

Town of Homer Zoning Board of Appeals

Minutes for Wednesday, March 23, 2022 at 6:00pm

Board Members (absent *)

Dan Gustafson, acting Chairman

Stuart Young*

Gary Sweeney

Joseph Gilbert*

Rhea Robinson

Ryan DuBois

Lynn Gilbert

Others Present

Lindsay Andersen, Recording Secretary

Kevin McMahon, CEO*

Pat Snyder, Attorney

Public Attendance: Mark E. Foote

Public Hearing

Acting Chairman Gustafson opened the public hearing to consider **an application by Mark E. Foote for an area variance to construct a new garage 3 feet from his property line.**

The applicant stated that there was a run-down structure that was previously referred to as a “camp” that was not habitable when he purchased the property. Since purchasing the property, he hired a company to tear the old building down and remove it. This structure was closer to the property line than the proposed new building will be.

The neighboring property owner, Dan Dafoe submitted a letter to the ZBA which was read by Chairman Gustafson. The letter stated that he has no objections to the proposed location of the new garage and is supportive of the improvement.

The applicant stated the minimum setback was 7 feet without a variance, the applicant hired a contractor to construct the new garage and he would like to build 3 feet off of the property line which would leave adequate space for himself and the Dafoe’s to access both of their properties.

He would like to leave 10 feet between his house and the proposed garage so that he has plenty of space to work between the buildings.

Gustafson asked the applicant why the garage could not be attached to the house. The applicant stated that due to the configuration of his kitchen and a bump out the access to the garage would not be practical.

He stated he is trying to make the lot aesthetically pleasing to the himself and the neighborhood. He would like to leave space between the buildings in case an emergency.

There were no questions or comments from the public and the public hearing was closed.

Regular Meeting

Acting Chairman Gustafson opened discussion for **an application by Mark E. Foote for an area variance to construct a new garage 3 feet from his property line.**

Attorney Snyder stated that the application was sent to the County Planning Board for review. The letter stated there is no state or county wide impact and the application was returned for local determination.

Attorney Snyder stated this is considered a type 2 action under SEQR and therefore does not need a short environmental assessment form.

Member Gilbert made the motion to grant the area variance. Member Sweeney seconded the motion. With all members in favor saying "aye", none opposed, and none abstained. The motion was carried unanimous 4,0,0.

Adjournment

The meeting was adjourned at 6:25pm.

Lindsay M. Andersen, Recording Secretary