

**AGENDA
TOWN OF SOMERSET
ZONING BOARD OF APPEALS
MARCH 8, 2022
7:30**

CALL MEETING TO ORDER

AREA VARIANCE HEARING:

Owner/ Applicant: Lauritz Dent

Property Location: 8701 Lake Road

(Tax Map No. 9.00-2-11.1)

Barker, Niagara County, New York

Project: To consider application for Variance of the Town Code to allow for the construction of an accessory building approximately 8.9 feet from said parcel's west property line (side yard line) in the R-1 Single Family Residential District, where the Zoning code requires a minimum of 15 feet of side yard space from an accessory structure.

And also to consider application for Variance of the Town Code to allow for the placement of an accessory building in front of a primary residence, where the Zoning Code requires such accessory building to be located to the rear of the front building line.

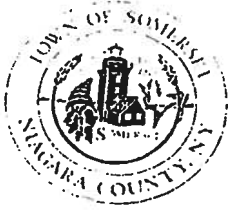
APPROVAL OF MINUTES OF PREVIOUS MEETING – February 8, 2022

COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS – L. Dent application for Variance

ADJOURNMENT



Date: 21 Feb 2022

TO: ZONING BOARD, TOWN OF SOMERSET

Pursuant to Article VIII Section 205-28 of the Code of the Town of Somerset, application for a Variance is hereby made:

Size of Lot: 5 acres

(Include Site Plans showing frontage and setbacks and construction plans showing all facilities and proposed uses.)

Location: _____ SBL # 9.00-2-11.1

Use District: 210-1 Family Res

Owner: Lauritz Dent Applicant: Lauritz Dent

Address: 8701 Lake Rd Address: 8701 Lake Rd
Burke, NY, 14012 Burke, NY, 14012

Site Plan

See Plot map / Blue Prints

Signed: [Signature] Date: 21 Feb 22

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Garage			
Project Location (describe, and attach a location map): Side Yard (west side)			
Brief Description of Proposed Action: To build a Detached garage in my side yard with out disturbing any mature tree's			
Name of Applicant or Sponsor: Laurita Dant		Telephone: [REDACTED]	
Address: 8701 Lake Rd		E-Mail: [REDACTED]	
City/PO: Berke OH		State: NY	Zip Code: 14012
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>5</u> acres	
b. Total acreage to be physically disturbed?		<u>< 1/2</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>5</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

		NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	NO	YES <input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input type="checkbox"/>		<input checked="" type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input type="checkbox"/>		<input checked="" type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		<input type="checkbox"/>	NO	YES <input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>Its a garage for storage</u>		<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>nowater / no bathrooms</u>		<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>		<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>		<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		<input type="checkbox"/>	NO	YES <input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>(A) Some Run off will flow to a neighbors ditch that flows back to my property.</u>		<input checked="" type="checkbox"/>		<input type="checkbox"/> YES

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Lawate Devt</u></p>		<p>Date: <u>21 Feb 2022</u></p>
<p>Signature: <u></u></p>		

21 February 2022

Zoning Board Members,

Here is the scope of this project:

I plan to build a two (2) story detached garage in my side yard (west). This property was acquired in 2019 4.5 acers, since then it has been a nightmare to get the two Parcels combined. So, if you look now the SBL # shows the true lot size, but if you look at the tax bill for 8701 Lake Road it shows the original lot dimensions of ½ acer. Now that's out of the way

The garage will be built on the old 51-foot easement to the acreage. In doing this I will need you to consider 2 separate variances

- 1- Property line set back, if I center the structure in that 51-foot space that leaves a set back of 8.9 feet on the west side
- 2- A secondary structure in front of a primary residence, I have a limited clear space to build this structure. I am trying to have as little environmental impact as possible, by removing mature Healthy trees. The general location selected will require the least amount of site prep, further reducing any environment impact

As of now some of the standard questions that have been thought through rain runoff, yes run off from the west side of the roof will most likely make it into the neighbor's ditch. That ditch ultimately runs back into my property feeding into a larger one behind my house.

Thank you for you consideration in this

Respectfully

Lauritz (Larry) Dent

8701 Lake Road

Barker, NY,14012

[REDACTED]

[REDACTED]

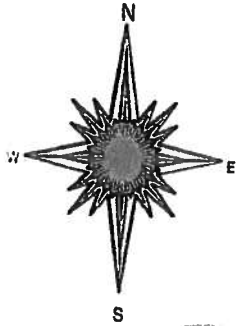
LEGEND

EX=EXISTING C=CENTERLINE L=LIBER P.=PAGE MS=MEASURED D=DEED
 N=NORTH S=SOUTH E=EAST W=WEST STY=STORY WF=WOOD FRAME
 CONC=CONCRETE OH=OVERHEAD PP=POWERPOLE P=PORCH GAR=GARAGE
 CH=CHAIN O/L=ON LINE TJB=TELEPHONE JUNCTION BOX W=WITH
 EJB=ELECTRIC JUNCTION BOX

