

4/19/04 Zoning Board of Appeals Minutes

ZONING BOARD OF APPEALS

The hearing on Monday, April 19, 2004 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Harry Kaczmarek Also: Tom Stynes, Asst Building Inspector
Lee Occhino
Robert Schafer
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for the continuance of Appeals Case #955, for Richard Tuberdycy, 1251 Ostrander Rd, who is requesting a variance to build a 32G'+x28G'+ attached garage for personal use only, no business use. Res. C., 52-6. Appeals Case # 960, for Mark R. Schaefer, 64 Willardshire Rd, who is requesting a variance to create 2 non-conforming lots of 1.13 acres and .82 acres for the construction of a new home on the existing premises. Res C, 144-99c (2) and 144-31. Appeals Case #961 for Martin Pacer, 461 Schultz Rd, who is requesting a variance to build a 24G'+x24G'+ pole barn for personal use only, no business use. Res. C, 52-6. Appeals Case #962 for Robert Pielaszkiwicz, 6321 Clinton St, who is requesting a variance to build a 24G'+x32G'+ two car garage with additional workshop area to attach to existing garage for personal use only, no business use. Res B, 52-6. Appeals Case #963 for John Fragale, 19 Caroline Ln, who is requesting a variance to build a 32G'+x40G'+ pole barn for storage of personal equipment and belongings only, no business use. Res B, 52-6. Appeals Case #964 for Stephen Twist, 6331 Clinton St, who is requesting a variance to build a 32G'+x60G'+x20G'+ garage for personal use only, no business use. Res. B, 52-6. Appeals Case #965 for Timothy Walczyk, 1151 Rice Rd, who is requesting a variance to build a 30G'+x40G'+ pole barn for personal use only, no business use. Res B, 52-6.

In the matter of the continuance of Appeals Case #955, Representing Richard Tuberdycy, who was unable to attend because he is too ill, was Jeff Shannon from Mark Aluminum Products. Representing Mr. Tuberdycy was Jeff Shannon from Mark Aluminum Products. Mr. Shannon stated the 32G'+x28G'+ attached garage will be constructed on a non-conforming front set back with a 12G'+ setback from the house. The building will have

electricity, be piped for radiant heat and will be handicap accessible. No one spoke for or against this project.

In the matter of Appeals Case #960, Mark Schaefer presented his case to create 2 non conforming lots of 1.13 acres and .82 acres to construct a new home on the existing premises. The first lot would be 180G'+ wide and 210G'+ deep and is currently vacant. The future proposed house would be approximately 1900G'+ sq. ft. No one spoke for or against this project.

In the matter of Appeals Case #961, Martin Pacer presented his case to build a 24G'+x24G'+ pole barn with a second floor, monitor style with Board & Batten siding, asphalt shingles and gravel floor. There will be no utilities at this time. The old existing shed will be taken down. No one spoke for or against.

In the matter of Appeals Case #962, Robert Pielaszkiwicz presented his case to build a 24G'+x32G'+ addition with additional workshop space to his existing 24G'+x24G'+ garage. The addition will have T-111 siding and asphalt shingles. The additional workshop space will be for personal storage space, no business use. A stone driveway will be used and electricity will be connected to existing garage. The addition will be 13.74G'+ off side setback. Steven Twist of 6331 Clinton Street spoke in favor of the pole barn stating Mr. Pielaszkiwicz keeps his property neat and organized. No one spoke against this project.

In the matter of Appeals Case #963, John Fragale presented his case to construct a 32G'+x40G'+ pole barn with upstairs storage (20.5G'+ to peak). The kit from Rucker Lumber will have wooden trusses, a shingled roof, 2 garages doors and a man door in front. Water will be seasonal use only and there will be electric for lighting only. No one spoke for this project. A letter was received from Paul M. Dugas, 27 Caroline Ln against the project for the following reasons: 1) does not fit in with the houses; 2) way too big for personal use; 3) would set a precedent on our street. No one else spoke against.

In the matter of Appeals Case #964, Stephen Twist presented his case to build a 32G'+x60G'+x20G'+ garage 160G'+ from the road, with an asphalt roof and vinyl siding. No utilities will be added at this time. There is no garage on this property at this time. Elise Pielaszkiwicz from 6321 Clinton Street spoke in favor of this project stating the property is kept clean and Mr. Twist is a good neighbor. No one spoke against this

project.

In the matter of Appeals Case #965, Timothy Walczyk presented his case to build a 30G'+x40G'+ pole barn 175G'+ back of his house, with electricity and a driveway back to the structure. The pole barn will house personal equipment only. Paul Mark of Mark Aluminum Products spoke in favor of the project. No one spoke against.

Mr. Schafer made the motion: In the continuance for Appeals Case #955 for Richard Tuberdyct, 1251 Ostrander Road, who is requesting a variance to build a 32G'+x28G'+ attached garage for personal use only, no business use, I move the variance be granted, per sketches submitted, and provided all Elma Town codes and ordinances are met. Seconded by Mr. Kaczmarek. Poll vote- 4 ayes. Carried.

Mr. Occhino made the motion: In Appeals Case # 960 for Mark Schaefer, 64 Willardshire Rd, who is requesting a variance to create 2 non-conforming lots of 1.13 acres and .82 acres for the construction of a new home on the existing premises, I move the variance be denied. Seconded by Mr. Schafer. Poll vote G'(4 ayes. Carried.

Mr. Kaczmarek made the motion: In Appeals Case #961 for Martin Pacer, 461 Schultz Rd, who is requesting a variance to build a 24G'+x24G'+ pole barn for storage and personal use only, no business use, I move the variance be granted, per sketches submitted and provided all Elma Town codes and ordinances are met. Seconded by Mr. Occhino. Poll vote G'(4 ayes. Carried.

Mr. Schafer made the motion: In Appeals Case #962 for Robert Pielaszkiwicz, 6321 Clinton St, who is requesting a variance to build a 24G'+x32G'+ two car garage with additional workshop area to attach to existing garage for personal storage only, no business use, I move the variance be granted, per sketches submitted and provided all Elma Town codes and ordinances are met. Seconded by Mr. Kaczmarek. Poll vote G'(4 ayes. Carried.

Mr. Kaczmarek made the motion: In Appeals Case # 963 for John Fragale, 19 Caroline Ln, who is requesting a variance to build a 32G'+x40G'+ pole barn for storage of personal equipment and belongings only, no business use, I move the variance be granted, per sketches submitted and provided all Elma Town codes and ordinances are met. Seconded by Mr. Schafer. Poll vote G'(4 ayes. Carried.

Mr. Occhino made the motion: In Appeals Case #964 for Stephen Twist, 6331 Clinton Street, who is requesting a variance to build a 32G'+x60G'+x20G'+ garage for personal use only, no business use, I move the variance be granted, per sketches submitted and provided all Elma Town codes and ordinances are met. Seconded by Mr. Kaczmarek. Poll vote G|(4 ayes. Carried.

Mr. Schafer made the motion: In Appeals Case #965 for Timothy Walczyk, 1151 Rice Rd, who is requesting a variance to build a 30G'+x40G'+ pole barn for personal use only, no business use, I move the variance be granted, per sketches submitted and provided all Elma Town codes and ordinances are met. Seconded by Mr. Kaczmarek. Poll vote G|(4 ayes. Carried.

The minutes of the last meeting (March 9, 2004) were approved as submitted.

There being no further business, the meeting was adjourned at 8:50PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk