

MINUTES
TOWN OF GORHAM ZONING BOARD OF APPEALS
September 16, 2010

PRESENT: Chairman Hoover Mr. Schilbe
 Mr. Johnson Mr. Ebersol
 Mrs. Fake Mr. Craugh

ABSENT: Mr. Blaker

Chairman Hoover called the meeting to order at 7:30 PM. The August 19, 2010, minutes were discussed; page 2 paragraph 4 was deleted. Chairman Hoover made a motion to approve the August 19, 2010, minutes as amended. Mr. Ebersol seconded the motion, which carried unanimously.

PUBLIC HEARING:

Application #10-120, Robert & Mary Fenton, owners of property County Rd 11, requests an area variance build a 12 x 12 shed. Proposed shed does not meet the north & south side yard setbacks.

Chairman Hoover opened the public hearing and the notice as it appeared in the official newspaper of the Town was read.

The application was referred to the Ontario County Planning Board. The Ontario County Planning Board made the following findings: 1. Protection of water features is a stated goal of the CPB. 2. The Finger Lakes are an indispensable part of the quality of life in Ontario County. 3. Increases in impervious surface leads to increased runoff and pollution. 4. Runoff from lakefront development is more likely to impact water quality. 5. It is the position of the Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties. 6. Protection of community character, as it relates to tourism, is a goal of the CPB. 7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character. 8. It is the position of this Board that such incremental impacts have a cumulative impact that is of county wide and intermunicipal significance. The final recommendation is Denial.

Mr. & Mrs. Fenton & Ann Hanson, Architect were present and presented the application to the board.

Mr. Fenton stated that the shed will be used to store lawn chairs, inner tubes, fishing equipment, skis, etc.

Chairman Hoover suggested that the shed be narrowed down to a 10 x 14 or 10 x 16 to decrease the variances needed.

Mr. & Mrs. Fenton stated that with the size of the lawn chairs a 12 x 12 is size that they would need. They also stated that there is a beautiful tree in the center of the lot that they do not want to disturb.

The 12' x 12' shed will also have a 16" overhang.

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

Ann Hanson stated that the height of the building will be at 15 feet. The shed will have a 4' x 12' open porch and the shed area is 12' x 8'.

Mr. Johnson stated that since the actual storage space is 12' x 8', the shed footprint could be 8 feet wide and 12 feet deep, which would cut done the side yard setbacks.

Mrs. Fenton stated that with the house across the road they don't have any view of the lake and was hoping that would be their little porch on the lake.

The dimensions of the shed was discussed. It was decided that the board would like to see the shed 8 feet wide and moved off of the north property line to meet the required setback on that side. The board would also like to see the overhangs decreased to 12" instead of 16".

After discussing and reviewing the questions on the back of the application the following motion was made [attached hereto]: Chairman Hoover made a motion to grant a variance of 3.2 feet for a setback of 11.8 feet on the south side for an 8' x up to an 18' building, combination of storage and open porch. The overhangs will be no wider than one foot. Mr. Johnson seconded the motion, which carried unanimously.

Chairman Hoover stated that notification should be sent to the County Planning Board that the Town ZBA has over ruled their decision based on the fact that when discussing the application with the applicant the variances were decreased to one variance on the south property line, which will have no environmental impacts on the property.

Mr. Ebersol made a motion to adjourn the meeting at 8:05PM. Mr. Johnson seconded the motion, which carried unanimously.

Jerry Hoover, Chairman

ZBA

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