SURVEY OF
PART OF LOT 9, SECTION 9, TOWNSHIP 16, RANGE 5
OF THE HOLLAND LAND COMPANYS SURVEY
TOWN OF SOMERSET, NIAGARA COUNTY, NY
SCALE: 1" = 30'

Project # 2018-08-N

March 12, 2018

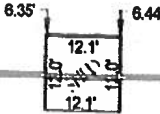


EX IRON PIN
 0.40'S

*If Centered would
 have 9.75 ft on
 each side*

PARALLEL WITH THE S.
 LINE LOT 9, SECTION 9

94.71' D & MS.



EX IRON PIPE
 0.27' N

LIBER 3415 PAGE 724
 +/- 0.502 ACRES

PARALLEL

231.00' D & MS.



1-1/2
 STORY
 WOOD
 FRAME
 HOUSE
 #8701

231.00' D & MS.

W. LINE BADGLEY
 (BY DEED)
 L-231 P-529



EX IRON PIN
 51.90 Feet 0.19'S 0.25'E

8' WIDE TOWN OF SOMERSET SEWER
 DISTRICT EASEMENT L - 1807 P - 20

EX IRON PIN

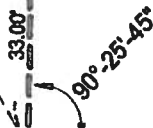
N. LINE LAKE ROAD

① - Structure in front of
 Residence

② - Structure in front of
 Residence

S. LINE LOT 9, SECTION 9

S.W. CORNER BADGLEY
 (BY DEED)



STANDARD CONSTRUCTION NOTES

General-

1. All construction, painting, electrical and mechanical will comply with the IRC and the local Building Code and State, County and Municipal Codes.
2. Construction shall comply with all Covenants, Conditions and Restrictions recorded against the lot.
3. General contractor and all subcontractors will review plans for accuracy and verify all dimensions and compliance with above codes (see all) prior to the start of construction. Bids submitted will be according to such review.
4. Safety, care of adjacent properties during construction and compliance with applicable safety regulations is, and shall be, the contractor's and subcontractors' responsibility.
5. All trees to be protected from damage of construction process and machine uses approved for removal by owner.
6. Storm water drains (within 5' of foundation wall) shall be of material as specified for sanitary drainage work. Storm water sewers 12" and beyond foundation shall be of an approved material as per painting contractor.

Concrete-

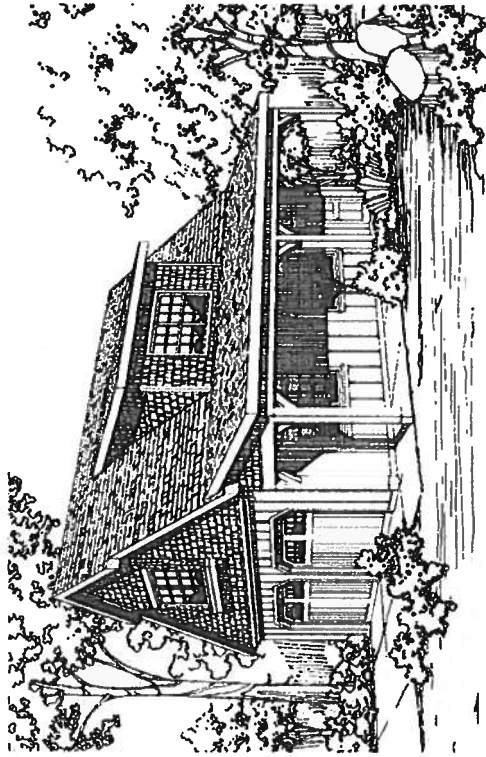
1. Concrete shall be 5-78 or enhanced with a minimum compressive strength of 3200 psi for basement walls and foundations not exposed to weather and for basement slabs and transfer slabs on a grade.
2. All concrete shall be placed on a prepared and compacted subgrade and shall be exposed to weather.
3. 3000 psi for compact and garage floor slabs for porches and slabs exposed to weather. (Table 1602.2).
4. All concrete form work to be adequately tied together and braced to form a true line, square corners and plumb walls.
5. All reinforcing bars shall conform to ASTM Spec. A635 Deformed bars with minimum yield stress of 60,000 psi (Table R601.1.2.1.1).
6. Rebar shall be lap spliced to be both Lapped, conforming to ASTM spec. 805.
7. Unbarred footing to be poured on level (have the 1" in 10'-0" slope).
8. Maximal 3" x 7' x 10' x 22" pile washers between foundation sill plate and not on all foundation bolts.
9. Ground space venting minimum 1.0 sq.ft. for each 850 sq.ft. of foundation area.

