

Town of Clarence
One Town Place, Clarence, NY
Zoning Board of Appeals Minutes
Tuesday, May 12, 2026

Chairman Ryan Mills called the meeting to order at 5:30 p.m.

The Zoning Board led the pledge to the flag.

Zoning Board of Appeals members present:

Chairman Ryan Mills	Patrick Krey	Richard McNamara
Gerald Drinkard	Steven Dale	

Zoning Board of Appeals members absent: Forest Rung

Town Officials present:

Director of Community Development Jonathan Bleuer
Deputy Town Attorney David Donohue
Councilman Paul Shear

Other Interested Parties:

Patrick Quast	Imad Kariapper	Alex Ode	Tommy Thomas
Glenn Knowblauch	Fathima Taniya Nazaar		

NEW BUSINESS

Appeal No. 1

Glenn Knoblauch
Residential Single-Family
Town Code Reference:
1) §229-55(H)
2) §229-55(D)
3) §229-55(H)

Applicant requests variances:
1) to allow a secondary detached garage; and
2) to allow a detached accessory structure (garage) to be located within the front yard setback; and
3) of 530 sq.ft. to allow a 730 sq.ft. detached accessory structure (garage);
located at 5245 Brookfield Lane.

DISCUSSION:

Glenn Knoblauch was present to represent his request, explaining that the plans that the Board currently have, need to be adjusted by about 6’ shorter in width due to the trees and other obstacles. He is aware that aesthetics come in to play because of the site map from Greiner Road and Brookfield Road, he is open to adjusting the sizing within that range.

Mr. Knoblauch explained that he has always had a line of bushes along the Brookfield Lane side which acted as a buffer, and last year he invested in Arborvitaes.

Mr. Knoblauch noted that all of the materials would match the siding along the side of his house, so that it blends in.

Mr. Drinkard asked if the two structures currently on site will be removed.

Mr. Knoblauch responded yes.

Mr. Drinkard asked Mr. Knoblauch what the structure in the middle of his backyard is.

Mr. Knoblauch responded that it is a gazebo with a hot tub inside.

Noting that the current siding is greenish in color, Mr. Drinkard asked if that is the side that is intended to go on to the proposed structure.

Mr. Knoblauch responded yes.

Mr. Drinkard added that the photo submitted as the new building look very nice, and shows very nice landscaping. He asked Mr. Knoblauch if it is his intent to make the proposed structure look like the photo.

Mr. Knoblauch responded that he would love to have it look just like the photo, he was unsure if the board would have a preference with the siding.

Mr. Drinkard asked Mr. Knoblauch what his thought preferences are currently.

Mr. Knoblauch stated that he would love to keep it exactly as it looks in the photo.

Chairman Mills marked the photos Exhibit A, noting that one of the photos is a 3D image, the other is a photograph of a similar type garage.

Mr. Drinkard noted that Exhibit A has a brick front.

Mr. Knoblauch responded yes.

Mr. Drinkard added that the brick front has a garage door that is either wood or brown.

Mr. Knoblauch stated that he does not think he specified in the plans if it was wood, but either way he would love to have that kind of coloring.

Mr. Drinkard noted that as he walked around to see what the neighbors in the neighborhood have, that Mr. Knoblauch is in a unique situation. He is on a corner, and has an encroachment already present, so he would like to see something that compliments the house, and fits in without standing out too much.

Mr. Krey noted that in terms of the placement of the garage, he is aware that Mr. Knoblauch received a variance years ago for the placement of the shed that is currently on the property. Mr. Krey asked why the proposed shed needs to be so far down the driveway, and not closer to the home.

Mr. Knoblauch responded that it could be closer to the house. He would need to take the tree that is down between the shed and his house completely down. The sizing right now is his issue, between this tree and the pine tree line closer to Brookfield Rd.

Using the photos in Exhibit A, Mr. Knoblauch further explained how he could move the proposed building closer to the house, with the removal of a tree.

Mr. Krey confirmed that Mr. Knoblauch stated he needs the proposed garage placed where he has requested, otherwise he will need to take down an existing tree.

Mr. Krey asked how many square feet Mr. Knoblauch's home is.

Mr. Knoblauch responded that it is approximately 1,600 sq. ft.

Mr. Krey explained that sometimes when they get requests similar to this, he tries to determine whether the applicant can connect the proposed garage to the home with a breezeway, but with this proposal, it cannot be done.

Discussion continued regarding the potential placement of the proposed garage.

Mr. Dale asked Mr. Knoblauch if he would be willing to match the roof tile and garage door to the house.

Mr. Knoblauch stated that as far as roofing and siding, he can make it anything he chooses or needs to.

Mr. Dale noted that he likes the idea of Mr. Knoblauch using the siding that he currently has on his family room. If he could match the shingles and perhaps the garage door, it would not stand out quite as much.

