

TOWN OF SOMERSET
ZONING BOARD OF APPEALS
APRIL 4, 2023
6:00pm

Present	Scott Ecker, Chairman Amos Andrews Larry Dent Joe Provencher Kent Wakefield David Haylett, Attorney
Audience	Jeffrey and Janice Gardner

AREA VARIANCE HEARING

Owner/Applicant Jeffrey and Janice Gardner

Property Location 9097 Lakeshore Drive

Re: Application to consider a variance to allow for the construction of an accessory building approximately 3.5 feet from the parcel's east property line in the RLS Residential Lake Shore District, where the Zoning Code requires a minimum of 15 feet of side yard space from an accessory structure.

The hearing opened at 6:00pm with J. Gardner requesting a variance to replace a 5'x10' shed that was destroyed by high winds with an Amish built 8'x10' structure placed in the same location. It will be used to store garden tools and outdoor equipment.

J. Gardner explained that there have been no objections from the surrounding neighbors.

Materials that were submitted along with the variance application were:

- An email from Don and Judy Lewicki dated March 5, 2023, which supported the granting of the variance
- A letter from J. Gardner dated March 5, 2023, stating details of the project
- A survey of the property on Lakeshore Drive, showing the proposed shed location
- Photos of the damaged shed and its location as well as the proposed new shed

The notice of the public hearing was sent to surrounding neighbors of 9097 Lakeshore Drive, with one returned as "Unable to Forward" addressed to David Woock.

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APPROVAL OF THE MINUTES

On a motion by A. Andrews, seconded by K. Wakefield to approve the Minutes from September 13th, 2022, the following resolution was

ADOPTED Ayes 5 Andrews, Dent, Ecker, Provencher, Wakefield
 Nays 0

Resolution: The Minutes from September 13, 2022, were accepted as submitted.

OLD BUSINESS

There was no old business

NEW BUSINESS

Re: Gardner – Variance Decision - 9097 Lakeshore Drive

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

ADOPTED Ayes 5 Andrews, Dent, Ecker, Provencher, Wakefield
 Nays 0

Resolution: Variance was granted as set forth in the application, 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.

COMMUNICATIONS

Rhonda McCormick communicated with S. Lewis regarding permission to attend a Zoning Board Hearing not in person, but by speaker phone regarding building a small house on a LRS 80' x 195' lot on Lakeview Drive. The zoning board members advised that she submit an Application for Variance along with plans from the builder. They asked that someone be present at the open meeting that is familiar with the project. They agreed to R. McCormick's request to confer over speaker phone.

S. Ecker read a letter dated June 15, 2022 from the Western New York Land Conservancy regarding protected property.

ADJOURNMENT

There being no further business, K. Wakefield made a motion to adjourn the meeting at 6:36pm, seconded by J. Provencher. Carried unanimously.

Respectfully submitted,

Sandra Lewis

Zoning Board Secretary