Metal-

1. All flashing to be 24 ga. 6.0. metal. Crown slope and beam caps to be 22 ga. 6.0. metal.
2. All metal connections to be Simpson Connect, or approved equivalent. Simpson to be used at each knee to top plate connection.

Framing-

1. Exposure plywood to be exterior grade GCL, 1/2" or 5/8" on edge 1/2" in field.
2. All dimension lumber to be Douglas Fir-Larch, 2x4 standard or better at other 2" or better unless noted otherwise.
3. All walls to be double sided, and girded joists will not be less than 4x4".
4. Provide appropriate egress windows at basement and every sleeping room with a minimum clear opening of 5.7 sq.ft. (ground floor egress window 3 sq.ft.) least egress height shall be not 24" least operable width shall be not 20".
5. Level changes at entries to be minimum 1/2" maximum 1 1/2".
6. Exterior bearing wall headers to be as per framing plans.
7. Exterior bearing wall headers to be 4x12" if 4 inches noted.
8. Plating walls to be 2x6 (with) with sheathing (concealed).
9. Provide blocking for blocking. Shear wall, 4x4" height, 4x4" height, 4x4" height, 4x4" height, not less than 4" in all regions.
10. All pre-wiring for telephone, TV, Stereo etc. to be coordinated with owner.
11. All trades to be per manufacturer's engineering specifications. Trade details to be provided upon framing completion. Trade manufacturer to verify all spans and configurations prior to final fabrication.
12. Windows shall not bear on exterior partitions unless so designed.
13. Insulation baffles to be CDX plywood (approved equal) no less paper allowed. Use scrap if available.

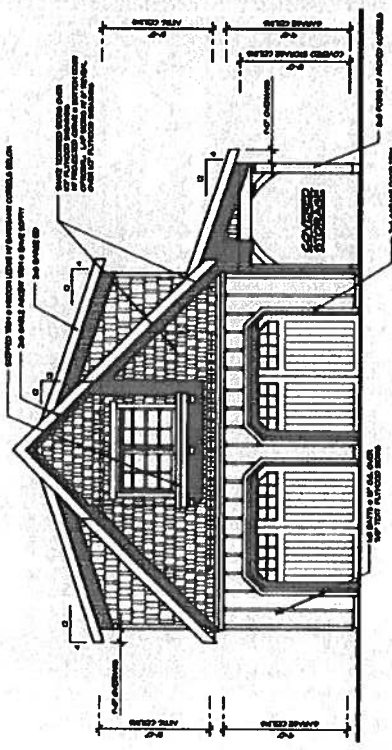


THE
GARAGE
REVERSE

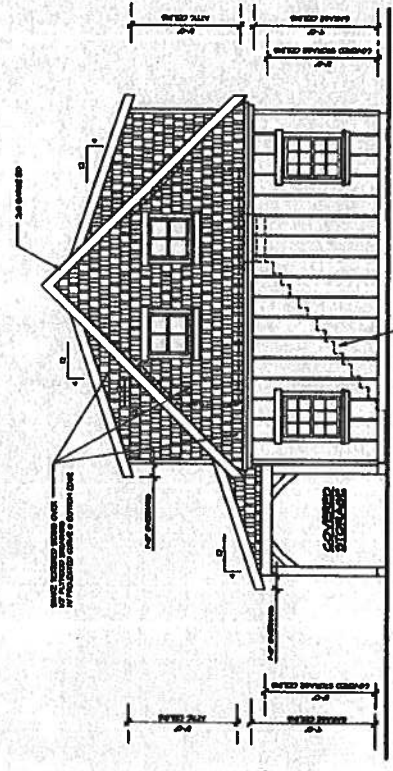
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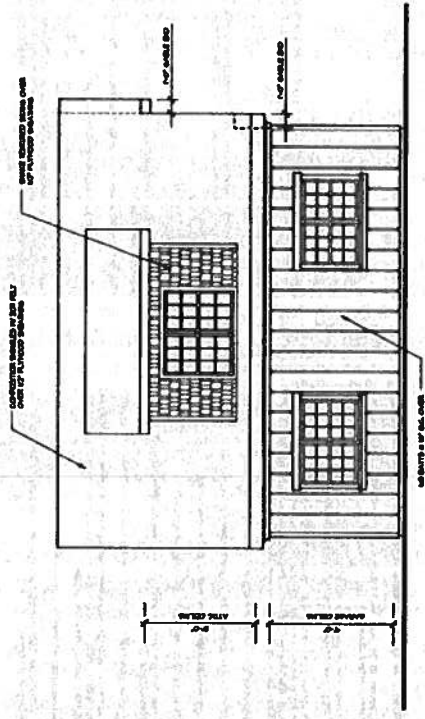
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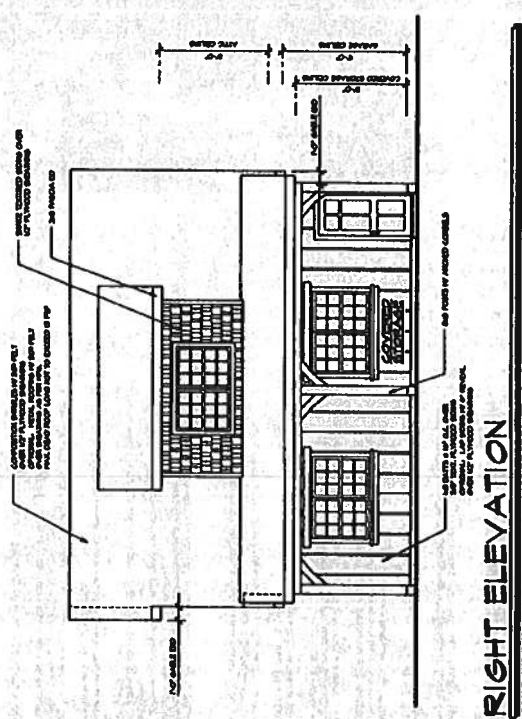
FRONT ELEVATION
 SCALE: 1/4"=1'-0"



REAR ELEVATION
 SCALE: 1/4"=1'-0"



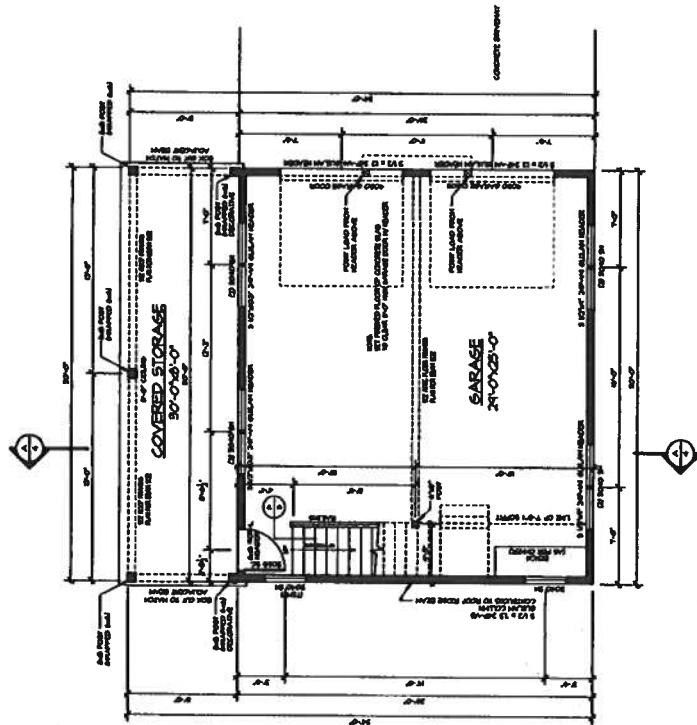
LEFT ELEVATION
 SCALE: 1/4"=1'-0"



RIGHT ELEVATION
 SCALE: 1/4"=1'-0"

ASSIGNED DESIGN LOADS:
 DEAD LOAD & FLOOR : 10 PSF
 SNOW LOAD & ROOF : 20 PSF
 DEAD LOAD & ROOF : 15 PSF
 SOIL STORAGE REQUIREMENT : 1500 PSF

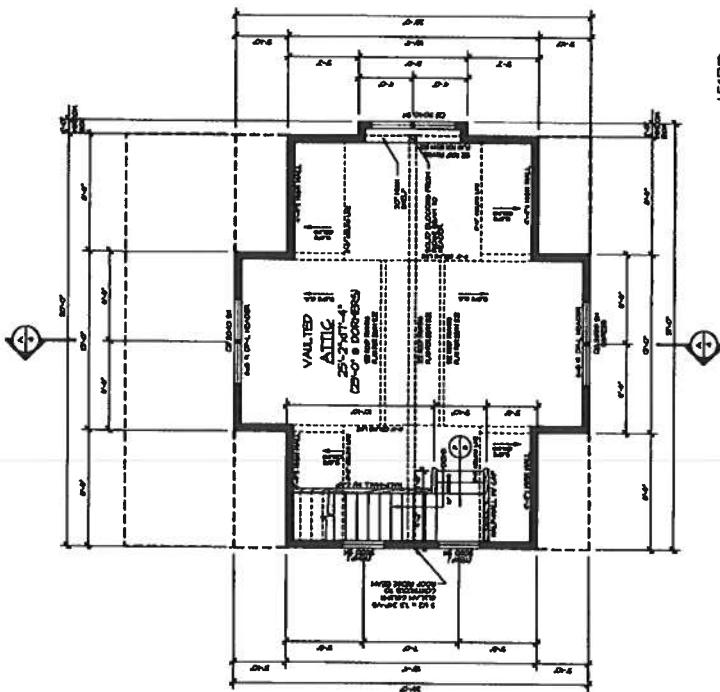
NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 2. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE AS SHOWN ON THESE DRAWINGS.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOKS AND ALL APPLICABLE LOCAL ORDINANCES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.



