

Legal Notice

Town of Preble Zoning Board of Appeals

The Town of Preble Zoning Board of Appeals will hold a public hearing at their regular monthly meeting on December 3, 2009, at the Preble Town hall, at 7:45 PM.

The public hearing is in response to an application for area and lot size variances by Donald and Robyn Fisher. Property location 6234 Little York Lake Rd, Tax map # 37-14-01-09.000.

This is a public hearing and all interested parties will be heard.

Sharon Cassidy Flint

Secretary Zoning Board of Appeals

**Preble ZBA Meeting
December 3, 2009**

Meeting called to order at 7:32 p.m. All board members present and Code Officer Rick Fritz was in attendance.

Fisher Public Hearing open and held. The applicants, along with their representative from Cayuga Country Homes, spoke in support of the project. No spoke in opposition of the project. Public hearing closed. The Board held a discussion about the Fisher variance request for lot size and side yard deviations. The Board then made the following findings:

Whereas, the variance requested for the side yard is not a significant deviation from the Code Requirements; and

Whereas, the variance requested for the lot size is not substantial; and

Whereas, the character of the neighborhood will not be diminished and should be pointed out that neighbors have been provided letters in support of the project; and

Whereas, the applicant cannot complete the project by any other feasible method without the variances requested; and

Whereas, the proposed variances will not have an adverse impact on the physical condition of the neighborhood; and

Whereas, the requests for the variances were not self-created since the lot size has long since been established;

Therefore, be it resolved that the Board of Zoning Appeals approves the side yard and lot size variances brought by Donald and Robin Fisher for property located at 6234 Little York Lake Road, Tax Map No. 37.14-01-09.000, provided that the new well be placed in an area that is approved by the proper authorities.

A short form SEQR review for the Fisher variance request was then conducted with Bob making a motion to declare the ZBA as lead agency, which Bill seconded, and all members approved of the motion. The Board then went through Part 2 of the SEQR form and answered “no” to all of the questions and on motion of Rudy and seconded by Kay, declaring a negative declaration for this project. All members voted in favor of the negative declaration.

A motion was then made by Bob and seconded by Bill to pass the resolution in favor of the Fisher variance request and this motion passed unanimously.

There was some discussion by the Board Members discussing the need to have a joint meeting between the ZBA, Planning and Town Boards with respect to setting up some guidelines relative to land use applications that will be brought in the future within the Town. In addition, there was then some discussion about the terms of various members and when they expire and it was decided that that issue needs to be looked at.

At 7:56 p.m., Bill made a motion to adjourn, which was seconded by Bob and the motion passed unanimously.