

06/13/06 Zoning Board Minutes

ZONING BOARD OF APPEALS

The hearing on Tuesday, June 13, 2006 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Tom Stynes, Asst Bldg Insp
Harry Kaczmarek Robert Pierce, Attorney
Michael Komorek
Robert Schafer
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case # 1043 for Robin Saniewski, 2280 Girdle Rd, who is requesting a variance to replace an old existing garage with a new garage in the same location 30G⁺ from the front property line for personal use only, no business use. Res. C. 144-10 E, 144-99 C (4); Appeals Case # 1044 for Martin & Stephanie Nichter, 101 Woodside Dr., who are requesting a variance to construct a 24G⁺x24G⁺ garage 10G⁺ from existing attached garage for personal use only, no business use, Res. B. 52-6; Appeals Case#1045 for Frank Abraszek, 5960 Seneca St, who is requesting a variance to allow Auto and RV Sales and related services. Commercial. 60-7; Amend Appeals Case #1041 for John Jimenez, 2460 Woodard Rd, who was granted a variance for a 30G⁺x36G⁺ pole barn at the meeting of May 9, 2006.

In the matter of Appeals Case #1043 Mr. Saniewski stated they took down their old garage that had been damaged a few years ago by heavy snow. They would like to replace it with another garage of the same size on the existing foundation 30G⁺ from the road. They canG⁺t move it back any further because of their leach field. It will have a gable roof with a 4-12 pitch. There will be 8G⁺ walls, two garage doors and it will be vinyl sided. No one spoke for or against this project.

In the matter of Appeals Case #1044 Martin and Stephanie Nichter stated they would like to build an additional 24G⁺x24G⁺ garage for storage approximately 53G⁺ from the

side lot line, 292G⁺ from the back lot line and 10G⁺ from an existing garage which has an attached in-law apartment. The gable and overhang will match the existing garage. The outside will be 8G⁺Ñ hard board and there will be electric. No one spoke for or against this project. Ann Mc Donnell, 121 Woodside Dr., has concerns with drainage issues on her property and is concerned about the location of the new garage and how it will affect the natural overflow of water from heavy rains.

In the matter of Appeals Case #1045 Mr. Abraszek stated he owns the property next to Brave Caf+¼ on Seneca Street and would like his property re-instated for the sale of autos & RVG⁺s. Mr. Abraszek stated the property had been used in the past by International Trucks for the sale of trucks and jeeps, the old Trailerland used to sell RVG⁺s there and there were automotive & collision shops. When the property was rezoned in 1997/1998 Mr. Abraszek said is property was, for whatever reason, was not included in the rezone. He was told by a past Building Inspector that it would be noted in his file and the property can be reinstated. Chairman Trzepacz told Mr. Abraszek he should speak with the Town Board on this matter because it may need to be rezoned. The property is currently being used as an insurance office. Mr. Pierce says because the property hasnG⁺t always been used for auto sales the past use has been abandoned and may require to be rezoned. No one spoke for or against this matter.

In the matter of Appeals Case #1041 Mr. Jimenez is back to amend his approval from May 9 for a 30G⁺x36G⁺ pole barn with 10G⁺ walls. Mr. Jimenez wanted to clarify that his original intentions were for 12G⁺ walls not 10G⁺ but now he would like 14G⁺ side walls so he can use the 4G⁺ crawl space for extra storage. The inter ceiling will be 10G⁺ high. This will put the garage at 19G⁺ to the peak. It will still be located 60G⁺ from present garage on concrete pad. The location will now be 20G⁺-30G⁺ behind the house instead of 15G⁺ G⁺(20G⁺. No one spoke for or against this project.

Mr. Schafer made the motion: In Appeals Case #1043 for Robin Saniewski, 2280 Girdle Rd, who is requesting a variance to replace an old existing garage with a new garage in the same location 30G⁺ from the front property line 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 #1044 for Martin and Stephanie Nichter, 101 Woodside Dr, who are requesting a variance to construct a 24G'+x24G'+ garage 10G'+ from an existing attached 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. Harrington. Poll vote G|(5 ayes. Motion carried.

Mr. Komorek made the motion: In Appeals Case #1045 for Frank Abraszek, 5960 Seneca St, who is requesting a variance to allow Auto & RV sales and related services, I move the variance be granted a continuance. Seconded by Mr. Schafer. Poll vote G|(5 ayes. Motion Carried.

Chairman Trzepacz made the motion: In the amendment for Appeals Case #1041 for John Jimenez, 2460 Woodard Rd, who was granted a variance for a 30G'+x36G'+ pole barn at the meeting of May 9, 2006, I move the variance be granted a continuance. A new set of plans need to be submitted to the building department showing wall height and location and releases from neighbors within 500G'+ approving the new height if Mr. Jimenez wishes to seek this amendment. The original approval still stands for construction of a pole barn with 10G'+ walls. Seconded by Mr. Schafer. Poll vote G|(5 ayes. Motion carried.

The minutes of the last meeting of May 9, 2006 were approved as submitted.

All have received notification of Planning and Zoning Summer School 2006 to be held July 27, 2006 at SUNY Geneseo.

There being no further business, the meeting was adjourned at 8:55PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk