

Present: David Blakeley, Chairperson
Narletta Kaull
Stephen Delzer
James F. Volpe
Michael E. Stegmeier, ZBA Secretary

Patrick M. Cullinan
38 Wilkshire Place
Lancaster, NY
RE: 38 Wilkshire Place

Absent: Jerome Collins, ZBA Member
Jeff Simme, Building Inspector
Jeff Stribing, Community Development Director

Documents: Petition 5/14/2013
Notice published in Lancaster Bee
Correspondence from Property Owner (2)
Architect Drawings (4)
Survey

Meeting was called to order at 7:30 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, June 6, 2013, at 7:30 p.m.

The purpose of this hearing is to consider the request from Patrick M. Cullinan, petitioner and property owner of 38 Wilkshire Place, Lancaster, NY 14086. The petitioner is seeking relief from the following Village Codes with respect to a proposed addition to an existing garage in a rear yard:

Section 152-35 D – Location of accessory structures

In any R District no part of an accessory structure shall be nearer than four feet to a lot line or 10 feet to a rear lot line of a corner lot where such rear lot line abuts a side lot line of a lot in an R District.

Section 152-33 C (1) – Height requirements; exceptions.

Maximum height of buildings shall be as follows:

For accessory buildings: In R Districts, 14 feet.

Petitioner is seeking relief from the Village Code to allow a 12' x 20' addition to an existing garage to maintain the current setback of 3.70 feet from the side (west) property line. Petitioner is requesting a variance of 0.30 feet from the minimum 4 foot setback as required per the Village Code. The petitioner is also seeking to raise the mid-roof height to 16.25 feet for the existing garage and the proposed addition. A variance of 2.25 feet is requested to exceed the maximum height of 14 feet as required per the Village Code.

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.

Patrick M. Cullinan – Petitioner & Property Owner: He is requesting the variance to provide storage in the attic of the garage with a steep roof. He collects older cars and he would like more space. He clarified that he is not running a business out of the garage.

Narletta Kaull: She questioned how much higher the roof would be compared to neighboring garages. The owner indicated that he was not sure regarding the difference in height.

David Blakeley: He questioned whether there were any problems with other homeowners in the area. The owner stated that his neighbors seem to be fine with the proposed roof.

James Volpe: He requested an explanation for the open space in the back of the garage where the roof would hang over the area. The owner stated that he did not want to restrict access to the backyard and kept the area open for that reason.

Stephen Delzer: He clarified that the overhang of the roof on the side of the garage will not go over into the neighbor’s yard.

Audience Participation:

-none-

MOTIONS:

Motion made by **Stephen Delzer** and seconded by **Narletta Kaull** to adjourn the meeting at 7:37 p.m.

Ayes: D. Blakeley, N. Kaull, S. Delzer, and J. Volpe

Nays: -none-

Motion Carried (4-0)

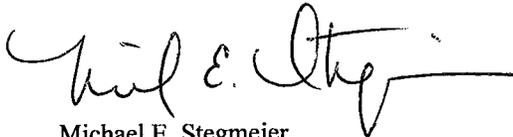
Motion made by **Stephen Delzer** and seconded by **James Volpe** to approve the request for variance as presented.

Ayes: D. Blakeley, N. Kaull, S. Delzer, and J. Volpe

Nays: -none-

Motion Carried (4-0)

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
- Patrick M. Cullinan, Property Owner & Petitioner