- NOTES:**
- EXTERIOR WALL HEADERS TO BE 4" x 12" S.P.L. 1/2" RIBBON BOLTS, 16" ON CENTER.
 - INTERIOR BEARING WALL HEADERS TO BE 4" x 8" UNLESS NOTED OTHERWISE.
 - WALLS TO BE 8" CMU WITH 1/2" GYPSUM BOARD ON BOTH SIDES.
 - CEILING TO BE 5/8" GYPSUM BOARD ON 2" x 4" STUDS @ 16" O.C. UNLESS NOTED OTHERWISE.
 - FLOOR TO BE 4" CONCRETE ON 4" x 8" JOISTS @ 16" O.C. UNLESS NOTED OTHERWISE.
 - MECHANICAL SYSTEMS TO BE PROVIDED BY MECHANICAL CONTRACTOR TO MEET OWNER NEEDS AND COMPLY WITH LOCAL CODES.
 - TYPICAL ANGLE IR. UNLESS NOTED OTHERWISE.
 - LOCAL MECHANICAL TO VERIFY STRUCTURAL MEMBER CAPACITY AND LOCATION PRIOR TO CONSTRUCTION.

SQUARE FOOTAGE:	
GARAGE	740 SQ. FT.
ATTIC	594 SQ. FT.
TOTAL	1334 SQ. FT.

ISSUED IN UNIVERSITY, FL. CODE, 6A. PRINTED 2011



- LEGEND:**
- 1" x 4" S.P.L. 1/2" RIBBON BOLTS
 - 2" x 4" S.P.L. 1/2" RIBBON BOLTS
 - 4" x 8" S.P.L. 1/2" RIBBON BOLTS
 - 4" x 12" S.P.L. 1/2" RIBBON BOLTS
 - 1/2" GYPSUM BOARD
 - 5/8" GYPSUM BOARD
 - 4" x 8" JOISTS @ 16" O.C.
 - 4" x 12" JOISTS @ 16" O.C.
 - 2" x 4" JOISTS @ 16" O.C.
 - 2" x 6" RAFTERS @ 16" O.C.
 - 2" x 8" RAFTERS @ 16" O.C.
 - 2" x 10" RAFTERS @ 16" O.C.
 - 2" x 12" RAFTERS @ 16" O.C.
 - 2" x 14" RAFTERS @ 16" O.C.
 - 2" x 16" RAFTERS @ 16" O.C.
 - 2" x 18" RAFTERS @ 16" O.C.
 - 2" x 20" RAFTERS @ 16" O.C.
 - 2" x 22" RAFTERS @ 16" O.C.
 - 2" x 24" RAFTERS @ 16" O.C.
 - 2" x 26" RAFTERS @ 16" O.C.
 - 2" x 28" RAFTERS @ 16" O.C.
 - 2" x 30" RAFTERS @ 16" O.C.
 - 2" x 32" RAFTERS @ 16" O.C.
 - 2" x 34" RAFTERS @ 16" O.C.
 - 2" x 36" RAFTERS @ 16" O.C.
 - 2" x 38" RAFTERS @ 16" O.C.
 - 2" x 40" RAFTERS @ 16" O.C.
 - 2" x 42" RAFTERS @ 16" O.C.
 - 2" x 44" RAFTERS @ 16" O.C.
 - 2" x 46" RAFTERS @ 16" O.C.
 - 2" x 48" RAFTERS @ 16" O.C.
 - 2" x 50" RAFTERS @ 16" O.C.
 - 2" x 52" RAFTERS @ 16" O.C.
 - 2" x 54" RAFTERS @ 16" O.C.
 - 2" x 56" RAFTERS @ 16" O.C.
 - 2" x 58" RAFTERS @ 16" O.C.
 - 2" x 60" RAFTERS @ 16" O.C.

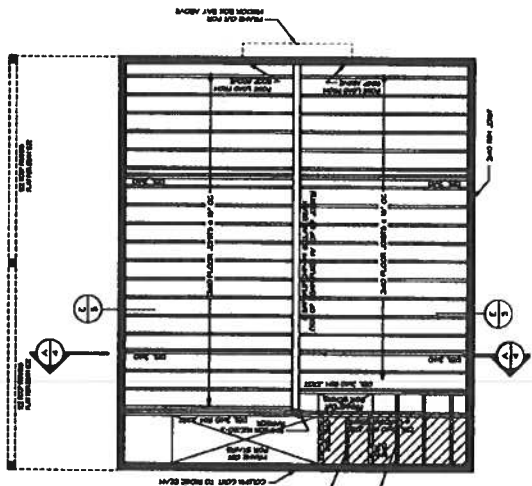
ATTIC PLAN
SCALE: 1/4" = 1'-0"

