

**TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING**  
**Held at the Clarkson Town Hall**  
**Wednesday, July 17th, 2024, at 7:00 PM**

**Board Members**

Conrad Ziarniak, Chairperson  
Joseph Perry  
Howard Henick  
Peter Connell\*  
Colleen Mattison

**Support Staff**

Keith O'Toole, Town Attorney\*  
Kevin Moore, Code Enforcement  
Andrea Rookey, Building Department Clerk

Excused \*

**CALL TO ORDER:**

C. Ziarniak called the Zoning Board meeting to order at 7:00 p.m. and led all those present in the Pledge of Allegiance with a moment of silence for veterans and first responders.

**PUBLIC HEARING:**

Applicant: Jerry Scheck

Property Owner: Jerry Scheck

Address: 3432 Lake Rd

Zoning: RS-20

Applicant requesting a 5ft area variance to the property line for a garage not in accordance with 140-22D(1)(c)[2] side setbacks are 10ft and the garage occupying the front yard not in accordance with 140-7E Any required yard shall be entirely open and unoccupied by buildings other than: (1) Entrance porch or steps not over seven feet deep in a front yard. (2) Porches or terraces in side or rear yards, provided that they are not covered nor enclosed and are no closer to the lot lines than required by the applicable setback restrictions. (3) Detached accessory buildings occupying not over 25% of a required rear yard and setback as required by this chapter.

C. Ziarniak read the legal notice aloud for the public present.

C. Ziarniak asked if the two doors are the same height

J. Scheck said that they are but he might be going with a new builder so the peak height might be different, but it would still be under 20ft.

H. Henick asked if the garage doors would be the same width

J. Scheck said no, one would be a foot wider

J. Scheck said instead of 5ft he would like to go to a 9in variance.

C. Ziarniak asked how far the walkway extends.

J. Scheck said 4ft.

C. Ziarniak asked if there would be down spouts or gutters.

J. Scheck said he is unsure.

H. Henick said that 6in gutters would probably suit the metal roof best.

K. Moore said that it is suggested that the doors be symmetrical because it is a garage and not a pole barn.

C. Ziarniak asked if there was any comment.

P. Didas emailed and asked questions and said he had no concern.

C. Ziarniak motioned to close the Public Hearing.

H. Henick seconded the motion

Unanimously carried.

C. Ziarniak read the criteria aloud

1. What benefit will be derived by the applicant who is seeking this variance?

The applicant stated, "Will be the same as neighborhood, cars to be inside, increase value, appearance, cleans up property."

C. Ziarniak said that he agrees with the benefits listed.

2. What undesirable changes will be produced in the character of the neighborhood by the granting of the area variance?

The applicant stated "None, only home left in area without a garage."

C. Ziarniak said that adding this garage is not out of character as other neighbors have garages.

3. What other methods does the applicant have to achieve the benefit other than the area variance?

The applicant stated "None"

C. Ziarniak said he cannot think of any.

4. Is the requested area variance substantial?

The applicant stated "No, within 5."

C. Ziarniak said the variance is not substantial

5. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

The applicant stated "No."

C. Ziarniak said the board agrees.

6. Was the alleged difficulty self-created? Note: If the difficulty was self-created, it is relevant to the decision of the ZBA, but does not necessarily preclude the granting of an area variance.

The applicant stated "No."

C. Ziarniak said garages have become more of a requirement now.

C. Ziarniak motioned that SEQR was determined a type II action with a negative declaration

H. Henick seconded

Unanimously carried

H. Henick motioned to accept the new plans with the 1ft variance for the garage with the condition that is not for commercial use.

J. Perry seconded

Unanimously carried.

### **OPEN FORUM:**

Circle B Ranch

Jackson Day came to the meeting to ask whether they would be required to get a sign permit for the sign that they were planning on replacing.

H. Henick asked if there was lighting for the sign

J. Day said yes, there is lighting there for the current sign

C. Ziarniak motioned that this was considered an "apples to apples" situation and the only thing changing was the panel and does not require a sign permit.

C. Mattison seconded

Unanimously carried.

### **REVIEW MINUTES:**

C. Ziarniak motioned to approve the minutes from 6/19/2024 as amended.

H. Henick seconded the motion.

Unanimously carried.

**ADJOURNMENT:**

C. Ziarniak motioned to adjourn 7:55pm

J. Perry seconded the motion.

Unanimously carried.

**NEXT MEETING:**

The next meeting of the Zoning Board of Appeals will be Wednesday, August 7th, 2024, at 7:00 PM held at the Town Hall.

Respectfully submitted,

*Andrea Rookey, Building Department Clerk*