

ZONING BOARD OF APPEALS MEETING

July 21, 2022

6:00 PM

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

John Yurco

Bob Faynor

Ernie Rivera

Craig Coleman

Also in attendance: Jim Sanders, Alternate Member

Bill Gabak, Jr., Zoning Officer

Michael Gulliver

Bob Faynor made a motion to approve the minutes of June 16, 2022, seconded by John Yurco. Approved AYES 5-0.

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

Michael Gulliver, 2265 Dublin Road, Tax Map #136.00-1-75, is requesting a variance to the provisions of Article 6 of the Fleming Zoning Code (which was amended by Local Law 2020-1) in order to place a 32' x 32' garage on a lot which is less than the permitted lot size of two acres in the Agricultural District.

Mr. Gulliver stated that he has an existing garage 28' x 32'. The new garage would not change the view from the road. It would extend out from the back of the existing garage. It would be used to store lawn mowers, tractors, etc.

The Board explained to applicant that he has a non-conforming lot and they cannot allow it to become more non-conforming. They also explained that taking into account the existing garage, he is already over what is allowed, which is 25% of the square footage of his house. Mr. Gabak gave the following example: if the square footage of a house was 3,000 sq ft, the property owner would be allowed 750 sq ft (in accessory structures). There was further discussion on the Ag District changes in the zoning law from 10 acres to 2 acres. If applicant was able to add more land to equal 2 acres, there wouldn't be a problem.

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, seconded by Craig Coleman.

Roll call vote was taken by the Board.

Craig Coleman	NO
Ernie Rivera	NO
Bob Faynor	NO
John Yurco	NO
Chairperson Taylor	NO
MOTION DENIED	

Chairperson Taylor made a motion to adjourn the meeting, seconded by Craig Coleman.
Time was 6:10pm.

Respectfully submitted,

Cindy Schiminske
Clerk, Zoning Board of Appeals