CEILING JOIST SPAN CHART
 ALLOWED UNIFORM LOADS IN POUNDS PER SQUARE FOOT

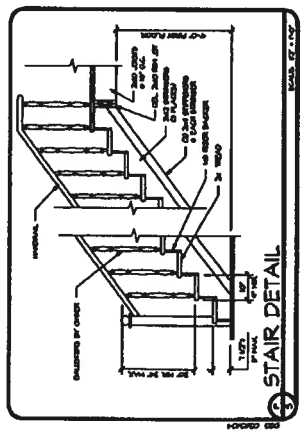
2x4 @ 16" O.C.	2x6 @ 16" O.C.
2x4 @ 12" O.C.	2x6 @ 12" O.C.
2x4 @ 18" O.C.	2x6 @ 18" O.C.
2x4 @ 24" O.C.	2x6 @ 24" O.C.
2x4 @ 30" O.C.	2x6 @ 30" O.C.
2x4 @ 36" O.C.	2x6 @ 36" O.C.

**ALL RAFTERS TO BE 2X12
 #2 OR BTR DF-L @ 24" O.C.
 UNLESS NOTED OTHERWISE**

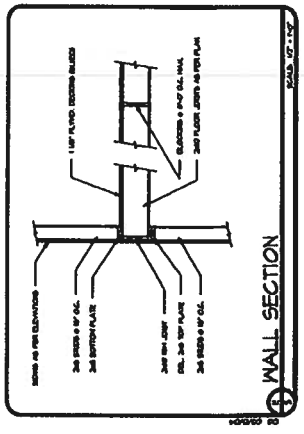
- NOTES:**
- PROVIDE SLOPE & GROUND FOR JOISTS UNLESS OTHERWISE NOTED.
 - AT 24" O.C. NOT SHOWN.
 - SOLID FLOORING OF PORTS AT BEAM, RAFTERS AND JOIST LAYOUTS TO BE 2x8 STRIPS @ 24" O.C. UNLESS OTHERWISE NOTED.
 - USE METAL FASTENERS AT ALL BEAM TO SUPPORT MEMBER CONNECTIONS.
 - USE SIMPSON LUGS JOIST HANGERS & FLOOR BEAMS.
 - ALL JOIST HANGERS TO BE IN COMPLIANCE WITH TABLE 602.3(1).
 - LOCAL PROFESSIONAL TO VERIFY STRUCTURAL MEMBERS CAPACITY TO SUPPORT LOADS AS REQUIRED BY SITE CONDITIONS AND LOCATION PRIOR TO CONSTRUCTION.



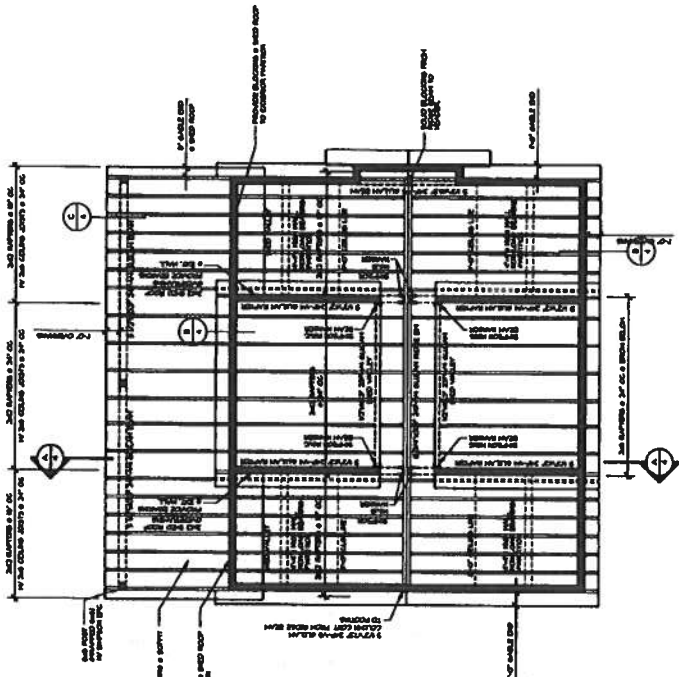
ATTIC FLOOR FRAMING PLAN
 SCALE: 1/8" = 1'-0"



STAIR DETAIL
 SCALE: 1/2" = 1'-0"



WALL SECTION
 SCALE: 1/2" = 1'-0"



ROOF FRAMING PLAN
 SCALE: 1/8" = 1'-0"

