

**Village of Hamilton  
Zoning Board of Appeals  
June 4, 2012  
7:30pm, Village Courthouse**

**APPROVED MINUTES**

**Present:** Chairman Michael Clough; CEO Paul McGinnis; Members: Marilyn Upton, Corey Landstrom, Tim Trueworthy; Trustee Dominick Pangallo.

**Public Present:** Robert Holcomb, 47 Maple Ave

**Call to Order:** Chairman Clough called the meeting to order at 7:30pm

**Approval of Agenda:** Approved as written.

**Approval of Minutes:** A **motion** was made by Member Landstrom to approve the minutes of the **April 3/17, 2012**, meeting as written. The **motion** was seconded by Member Upton and carried.

**New Business**

**47 Maple Ave, Rear Yard Setback, Appendix A, Schedule II:** Robert Holcomb, owner of 47 Maple Ave, is requesting a rear setback variance for a new above ground pool (photos and dimensions were distributed). The requirement now is fifty (50) feet. After the pool is installed there will only be 15-18 feet from the neighbors, Theta Chi, property line. Mr. Holcomb stated there is now approximately 50-55 feet of brush between Theta Chi and his property and his neighbors to the North have a fence surrounding their property.

The pool is a Heritage 52" oval. A gated deck will be installed around half of the pool with an alarm. The Board questioned whether there were any buried utility or telephone lines in the ROW owned by the Village that is close to Mr. Holcomb's property. Chairman Clough stated he does not see how granting this variance would encroach on the adjoining neighbors. Member Upton agreed, but stated the variance should go away with the pool. The Board stated that the conditions to the variance were for the pool only, not the property.

A **motion** was made by Member Landstrom to grant the area variance to include the additional safety decking and is granted only for the life of the pool. The **motion** was seconded by Member Trueworthy and carried.

Reasons given for granting the variance:

1. No undesirable change to the neighborhood,
2. No complaints from the surrounding neighbors,
3. The pool will be located close to the house and will have motion lights and an alarm,
4. There is no other feasible way to accommodate the applicant

There being no further business to come before the Board, Member Upton made a **motion** to adjourn. The **motion** was seconded by Member Landstrom and carried. The meeting adjourned at 7:50pm.

Respectfully submitted,  
Kim Taranto