permitted. For subdivisions of more than four lots, a total of two lots may constitute flag lots.

**Perilli, Vincent & Sheila, 77 Mayer Drive, SBL# 95.12-3-20 in R ½ Zone.**

*Applicant is seeking an area variance relief of .07 acres to then apply to the Planning Board for an accessory apartment in their primary residence. (See 100-42 above)*

**Minutes to Approve:**     October 11, 2018