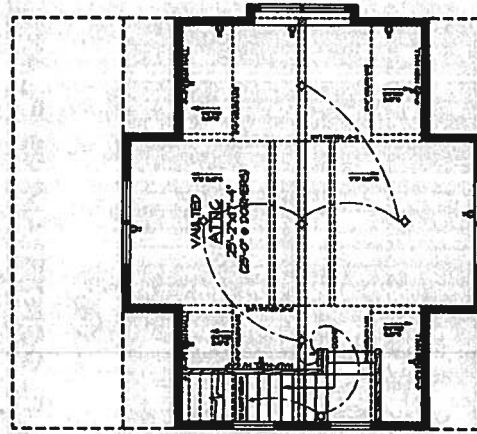
- NOTES:**
- USE METAL FASTENERS AT ALL BEAM TO SUPPORT MEMBERS.
 - USE SIMPSON LUGS JOIST HANGERS & FLOOR BEAMS.
 - SOLID FLOORING OF PORTS AT BEAM, RAFTERS AND JOIST LAYOUTS TO BE 2x8 STRIPS @ 24" O.C. UNLESS OTHERWISE NOTED.
 - USE METAL FASTENERS AT ALL BEAM TO SUPPORT MEMBER CONNECTIONS.
 - USE SIMPSON LUGS JOIST HANGERS & FLOOR BEAMS.
 - ALL JOIST HANGERS TO BE IN COMPLIANCE WITH TABLE 602.3(1).
 - LOCAL PROFESSIONAL TO VERIFY STRUCTURAL MEMBERS CAPACITY TO SUPPORT LOADS AS REQUIRED BY SITE CONDITIONS AND LOCATION PRIOR TO CONSTRUCTION.

ROOF FRAMING PLAN
 SCALE: 1/8" = 1'-0"

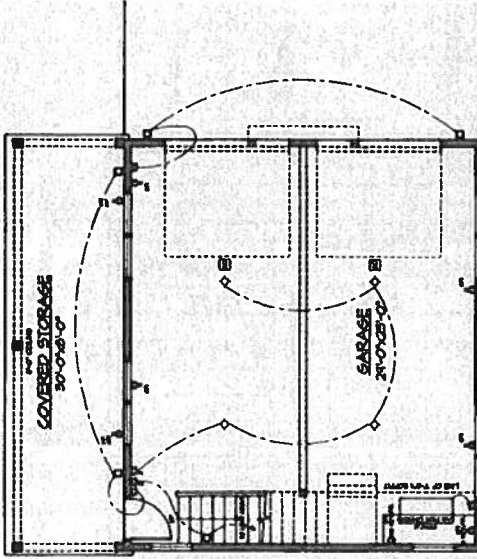
LIGHTING LEGEND

- 24" WY FLUORESCENT FIXTURE
- UNDER CABINET FLUORESCENT
- RECESSED LIGHT
- RECESSED EXTERNAL CEILING LIGHT
- HANGING CEILING LIGHT
- WALL MOUNTED LIGHT
- SMOKE DETECTOR
- PAN INVERT TO OUTSIDE
- 3 WAY SWITCH
- 4 WAY SWITCH
- 5 WAY SWITCH
- DIMMER SWITCH
- TELEPHONE CABLE JACK
- TELEPHONE JACK
- GARAGE DOOR OPER

- NOTES:**
- GROUND FAULT CIRCUIT INTERRUPTOR REQUIRED FOR ALL
 - ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL LOCAL ORDINANCES.
 - COORDINATE WITH MECHANICAL CONTRACTOR FOR ALL
 - AND SECURITY SYSTEM WITH OWNER.
 - ALL WORK SHALL BE IN ACCORDANCE WITH LOCAL CODES.



ATTIC ELECTRICAL PLAN
SCALE: 1/8" = 1'-0"



GARAGE ELECTRICAL PLAN
SCALE: 1/8" = 1'-0"

THE GARAGE

DATE: 12/2/11
SCALE: AS NOTED
PLANNING: KA
DESIGN: RSB
PROJECT: ELECTRICAL PLANS

DESIGNS
ASSOCIATED DESIGNERS, INC.
11111 W. 11th Avenue, Suite 100
Denver, Colorado 80233
Tel: 303.440.4600
Fax: 303.440.4674

PROJECT: 20-007R
REVISIONS: 06
SHEET: 6 OF 9

**TOWN OF SOMERSET
ZONING BOARD OF APPEALS
FEBRUARY 8, 2022
7:30PM**

Present	Scott Ecker, Chairman Amos Andrews Joe Provencher Kent Wakefield David Haylett, Attorney
Audience	Nathan Sutch Ben Atwater - neighbor Fred Leuer

Chairman Ecker called the Public Hearing to order at 7:35pm.

AREA VARIANCE HEARING

Property Location: 1157 Quaker Road

(Tax Map No. 9.00-2-3)

Barker, Niagara County, New York

Owner: Nathan Sutch

Project: To consider application for Variance of the Town Code to allow for the construction of an accessory building approximately 5 feet from the said parcel's south property line, and approximately 10 feet from the said parcel's east property line in the R-1 Single Family Residential District, where the Zoning Code requires a minimum of 15 feet of side yard space (south line) and 20 feet of rear yard space (east line) from an accessory structure.

