

MINUTES
TOWN OF GORHAM ZONING BOARD OF APPEALS
December 18, 2008

PRESENT: Mr. Johnson Mr. Schilbe
 Mr. Blaker Mr. Craugh
 Mrs. Fake

EXCUSED: Chairman Hoover ABSENT: Mr. Ebersol

Mr. Johnson called the meeting to order at 7:30 PM. Mr. Schilbe made a motion to approve the minutes of the November 20, 2008 meeting. Mrs. Fake seconded the motion, which carried unanimously.

PUBLIC HEARINGS:

Application #08-260, Ayse D. Lewis owner of property at 4036 State Rt. 364, requests an area variance to build a single family home & garage. Proposed single family home & garage does not meet the south side yard setback, the rear yard setback and exceeds lot coverage.

Application was required to go to the Ontario County Planning Board. Determined to be a Type II action, which does not require further review under SEQR.

The public hearing was opened.

Ms. Lewis and Mr. Laneri, architect, were present and presented the application to the board.

With the revised plan the applicant is asking for 44% lot coverage a variance of 12 feet for a setback of 3 feet on the south side and a variance of 20.4 feet for a setback of 9.6 feet on the rear.

Mr. Schilbe stated that he feels that the lot is over developed, and asked if they were going to tear the house completely down.

Mr. Laneri stated that since they have moved it they will have to tear it down.

Mr. Craugh questioned the two foot overhang.

Mr. Laneri stated that it is an architectural detail, because of the height restriction. "The roof is very shallow pitched and would not look good if it was just a 12 inch."

Mr. Johnson asked if there were any comments from the public. Hearing none, the public hearing was closed.

After discussing and reviewing the questions on the back of the application the following motion was made [attached hereto]:

Mr. Blaker made a motion to grant a rear yard variance of 20.4 feet for a setback of 9.6 feet and a south side yard variance of 12 feet for a setback of 3 feet to the overhang, and lot coverage of 44%. The existing shed is to be removed. Mrs. Fake seconded the motion. Roll call was read with Blaker, Fake, Johnson, Craugh voting yes and Schilbe voting no. (4-1) Motion did not carry, since the Ontario County Planning Board denied the application it must be passed by a majority plus one on the local level.

Decision on the application was adjourned until January 15, 2008.

Mr. Johnson made a motion to adjourn the meeting at 7:45 PM. Mr. Craugh seconded the motion, which carried unanimously.

William Johnson, Vice Chairman

Sue Yarger, Secretary