Mr. Knoblauch stated that on this plan, he believes it shows a steel roof within the plans that he was provided, but he is able to change whatever he would like to.

Mr. Dale stated that he would like to see him match the proposed garage to the house as much as he can.

Regarding the brick façade on the garage, Chairman Mills asked Mr. Knoblauch if he is definitely planning to do that.

Mr. Knoblauch responded that his only concern with that idea is how it looks as opposed to tying it in with the house.

Chairman Mills stated that it will be difficult to match the brick on the house, so they should move to what would best compliment it.

Chairman Mills asked Mr. Knoblauch if he would prefer a complimentary color, or would he prefer trying to match the current color, and perhaps not having brick on the front.

Mr. Knoblauch stated that he loves the brick on the front in this design, he is happy to be open to what everyone's preference is, and also keeping it as the design currently shows.

Chairman Mills asked if he definitely plans on having the 2-level roof dormer type of style as depicted in Exhibit A.

Mr. Knoblauch responded yes. He believes the height in the plans is approximately 15' and a few inches.

Mr. Krey asked for clarification as to why he needs a 2-car garage rather than a 1-car garage.

Mr. Knoblauch stated that he would like to get his car in to a garage, then also for extra storage. Since he will be getting rid of the other accessory structures, he will need a place to store the contents of those sheds.

Regarding the roofing material and siding material, Mr. Krey noted that part of Town code when building an accessory structure, you are supposed to use materials similar to the principal structure. If we want to get in to some additional clarifying details on that we can.

Chairman Mills stated that complimenting it with a different color but similar materials, or do you try to keep the colors as close to the same as possible.

Mr. Knoblauch stated that keeping the same black shingle that he has on the house is what makes sense, although the steel roof with all of the trees around may prolong the life of the proposed structure.

Chairman Mills stated that if it is a black steel or metal roof that is black, would it really not compliment the architectural shingles that are on the house.

Mr. McNamara stated that a Standing Seam roof would look great. It fits in with the character of the building and the neighborhood.

Mr. Krey asked if that was a metal roof.

Mr. McNamara responded yes; but a Standing Seam is a different look, not like you see on a pole barn.

Mr. Krey asked if the Board makes the conditions, he wants to make sure Mr. Knoblauch understands what they are stating, as well as the cost implications.

Mr. Knoblauch stated that with a structure of this size, the cost difference will be minimal, although he is not sure what Mr. Krey is referring to as far as what is shown in the plans and what the difference is.

Mr. McNamara explained that a Standing Seam roof is a flat roof, usually around 14"-16" wide then there is a standing seam which is where the seam is up approximately 2". Many of the new houses have this style of roof

Neighbor notifications are on file, no comments were received.

With no one wishing to speak, Public Participation was closed for this item.

ACTION:

Motion by Patrick Krey, seconded by Gerald Drinkard, to approve Appeal No. 1 as written, with the following conditions:

1. both front yard accessory structures on site to be removed
2. roof to be architectural black shingle to match the house, or Standing Seam black metal roof. A non-metal siding material to match the home, with the applicant choosing the final color
3. no business to be operated out of the garage

The applicant has heard and understands the conditions.

ON THE QUESTION:

Mr. Bleuer confirmed that there is no condition or requirement that the front of the proposed structure needs to have any brick.

The Zoning Board responded yes.

Gerald Drinkard	Aye	Richard McNamara	Aye	Ryan Mills	Aye
Patrick Krey	Aye	Steven Dale	Aye		

MOTION CARRIED

Appeal No. 2

Alex Ode
Traditional Neighborhood District
Town Code Reference: §101-3(I)

Applicant requests a variance to allow the climbable (unfinished) side of a fence to be visible from neighboring properties located at 8345 Lapp Road.

DISCUSSION:

Alex Ode was present to represent his request, explaining that he and his wife purchased the house, and have a dog that they have been taking out on a leash to go outside. He has found a

lumber supplier to match the wood of the existing fence, and he would like to finish the fencing on his property.

Mr. Ode said if he has to put dog-ear pickets on the other side so that it is non-climbable, he will do that, although he is trying to avoid that expense. He would like to keep the fence consistent with what is currently on site. He understands that for safety reasons that the climbable side needs to be facing in, but because the existing fencing was not installed that way, he would like to keep the new part consistent.

Mr. Dale asked for clarification on the placement for the proposed fence, noting that the drawings do not show where it attaches to the house, and that they are trying to enclose their backyard.

Mr. Ode responded that is correct; there is a chain-link fence for the pool, he is running it approximately 181'-183' towards Lapp Road, and approximately 25' heading east towards the house.

Mr. Dale asked if there will be a portion of chain-link fence that completes the enclosure for the dog.

Mr. Ode responded yes; he is not butting it up to the house because there are trees. As long as the dog can run around, they are good with it.

Mr. Krey asked Mr. Ode if this property was recently subdivided.

Mr. Ode responded yes.