The hearing opened with N. Sutch explaining that he is looking to build a 24'x32' accessory building and maximize his yard space. His goal was to turn his attached garage into living space and put a pole barn in the back which would be built on a concrete pad.

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A. Andrews asked if he was going to grade around the outside of it to which N. Sutch replied yes, that it would be grade level to match the height of the yard.

S. Ecker replied that fill would have to be brought in to make that happen and that he was concerned about having to add fill to a lot with only 5' access.

S. Ecker asked if there is a right-of-way adjacent to the property line. Atty. Haylett confirmed that it is part of the parcel and not a right-of-way. S. Ecker referenced an adjacent ditch and asked B. Atwater if he owns land south of the ditch to which he replied that his land goes 30' to the south. He explained that about 20 years ago, the town cleaned out the ditch and that he would now like to utilize the area by clearing out the ditch to give better accessibility to the road. He stated that he is concerned about having a pole barn only 5' away because it will make it difficult to work on clearing the ditch. He went on to explain that the ditch goes to a culvert in front of the road. He said that he is not concerned about east side of the property line as long as there is 10'.

N. Sutch produced an overhead picture of the property and explained that the ditch is 4-5' deep and Y's out as it gets to the back of the property. Atty. Haylett asked where the ditch leads to which B. Atwater replied that it is quite lengthy and goes to the east. Atty. Haylett commented that the ditch may be draining multiple properties and that may be why the town got involved with draining it years ago.

J. Provencher asked what the total width of the property is to which N. Sutch replied that it is 100' in the front and 130' in the rear. J. Provencher stated that if the pole barn could just be moved over to 15' then there would be no need for a variance. S. Ecker added that if there was concern of losing an existing pine tree, N. Sutch could move the barn toward Quaker Road which would enable him to move 15' off the side lot. K. Wakefield expressed that he is strong with the 15' requirement because it would be tough for sizeable equipment to clear the ditch with anything less than 15'. Atty. Haylett asked N. Sutch if he has a design for the pole barn to which he replied that it is metal and is common for the area.

Atty. Haylett summed up that the reason for the hearing was to approve or deny the construction of an accessory building 5' to the south property line and the 10' to the east property line. The hearing could be left open for a month or closed that night, and a vote taken. He explained that the proposed action is an Area Variance and there is a Type II action under SEQRA for both.

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On a motion by J. Provencher, seconded by K. Wakefield the following resolution was

ADOPTED Ayes 4 Andrews, Ecker, Provencher, Wakefield
 Nays 0

Resolution: Close the public hearing

At 8:05 the public hearing was closed, and the meeting was opened.

APPROVAL OF THE MINUTES from December 14, 2021:

On a motion by J. Provencher, seconded by K. Wakefield, the following resolution was

ADOPTED Ayes 4 Andrews, Ecker, Provencher, Wakefield
 Nays 0

Resolution: The minutes of December 14, 2021, were accepted as submitted.

COMMUNICATIONS: There were no Communications

OLD BUSINESS: There was no Old Business

NEW BUSINESS: AREA VARIANCE – Side Set-Back

Atty. Haylett reviewed the findings as follows: Whether an undesirable change in the character of the neighborhood will be created: 1) Minimal. Pole barns are common in the neighborhood. 2) Whether the benefit sought can be accomplished by some method feasible for the applicant to pursue – Yes, the applicant could move the building 15' off the lot line. 3) Whether request is substantial – Yes. 4) Whether the variance will have an adverse or impact on the physical or environmental conditions in the neighborhood -- it could have adverse and environmental impacts due to its close proximity to the drainage ditch running along the property line. 5) Whether the difficulty is self-created -- the difficulty is self-created because the barn could be moved over.

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On a motion by J. Provencher to approve the construction of an accessory building approximately 5' from the said parcel's south property line, the following resolution was

DENIED	Ayes	3	Andrews, Ecker, Wakefield
	Nays	1	Provencher

Resolution: Variance denied. The pole barn is to remain 15' off the side setback

On a motion by K. Wakefield, seconded by A. Andrews to approve 10' rear yard setback, the following resolution was

ADOPTED	Ayes	4	Andrews, Ecker, Provencher, Wakefield
	Nays	0	

Resolution: Approval of the Area Variance of a 32' x 24' pole barn 10' from the property's east line, subject to the following conditions:

1. The Variance shall conform to ordinances of the Town of Somerset in all other respects.
2. Any violation of the conditions shall be grounds for revocation of this Variance.
3. The premises shall be kept neat and orderly.

ADJOURNMENT

There being no further business, K. Wakefield made a motion to adjourn the meeting at 8:12pm, seconded by J. Provencher. Carried unanimously.

Respectfully submitted,

Sandra Lewis
Zoning Board Secretary