

ZONING BOARD OF APPEALS MEETING

December 19, 2022

6:00 PM

Due to weather conditions on December 15th, the meeting was cancelled and rescheduled to December 19th. The meeting was called to order by Chairperson Kathy Taylor at 6:00 PM. Roll call by Clerk, Cindy Schiminske, found the following Board Members present:

Kathy Taylor, Chairperson

Bob Faynor

Ernie Rivera

John Yurco

Craig Coleman

Also in attendance: Bill Gabak, Jr., Zoning Officer

Chris Geherin

Matt & Kim Schulze

David Yantch

Bob Faynor made a motion to approve the minutes of November 17, 2022, seconded by Ernie Rivera. Approved AYES 5-0.

The purpose of this meeting was to hear the following requests:

1. Matt Schulze, 2737 Almond Drive, Tax Map #130.05-1-11.11, is requesting a variance to the provisions of Section 7-16A(2)a of the Fleming Zoning Code in order to construct a 12' x 22' greenhouse in the front yard. This variance request was tabled at the November 17, 2022 meeting so that the applicants could provide a new plan for the placement of the greenhouse.

The applicants submitted a new plan for the location of the greenhouse, which would bring it closer to the house. The new location would be 48 ft from the northeast corner of the garage. The Board was agreeable with this location.

Chairperson Taylor reviewed the five criteria for granting the area variance with the Board Members.

Bob Faynor made a motion to vote on the variance request as presented, 48 ft from the northeast corner of the garage, seconded by Craig Coleman.

Roll call vote was taken by the Board.

Craig Coleman	YES
Ernie Rivera	YES
Bob Faynor	YES
John Yurco	YES
Chairperson Taylor	YES
MOTION APPROVED	

The applicant was informed that work must be commenced within six months of the issuance of this variance and finished within two years; otherwise, the variance would automatically expire.

2. Christopher Geherin, 5919 Petre Drive, Tax Map #123.18-1-50.1, is requesting a northwest front yard area variance of 20 feet from the required 50 feet (Bulk & Use Table Lakeshore District) in order to construct a 1600 sq ft house with garage. This is a corner lot so both the northwest and northeast sides of the property are considered front yards.

At the November 17, 2022 Meeting, Mr. Geherin advised the Board that he had revised his plans so that his garage would be on the opposite side, facing his neighbors. That would change the position of the house and the variance request from 29' to 20'. Applicant was advised to submit a revised application, which he has done.

Zoning Officer Gabak commented that he thinks it's a good idea placing the driveway on the opposite side, as applicant would be avoiding the traffic coming on and off West Lake Road. This would make it better for the vehicles coming in and out of Petre Drive and would also make it easier on the applicant.

Chairperson Taylor reviewed the five criteria for granting the area variance with the Board Members.

Bob Faynor made a motion to vote on the northwest front yard area variance of 20 feet from the required 50 feet, seconded by Craig Coleman.

Roll call vote was taken by the Board.

John Yurco	YES
Bob Faynor	YES
Ernie Rivera	YES
Craig Coleman	YES
Chairperson Taylor	YES
MOTION APPROVED	

Applicant was informed that work must be commenced within six months of the issuance of this variance and finished within two years; otherwise, the variance would automatically expire.

3. David Yantch, appearing on behalf of his brother, Chris Yantch, came before the Board to discuss the proposed subdivision of property on West Lake Road, which includes Chantelle Marie Celebration Hall. After discussion with the ZBA at the October 20, 2022 Meeting, he reviewed the ZBA's feedback with his brother and has submitted a Proposed Letter of Intent to subdivide the property into three parcels. He wanted to review the plan with the Board to see what is needed to move forward. There was discussion about subdividing the lots, the driveway right of way to multiple properties, non-compliant lots and deeded right of ways.

David will proceed with obtaining a survey map. The Board reminded him that he would need to have copies of the deeded right of ways. The right of ways also need to be shown on the survey map and list who they are deeded to.

Chairperson Taylor made a motion to adjourn the meeting, seconded by Bob Faynor. All in favor. The time was 6:35pm.

Respectfully submitted,

Cindy Schiminske
Clerk, Zoning Board of Appeals