

LeRoy

ZONING BOARD of APPEALS

June 28, 2016

The LeRoy Zoning Board of Appeals regular meeting was held at the LeRoy Town Hall, 48 Main Street, LeRoy, NY 14482.

Present: John Rider, Chairperson
Robert Uberty
Debbi Jackett

Absent: Matt Gilligan, Alt.

Recording Secretary: Laura Brodie

Others present: CEO/ZEO Jeff Steinbrenner, Ryan Muehlig, Lori Muehlig, Elaine Pyszczek, Dave Pullyblank Jr, Felipe’ Oltramari

The meeting was called to order at 7:05 P.M. by Chairman Dawley. First order of business was to read and approve the minutes from the last meeting that was held on April 26, 2016. A **MOTION** was made to approve the minutes by Bob Uberty and seconded by Debbi Jackett.

Area Variance: Ryan Muehlig of 8250 East Main Road. Ryan would like to build a deck off the back of his house. The deck will be 31 feet from the rear property line. R-A Zoning requires a 50 foot rear setback. He is requesting a 19 foot rear setback variance. The original request was for a larger deck. He is now proposing a 16’ x 16’ deck so the variance request is for 17’. This request was already presented to the County Planning Board and to the LeRoy Planning Board. Both boards have recommended approval. **MOTION** to approve the deck was made by D. Jackett and seconded by B. Uberty. Vote as follows: AYE – Debbi Jackett, Bob Uberty, John Rider. NAY – none.

Area Variance Findings & Decision by the Zoning Board of Appeals:

- | | | | | |
|----|-----|---|----|---|
| 1. | Yes | 0 | No | 3 |
| 2. | Yes | 0 | No | 3 |
| 3. | Yes | 0 | No | 3 |
| 4. | Yes | 0 | No | 3 |
| 5. | Yes | 3 | No | 0 |

Area Variance: Russell Western of 7293 Selden Road. Russell would like to build a storage garage at the turn around on his driveway. The garage will be 65 feet from the front property line. R-A Zoning requires a 100 feet front setback. He is requesting a 35 foot front setback variance. After discussion the board has concluded that it would be okay for Russell to add a storage garage at the turn around, mainly because the blacktop already exists in this area. **MOTION** was made to approve the storage garage by Debbi Jackett and seconded by Bob Uberty. Vote as follows: AYE – Debbi Jackett, Bob Uberty, John Rider. NAY – none.

Area Variance Findings & Decision by the Zoning Board of Appeals:

- | | | | | | |
|----|-----|---|----|---|---------------------------|
| 1. | Yes | 0 | No | 3 | |
| 2. | Yes | 0 | No | 3 | He has existing black top |
| 3. | Yes | 0 | No | 3 | |
| 4. | Yes | 0 | No | 3 | |
| 5. | Yes | 0 | No | 3 | |

Area Variance: Michael Pyszczek of 8055 Lake Road. Michael would like to add a carport on his existing garage. The carport will be 12.5 feet from the side property line. R-A Zoning requires a 20 foot side setback. He is requesting a 7.5 foot side setback variance. This issue has already been heard by both the County Planning Board and the LeRoy Town Board. The reason the request is being made is that the front yard has a slope. **MOTION** to approve was made by Robert Uberty and seconded by Debbie Jackett. . Vote as follows: AYE – Debbi Jackett, Bob Uberty, John Rider. NAY – none.

Area Variance Findings & Decision by the Zoning Board of Appeals:

1.	Yes	0	No	3
2.	Yes	0	No	3
3.	Yes	0	No	3
4.	Yes	0	No	3
5.	Yes	3	No	0

Area Variance: Stu Erbelding of 8087 Parmelee Road. Stu would like to build a 27' x 42' pole barn. The pole barn will be 5 feet from the side property line. R-A Zoning requires a 20 foot setback. He is requesting a 15 foot side setback variance. Stu Erbelding was not present for this zoning meeting. His plan was already sent to the County Planning Board. Their recommendation was to request a survey of the property. The map that they have clearly shows at least two unidentified items crossing over the property line. Stu reported that one item was an old outhouse and that it has been removed. The second item is a trailer that can easily be moved away from the property line. He further stated that he talked with the property owner, Dave Pullyblank Jr. who has no objection to him building his pole barn on the property line. The reason he is requesting the pole barn be so near the property line is that he has planted trees and he does not want to remove them. CEO Steinbrenner responded that Dave came into the office and expressed concerns over the placement of the said pole barn. He also stated that Dave told him that Stu had removed the original survey poles and replaced them with his own, actually further onto Dave's property. D. Jackett stated that the map provided clearly shows other alternate locations for the pole barn inclusive of the 20 foot rule. **MOTION** to *deny request* was made by Debbi Jackett and seconded by Bob Uberty. Vote as follows: AYE – Debbi Jackett, Bob Uberty, John Rider. Nay – none.

Area Variance Findings & Decision by the Zoning Board of Appeals:

1.	Yes	2	No	1	over lot line detrement
2.	Yes	3	No	0	75% is a large variance
3.	Yes	3	No	0	
4.	Yes	0	No	3	
5.	Yes	5	No	0	

MOTION to close the public hearing was made by John Rider and seconded by Bob Uberty. Closed at 7:25 P.M.

From 7:40 pm until 8:50pm, GC Department of Planning Director Felipe Oltramari gave a very informative training session titled "Powers and Duties of the Zoning Board of Appeals." A 20 page PowerPoint handout was included as a useful tool to follow along. There were numerous highlights to this training session. Among a few points - He included several hand-out sheets to use as a follow-along tool, as well as check list guidelines for the Zoning board to use in the future.

With all business considered at 8:55 P.M., Bob Uberty made a **MOTION** to adjourn. Debbi Jackett seconded the motion. The motion passed unanimously with vote as follows: "Aye" D. Jackett, B. Uberty, J. Rider "Nay" none.

Respectfully submitted,
Laura Brodie, Recording Secretary