

FINAL

A public hearing before the Zoning Board of Appeals of the Town of Williamson was held on August 23, 2012, in the Assessor's Office at 8:00 p.m.

The following members were present:

Present: Ernest Norton, Chairman Absent: None
 Tim Gulick
 Jordan Szklany
 Noah Knataitis
 Bruce Akins

Also present: Patsy Catalano, Bette Jenkins, Debbie Ast, Cheryl Gordinier, Charles Gordinier, Linda Pearson, Jim Pearson, Rick Dibble, Linda Strong, George Spencer, Valarie Fowler, Bob Hopkins, Carol Hopkins, Harley McFarland, John Garlock and Stephen C. Haywood, Assessor/Building Inspector/

The minutes of the July 26, 2012, meeting were submitted for approval. A motion was made by Tim Gulick and seconded by Noah Knataitis to approve said minutes. All voted in favor of the motion.

Agenda items:

Appeal No. 803. Bette Jenkins, of 4191 Lake Road, Williamson, NY. Applicant is requesting side setback relief for an attached garage. Property is owned by applicant and is located at 4191 Lake Road, Williamson. Zoned R-1.

Harley McFarland addressed the Board and spoke on behalf of Bette Jenkins. He indicated that Ms. Jenkins wishes to build a breezeway and attached single-car garage, one-story garage. The proposed garage would be approximately 14 feet wide and the breezeway would be approximately 11 feet wide. The proposed garage would be 7.6 feet to the property line. Mr. Haywood indicated that the proposed garage would be 14+- feet to the house to the east having enough space for fire separation.

A question was raised about the height of the roof. Mr. McFarland indicated that it would have an 8-foot ceiling, 12-inch per foot of run pitch and would be 15 feet high. The garage and breezeway would be aesthetically in keeping with the looks of Ms. Jenkins house. Tim Gulick asked if the shed would be removed, Mr. McFarland indicated that it would.

Mr. Haywood stated that in addition to the side setback relief, Ms. Jenkins would also need front setback relief.

Bruce Akins questioned whether it was crucial to have the breezeway in the proposed width in order to remediate the amount of variance asked for the garage. Ms. Jenkins indicated that it was necessary because of the doors and windows.

Questions were raised as to the close proximity of the bilco doors with the new addition.

Chairman Norton asked if there were any public comments or concerns. There were none.

There being no further discussion. Jordan Szklany made and motion to grant Appeal 803 with 8 feet of side setback relief on the east side and 16 feet of front setback relief (south exposure). Tim Gulick seconded the motion. Upon roll call vote, the Board members voted as follows:

Jordan Szklany: Yes
Bruce Akins: No
Tim Gulick: Yes
Noah Knataitis: Yes
Ernie Norton: Yes

Variance passed.

Appeal No. 804. Valarie J. Fowler, of 4320 Ridge Road, Williamson, NY. Applicant is requesting side setback relief for an existing deck. Property is owned by applicant and is located at 4320 Ridge Road. Zoned R-1.

Valarie Fowler addressed the Board. She indicated that a few years ago her home caught on fire and in rebuilding her home the contractor constructed a deck on the rear of her home, which extends to the corner of her garage as a means of egress from her kitchen door. No variance was obtained at that time. She is looking to obtain a variance for the deck should she decide to sell her home in the future.

Jordan Szklany asked Mr. Haywood if the house was pre-existing non-conforming. Mr. Haywood indicated that it was.

Chairman Norton asked if there were any public comments or concerns. There were none.

There being no further discussion, Noah Knataitis made a motion to Grant Appeal No. 804 with 11 feet of relief on the southeast corner. Bruce Akins seconded the motion. Upon roll call vote, all voted in favor of the motion.

Appeal No. 805. Richard Dibble, of 6121 Route 21, Williamson, NY. Applicant is requesting front setback relief for a front porch extension. Property is owned by applicant and is located at 6121 Route 21, Williamson, NY. Zoned R-1.

Richard Dibble addressed the Board. He indicated that his existing front porch needs replacing due to deterioration, and he would like to extend the size of the porch by 4 feet in order to better utilize the space.

Mr. Haywood indicated that on Route 21 there is a 65 feet front setback requirement. His existing porch is at the 65 feet mark. Therefore, Mr. Dibble is asking for 4 feet of relief.

Chairman Norton asked if there were any public comments or concerns. There were none.

Jordan Szklany made a motion to grant Appeal No. 805 with 4 feet of relief on the east front setback. Tim Gulick seconded the motion. Upon roll call vote, all voted in favor of the motion.

Appeal No. 806. Patsy Catalano, of 3601 Sunset Lane, Williamson, NY. Applicant is requesting a commercial use in a residential zone. Property is owned by applicant and is located at 3601 Sunset Lane, Williamson, NY. Zoned R-1.

Patsy Catalano addressed the Board. He explained that after being laid off from his job he is asking for a commercial use variance for a mobile automobile repair business and also to buy automobiles to take to auction in order to supplement his income. He indicated that NYS requires a physical address in order to obtain the necessary license. Mr. Catalano went on further to say that any repairs would be subcontracted out, and he would have no more than one car at a time at his home before taking it to auction. He indicated that the cars he would get for auction would be stored in his garage and his personal cars would be stored outside.

There were many public comments.

Linda Strong addressed the Board and said she did not wish this to be in the neighborhood. She indicated that it is a quiet, residential area with many children and dogs.

Jim Pearson questioned that should the variance be granted would this variance stay with the property. Mr. Haywood indicated that it was the Board's decision as to whether they put stipulations on the variance or not. Mr. Pearson was also concerned about house values in their neighborhood should this variance be granted. He also asked Mr. Haywood if there were any history regarding assessments by granting this type of variance. Mr. Haywood indicated that he did not know of any.

Charles Gordinier had concerns about changing the character of the neighborhood and possible increase of traffic patterns. He indicated that right now it is a stable neighborhood, and he hated to see it change. He was also concerned about depreciation of property values.

Kenny Felton was concerned that should this variance be granted would it open up to more things going on in which the neighborhood would have to watch out for. He is also concerned about property values.

Mr. Catalano indicated he had no problem with the Board putting any stipulations on the variance.

Discussion ensued.

There being no further discussion from the Board, Jordan Szklany made a motion to grant Appeal No. 806 for a commercial use variance in a residential zone. Bruce Akins seconded the motion. Upon roll call vote, the Board members voted as follows:

Noah Knataitis: Yes

Ernie Norton: No

Jordan Szklany: No

Bruce Akins: No

Tim Gulick: No

Variance denied.

There being no further business, a motion was made by Noah Knataitis to adjourn the meeting. Jordan Szklany seconded the motion. All voted in favor of the motion. The meeting was adjourned at 8:40` p.m.

Respectfully submitted,

Paula J. Datthyn, Secretary