

**Present:** David Blakeley, Chairperson  
Jerome Collins  
Narletta Kaull  
Adam Dickman  
Stephen Delzer  
Michael E. Stegmeier, ZBA Secretary  
Jeff Simme, Building Inspector

Timothy L. Weigel  
139 Irwinwood Road  
Lancaster, NY  
RE: 139 Irwinwood Road

**Absent:** Jeff Stribing, Community Development Director

**Documents:** Petition 8/17/12  
Notice published in Lancaster Bee  
Survey  
Correspondence from Neighbor at 147 Irwinwood Road

Meeting was called to order at 7:15 p.m. by Chairman Blakeley in the Council Chambers of the Lancaster Municipal Building, 5423 Broadway, Lancaster, New York.

The following excerpt is the public notice as published in the Lancaster Bee:

*Please take notice that the Zoning Board of Appeals of the Village of Lancaster, New York will hold a public hearing in the Council Chambers of the Municipal Building at 5423 Broadway, Lancaster, New York, on Thursday, September 27, 2012, at 7:15 p.m.*

*The purpose of this hearing is to consider the request from Timothy L. Weigel, petitioner and property owner of 139 Irwinwood Road, Lancaster, NY 14086. The petitioner is seeking relief from the following Village Code with respect to a six foot high fence.*

**Section 76-4 Fences – Height limitations**

*No fence shall be more than six feet in height at the rear of homes or buildings situated in a residentially zoned district, which fence shall not extend forward of the rear building line of any existing or proposed building. No other fence or portions of a fence shall be higher than 36 inches (3 feet) in any front yard or 48 inches (4 feet) in any side yard.*

*Petitioner is seeking relief from the Village Code to allow an existing six foot (6') high fence to remain in a side yard. The six foot high fence exceeds the four foot maximum height allowed by Village Code for a length of seventy-one feet (71').*

*At said hearing, all persons so desiring shall have the opportunity to be heard.*

*Michael E. Stegmeier  
Village Clerk*

Chairman Blakeley informed those present that the Zoning Board of Appeals was established by the Village of Lancaster and shall hear and decide appeals and requests for variances from the requirements of the zoning laws. Those aggrieved by the decision of the Zoning Board of Appeals may appeal such decision to the Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules.

**Timothy Weigel – Petitioner & Property Owner:** He is requesting the variance to maintain a six foot (6') high fence in his side yard for privacy, security, and sheltering a dog within his yard.

**Jerome Collins:** He confirmed that the fence has a gate which would remain unlocked to allow for access into the yard in the event of an emergency.

**Audience Participation:**

**-none-**

**MOTIONS:**

Motion made by **Narletta Kaul** and seconded by **Jerome Collins** to adjourn the meeting at 7:20 p.m.

**Ayes:** D. Blakeley, J. Collins, N. Kaul, A. Dickman, and S. Delzer

**Nays:** -none-

**Motion Carried (5-0)**

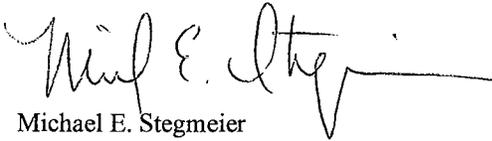
Motion made by **Adam Dickman** and seconded by **Narletta Kaul** to approve the request for variance as presented.

**Ayes:** D. Blakeley, J. Collins, N. Kaul, A. Dickman, and S. Delzer

**Nays:** -none-

**Motion Carried (5-0)**

Respectfully submitted,



Michael E. Stegmeier  
Village Clerk & Treasurer  
Secretary to Zoning Board of Appeals

- c: Village Board of Trustees
- Zoning Board of Appeals
- Arthur A. Herdzyk, Village Attorney
- Jeff Simme, Building Inspector
- Jeff Stribing, Community Development Director
- Timothy Weigel, Property Owner & Petitioner