

# Zoning Board of Appeals

## Town of Albion

Minutes for the meeting of August 2, 2017

Present: Leonard Standish, Russell Olles, Gary Katsanis, Daniel Strong

Also Attending: Richard & Audrey Christopher  
Anthony Larabe, arrived 7:05

Leonard Standish called the meeting to order at 7:00 pm.

\* The board reviewed an application for an area variance to construct a shed at 3906 Oak Orchard Rd, submitted by Richard & Audrey Christopher. The proposed site for the shed allows less than the required 15' side setback.

After the board discussed issues, alternatives, and the character of the neighborhood, Russell Olles moved to grant the area variance, Gary Katsanis seconded the motion, and the motion passed with three ayes.

\* After review, Russell Olles moved to accept the minutes of the 6/7/17 meeting, Gary Katsanis seconded, and all approved.

\* Anthony Larabe requested clarification for his plans to open an auto detailing business on a property on Rt 31A just west of Rt 98. The business would use a storage building currently under construction. The property lies in a Planned Development District.

The board found that (a) all uses permitted in a General Business District are permitted in a Planned Development District, per §103-28.C.1 and that (b) auto detailing is a Personal Service Establishment, permitted in a General Business District per §103-26.B.4 .

\* Russell Olles moved to adjourn the meeting, Gary Katsanis seconded, and all approved.

The meeting was adjourned at 7:13 pm.

Respectfully submitted by Gary Katsanis

# Zoning Board of Appeals

## Town of Albion

Minutes for the meeting of June 7, 2017

Present: Leonard Standish, Kevin Parker, Russell Olles, Gary Katsanis,  
Daniel Strong

Also Attending: Karen Kirby

Leonard Standish called the meeting to order at 7:00 pm.

\* The board reviewed the minutes of the 5/3/17 meeting, and one correction was noted. Gary Katsanis moved to accept the minutes, Russell Olles seconded, and all approved.

\* Karen Kirby addressed the board, sharing initial plans to use a property and structure adjacent to the County Office Building to sell produce.

Dan Strong observed that the property in question was in a General Business District.

After thorough discussion, the board found that retail sales, as Karen Kirby described, would be a retail business establishment consistent with the character of the neighborhood. This would constitute a permitted use.

\* Kevin Parker moved to adjourn the meeting, Russell Olles seconded, and all approved.

The meeting was adjourned at 7:26 pm.

Respectfully submitted by Gary Katsanis

# Zoning Board Of Appeals

Minutes for meeting of May 3<sup>rd</sup>, 2017

7:00 – Leonard opened meeting.

- Leonard opened public hearing for Kevin Stevens for scenario at 13783 W. County House Rd. The scenario was that a variance be allowed for a camper set-up to be occupied by the owner while the entire house is being worked on until October 15<sup>th</sup> 2017? Dan addressed that hooking up to potable water and septic is close to being completed.

All board members asked if there were any issues or foreseen problems. No one had any objections.

Gary motioned to close the public meeting. Russ 2<sup>nd</sup>. Closed.

Russ made a motion to approve the variance as requested. Gary 2<sup>nd</sup>, and all approved.

7:09 – Opened public hearing for Debbie Birch for scenario at 13883 W. County House Rd. The scenario was that a variance be allowed for: 1) 7' rear set back distance for a shed, 2) 10 foot rear set back distance for a pool, 3) 45' front set back distance for a new front porch deck, 4) 53' front set back distance for a new 12x20 shed, and a new above ground pool, 5) 22' front set back distance for the pool deck, 6) 30' variance for front porch, 7) 8' rear set back variance for shed, 9) 5' rear set back variance for pool.

Dan filed measured entire back lot line is only 88' from centerline. No room to do without variances.

Leonard expressed garage should not protrude closer that the house towards road.

Debbie wasn't sure if the building was going to be a large shed or garage at this point.

Numerous overhead and level photographs were observed and discussed by all.

No other public comment at all.



Gary motioned to close public hearing. Russ 2nd. Closed.  
Russ motioned to approve all variances as written. Kevin 2<sup>nd</sup>. All  
Approved.

7:21 – All Seqr's filled out for both cases.

7:23 – Andy Young approached the board to discuss a farm  
market/general type store at his house at 13512 Rt 31 West.  
Current zoning does not allow a general store. Several itmes wer  
mentioned by Andy – furniture, bounce house, produce, ice  
cream, hots/burgers, etc, bakery.

The board is worried about spot zoning, (trying to re-zone would  
not be correct thing to do). The entire board tried to think of  
some way it would work, but no one could come up with a  
viable legitimate solution.

Andy said he may still submit an application to the county.

8:08 Russ motioned to close, Phil 2<sup>nd</sup>. Closed.

Attendee's

Dan Strong

Phil Panek

Leonard Standish

Kevin Parker

Russ Olles

Gary Kitsanis

Kevin Stephens

Debbie Birch

Andy Young

# Zoning Board of Appeals

## Minutes for meeting of January 4<sup>th</sup>, 2017

7:00 - Leonard opened the meeting.

- Opened public hearing for John Ludwig's application for interpretation of use on 13785 Phipps Rd. Albion.
- Gary asked about equipment that would be stored, or worked on at this location. All of John's dump trucks, backhoe's, and all equipment associated with paving, and excavation work.
- We also discussed the use of the apartment on the 2<sup>nd</sup> floor. John's plans are to keep it as an apartment quarters, and possibly use a small portion for a pseudo office area.
- John also plans on the continued use of his existing property use on E. County House Rd. (he has enough need for both properties).
- He has an agreement with seller for sale that was contingent upon approval of our interpretation.

7:10 - Gary motioned to end public meeting. Russ 2<sup>nd</sup>. All approved.

7:11 - Russ motioned to interpret use as simply a continuation of the existing use and type of business of this property, (for the last 40 plus years).

- Gary 2<sup>nd</sup>. All approved.

7:12 - Discussion took place concerning Hugh's vacant seat, and in finding another person who would be a beneficial/contributing member to the board. Dan will speak to Phillip Panek, (who has expressed an interest a couple of different times in being involved. The board agreed he would possibly make good addition to the board.

- Kevin motioned that Leonard be nominated as Chairman. Gary 2<sup>nd</sup>. Leonard agreed, and all approved.
- Kevin motioned that Russ be Vice-Chairman. Leonard 2<sup>nd</sup>. Russ agreed, and all approved.
- Discussion on the meeting dates, and times would stay the first Wednesday of the month, and at 7:00 PM. This allows for the Planning board to meet at 6:00 PM, and we can follow immediately after, if so needed, on any topic.

The one exception may be the July 5<sup>th</sup> meeting. Since people have a tendency to go on a week long vacation this week, if there is anything

that will require a meeting that month, we will move to another night, and Dan will advertise accordingly.

- Gary motioned to approve meeting dates/times. Russ 2<sup>nd</sup>. All approved.
  - Delivery of topics for meetings will continue as this previous year – emails and Dan will also continue to drop at each members house a day or so prior to the meeting.
  - The minutes for the Dec. 2016 meeting were not available, and will be discussed at the February 2017 meeting
- 7:25 – Gary made a motion to adjourn. Russ 2<sup>nd</sup>. All approved.
- Closed.

Attendee's:

Dan Strong

Gary Katsanis

Leonard Standish

Kevin Parker

Russ Olles