

09/12/06 Zoning Board Minutes

ZONING BOARD OF APPEALS

The hearing on Tuesday, September 12, 2006 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Tom Stynes, Asst Bldg Insp
Harry Kaczmarek Phyllis Todoro, Town Attorney
Greg Kalinowski
Robert Schafer
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1052 for Patrick & Rebecca Roberts, 1995 Woodard Rd, who are requesting a variance to construct an 8G⁺x12G⁺ movable shed 8G⁺ from the property line for personal use only, no business use. Res. B. 144-98 C 4; Appeals Case #1053 for Michael Derrick, 1360 Bullis Rd, who is requesting a variance to build a 16G⁺x20G⁺ storage shed 10G⁺ from the property line for personal use only, no business use. Res. C. 144-9 C 4, also Michael Derrick would like an extension for Appeals Case #993 which was granted on December 14, 2004 for a 36G⁺x60G⁺ barn to house a maximum of five horses at a time to be trained for riding and put up for adoption, strictly as a non-profit venture, no business use; Appeals Case #1054 for Dennis Greene, 2298 Hall Rd, who is requesting a variance for a 35G⁺x60G⁺ pole barn for personal use only, no business use. Res. C. 52-6; Appeals Case #1055 for David Appleby, 100 Streif Rd, who is requesting a variance for 3171 West Blood Rd to build a 30G⁺x40G⁺ steel pole barn for personal use only, no business use. Res. C 52-6; Appeals Case #1056 for Cheryl & Tim Crist, 121 Tiffany Ln, who are requesting a variance to take down two existing sheds and replace with a 28G⁺x40G⁺ garage for personal use only, no business use. Res. B. 52-6.

In the matter of Appeals Case #1052 Rebecca Roberts stated before putting up their 8G⁺x12G⁺ movable shed they contacted neighbors to notify them of the size and location of the shed. The neighbors did not have a problem with the shed or its location

being only 10G|+ from the property line. The shed was put up without a building permit and Mrs. Roberts stated they didnG|+t think a building permit was needed for such a small shed or that the location would matter to the Town. The shed came as a kit. It is not a permanent structure and does not sit on a concrete slab. Eventually they would like to build an additional garage for personal storage and take down the movable shed. No one spoke for or against this project. Two letters were submitted by Mrs. Roberts from neighbors supporting the shed: Jon & Karen LaCorte-Nies from 1991 Woodard Rd and James Wagner from 2060 Woodard Rd. A phone call was received by the Clerk from Jack Macholz from 1999 Woodard Rd in favor of the shed.

In the matter of Appeals Case #1053 Michael Derrick stated he would like to construct a 16G|+x20G|+ barn style shed 10G|+ from his property line. A topography drawing of his property shows the location for the shed is the most level spot near his residence. He would like to store personal use items in the shed. Mr. Derrick would also like an extension of Appeals Case #993 granted December 14, 2004. No one spoke for or against this project.

In the matter of Appeals Case #1054 Dennis Greene stated he would like to construct a 35G|+x60G|+ pole barn with a 10G|+ overhang making the actual size of the structure 45G|+x60G|+. The overhang will face his house. The height will be 24G|+ to the peak, 14G|+ walls, 2 - 12G|+x12G|+ garage doors (1 in front & 1 in back), 1- 6G|+x7G|+ door by the overhang, an asphalt roof, sided to match the house, windows, electric and may in the future add gas for heat. His house sits 600G|+ from the road and the barn will sit another 100G|+ to 150G|+ behind that. No one spoke for or against this project.

In the matter of Appeals Case #1055 David Appleby stated he is building a new house on West Blood and would like to construct a 30G|+x40G|+ steel barn to store personal vehicles and equipment he uses to maintain his 22 acre property which includes alfalfa fields. The barn will sit 223G|+ from the road. No one spoke for or against this project.

In the matter of Appeals Case #1056 Cheryl & Tim Crist stated they would like to take down two existing sheds (1-13G|+x15G|+ & 1- 8G|+x12G|+) and replace with a new 28G|+x40G|+ detached garage to be brick sided to match their house. There will be

10G'+ walls, 18G'Ñ overhang, 3- 8G'+x9G'+ garage doors and a shingled roof. Mr. Crist would like to store classics cars, snowmobiles and other personal equipment in the garage. Paul Heyink of 140 Tiffany Lane spoke in favor of the project. No one spoke against this project.

Mr. Schafer made the motion: In Appeals Case #1052 for Patrick & Rebecca Roberts, 1995 Woodard Rd, who are requesting a variance to construct an 8G'+x12G'+ movable shed 8G'+ from the property line for personal use only, no business use, I move the variance be denied because it is a movable structure within the 20 foot side setback, thus no hardship is created. Seconded by Mr. Harrington. Poll vote G'(5 ayes. Motion to deny carried.

Mr. Kalinowski made the motion: In Appeals Case #993 for Michael Derrick, 1360 Bullis Rd, who is requesting an extension for the variance granted on December 14, 2004, I move the variance be granted for 1 year beginning September 12, 2006. Seconded by Mr. Kaczmarek. Poll vote G'(5 ayes. Motion carried.

Mr. kalinowski made the motion: In Appeals case #1053 for Michael Derrick, 1360 Bullis Rd, who is requesting a variance to build a 16G'+x20G'+ storage shed 10G'+ from the property line for personal use only, no business use, I move the variance be granted due to the topography of the property and the hardship created by changing the location, and per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Schafer. Poll vote G'(5 ayes. Motion carried.

Mr. Harrington made the motion: In Appeals Case #1054 for Dennis Greene, 2298 Hall Rd, who is requesting a variance for a 45G'+x60G'+ pole barn for personal use only, no business use, I move the variance be granted, per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Kaczmarek. Poll vote G'(5 ayes. Motion carried.

Mr. Kaczmarek made the motion: In Appeals Case #1055 for David Appleby, 100 Streif Rd, who is requesting a variance for 3171 West Blood Rd to build a 30G'+x40G'+ steel pole barn for personal use only, no business use, I move the variance be granted, per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington. Poll vote G'(5 ayes. Motion carried.

Mr. Kaczmarek made the motion: In Appeals Case #1056 for Cheryl & Tim Crist, 121 Tiffany Lane, who are requesting a variance to take down two existing sheds and replace with a 28G+ x 40G+ garage for personal use only, no business use, I move the variance be granted, per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Schafer. Poll vote G (5 ayes. Motion carried.

The minutes of the last meeting of August 8, 2006 were approved as submitted.

Town Id cards/badges and the use of a Town Vehicle for property inspections for Appeals Cases was discussed. The Board unanimously voted to submit a letter to the Town Board requesting ID cards/badges and the use of a Town Vehicle when going on to the properties of Appellants whose cases are going before the Zoning Board of Appeals for a scheduled hearing.

There being no further business, the meeting was adjourned at 9:00PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk