

Zoning Board Of Appeals

Minutes for meeting of 1-6-16.

7:00 – meeting called to order by Hugh Dudley.

- There were no public hearings or specific guests scheduled for this meeting, only open discussions.

7:02 - The minutes of the December 2nd 2015 were read.

Leonard motioned to accept, Gary 2nd. All approved.

7:04 - The 2016 meeting dates were reviewed, and all concur on the set dates of Feb. 3rd, March 2nd, April 6th, May 4th, June 1st, July 6th, Aug. 3rd, Sept. 7th, Oct. 5th, Nov. 2nd, Dec. 7th.

7:08 - A discussion occurred concerning 3505 Butts Rd.

The owner had visited Dan Strong and asked about converting the old garage/small barn into a residential unit on the back of the property.

Multiple issues were brought up:

Code specifically states only one principle structure per lot.

Kevin – When the owners go to sell it – it is almost impossible to finance a property with 2 individual residential buildings on it. So any prospective purchaser of the subject property must be able to pay cash – severely limiting buyer prospects. This could create a very stale/declining property.

Leonard – Building does not pass current foundation requirements.

We discussed the owner trying to split the parcel off, but may have very erratic boundary lines, and even then may not pass current requirements.

Dan suggested we put the responsibility back on owner's engineer to certify building meets all current requirements/codes if they decide to try and split parcel.

7:35 – Hugh told everyone this is probably his last year on the ZBA. He volunteered to step aside as chair person for this year. Discussion's took place concerning the next chair person.

Leonard nominated Hugh to chair person. Gary 2nd. All approved.

7:44 – Gary motioned to adjourn. Kevin 2nd. Closed.

Attendee's:

Dan Strong.

Hugh Dudley.

Gary Katsanis.

Leonard Standish.

Kevin Parker.

Russ Olles –excused as he was out of Town.

Zoning Board of Appeals, Town of Albion: Minutes of the 5/4/2016 Meeting

Chairman Hugh Dudley called the meeting to order at 7:00 pm. Attending were Hugh Dudley, Russ Olles, Len Standish, Gary Katsanis, and Code Officer Dan Strong.

At 7:00 the Chairman opened the public hearing for the Appeal of Interpretation submitted by Rick and Dawn Stacey for their property at 4230 Oak Orchard Rd. In the absense of public comment, the Chairman closed the public hearing at 7:02. Russ Olles moved that the Board interpret the 4230 Oak Orchard Rd property as a residential property. The motion was seconded by Len Standish and was passed unanimously.

At 7:03 the Chairman opened the public hearing for the Appeal of Interpretation submitted by BCA Ag Technologies for the property at 14530 East Lee Road. In the absense of public comment, the Chairman closed the public hearing at 7:05. Len Standish moved that the Board interpret the proposed use (an agricultural service business) as an allowed use in the residential/agricultural district. Russ Olles seconded the motion, and it was passed unanimously.

Dan Strong presented the issue of a 6.5 acre property on West County House Road, owned by Michael Benson, containing an abandoned structure. In discussion with Dan Strong, Mr Benson indicated that he would like to use the property, mentioning several possible uses: using the structure for storage or as a residence after affecting repairs and/or using the property as a campground.

During extensive discussions, the Board observed the following.

- The property cannot be used as a campground without the proper special use permit; minimum property size for a campground is 10 acres.
- The owner cannot park a camper on the property without a primary residence.
- The structure cannot be interpreted as a farm building as minimum property size for an agricultural parcel is 10 acres.
- The structure cannot be interpreted as an accessory structure as there is no primary structure.
- The structure cannot be allowed as an existing nonconforming structure as it has been out of use for more than a year; also the assessed value is \$0, so by necessity any repairs will cost over 75% of the property value. Either of these characteristics would require that the structure be brought to current code.

Dan Strong will follow up with the owner.

Russ Olles moved to end the meeting; Len Standish seconded the motion and the motion was carried unanimously.

The meeting ended at 7:45 PM.

Respectfully submitted by Gary Katsanis

Zoning Board Of Appeals

Minutes for meeting of 10-5-16.

7:00 – Meeting called to order by Hugh Dudley.

- The public hearing was opened for the interpretation of section 103-14G (2)
 - the construction of a proposed agricultural building for Jodi Neal and Poverty Hill Farms.
- Discussions took place concerning the general guidelines concerning the type of materials listed that are not allowed to be used for either a permanent, or temporary, structure.
- This particular type of material is Nova Shield fabric.
- The general, (but not all), consensus was that based on # G4, the building does not violate section 103-41.
- It was also noted by, (Dan and Hugh), that since this is an agricultural application, that Mr. Neal did not even need our approval to put this building up.
- Kevin made a motion that as long as the snow, and wind ratings of the material/building were produced and met codes, that interpretation was that it did not violate section 103-41G (2)
- Leonard 2nd. Russ, Kevin, Hugh, Leonard concurred, Gary opposed. Passed.

7:30 - Public hearing was closed

7:31 – A general discussion took place on 103 –41 G.

7:45 - Gary made a motion to remove items # 1,2,3 and simply use item # 4, and add the Following to the end of # 4: For any building or structure, permanent or temporary.

- Russ 2nd.
- all approved.

7:47 – Gary mad a motion to adjourn the meeting.

- Russ 2nd.
- Closed.

Attendee's:

Dan Strong.

Hugh Dudley.

Gary Katsanis.

Leonard Standish.

Kevin Parker.

Russ Olles

Guests:

Jodi Neal