Mr. Krey stated that must be why the fence is facing the way that it is, because it was originally facing in when it was all one property.

Mr. Ode responded that he is not sure when the original owner subdivided the property, but he believes it was right before they purchased the property.

Mr. Krey asked if there are a lot of trees in the area, and asked Mr. Ode if they will need to be removed for the fence to be installed.

Mr. Ode stated that he recently took down 2-3 pine trees at the end of their property. That was all he needed to take down to get to where the existing fence ended and extend straight toward Lapp Road. It is not on the property line, but rather approximately 6'-12' depending on where it is inside their property from the line.

Mr. Krey confirmed that Mr. Ode will not need to remove any more trees.

Mr. Ode responded that is correct, he does not.

Mr. Krey asked if it is just for consistency why Mr. Ode wants the proposed fence to face out.

Mr. Ode responded yes; so that it matches and looks the same.

Mr. Krey stated that he thinks that the existing fence facing the way that it is due to the subdivided lot.

Mr. Ode stated that approximately 25' from their propane tank east towards the house, he will more than likely keep the climbable side in. He will have a gate to keep a lawnmower and equipment in and out, but the nice side will be facing toward Lapp Road for 25' from the propane tank to the chain-link fence.

Chairman Mills acknowledged Mr. Ode's statement that he will have the climbable side facing in for the 25'.

Mr. Ode stated yes, so that it looks nice from the road. They just want the long side to match, that is their only reasoning.

Chairman Mills asked Mr. Ode if they made that a condition of the variance, would he agree to that.

Mr. Ode stated yes.

Chairman Mills asked about the other side of the house, and if the climbable side is facing in.

Mr. Ode responded yes.

Chairman Mills noted the side that faces Lapp Road.

Mr. Ode stated that the very back of the property, the side that faces Lapp Road is the climbable side.

Discussion continued regarding areas of the fencing on the property and which way the non-climbable side faces.

Mr. Drinkard asked if the plot of land located on the west side of Mr. Ode's property, will it continue to be farmland.

Mr. Ode explained that he did speak with the owner of that property who indicated that he hopes to develop it eventually. It has not been subdivided.

Neighbor Notifications are on file, no comments received.

Mr. Bleuer provided some history on this property, noting that the Zoning Board issued a variance to allow the split of this house from the parent parcel which contains the accessory structures.

Mr. Bleuer added that in 2024, Mr. Spoth received a fence permit from the Planning Office to install the fence that is shown on the survey. That fence was approved for the adjacent lot that contained the accessory structures, that is why the good side faced out. With the new survey, Mr. Spoth located the majority of the fence on the house lot, which was not the approved lot.

Referring to the north-south run of the existing fence, Mr. Bleuer asked Mr. Ode if he understands that to now be his fence as part of the sale.

Mr. Ode stated he believes so; the property line is very messy, and when they purchased the property, communication with the lawyer was difficult, but he believes the existing fence is on his property.

Mr. Bleuer recommended to Mr. Ode that he should look into that, because the permitted fence that Mr. Spoth installed per the survey that was submitted is on Mr. Ode's property. He should understand whose maintenance responsibility it is.

Mr. Bleuer asked Mr. Ode if he has any association or involvement with the back barn buildings. Does he have any operations in there.

Mr. Ode responded that he does not.

Mr. Ode asked Mr. Bleuer for clarification regarding responsibility for the fence on the east side of his property, running north-south.

Mr. Bleuer explained that the survey shows that fence to be wholly located on Mr. Ode's property. However, the east-west run to the rear of Mr. Ode's property, is on Mr. Spoth's property.

Mr. Ode stated that it was suggested to him that he gets permission to join Mr. Spoth's fence and his fence.

Mr. Bleuer explained that if Mr. Ode was to install a fence off of his property on the southern corner, he would have to have agreement from Mr. Spoth to access his property.

With no one wishing to speak, Public Participation was closed for this item.

ACTION:

Motion by Richard McNamara, seconded by Steven Dale, to approve Appeal No. 2 as written, with the following condition:

1. east/west run facing north will have the good side facing the road

ON THE QUESTION:

Mr. Krey noted that this request is unique and different from other requests that they receive in the sense that there is pre-existing fencing on the property that faces out due to the subdivision of

the property. Due to these circumstances, there will not be a change to the character of the neighborhood.

Mr. Krey added that the area is very agricultural in nature with large open fields, therefore the fencing will not stand out as much as it might in a suburban, residential area.

Gerald Drinkard	Aye	Richard McNamara	Aye	Ryan Mills	Aye
Patrick Krey	Aye	Steven Dale	Aye		

MOTION CARRIED

Appeal No. 3

Tommy Thomas
 Planned Unit Residential Development
 Town Code Reference:
 1) §229-55(D)
 2) §229-52(B)
 3) §229-52(C)

Applicant requests variances:
 1) of 918 sq.ft. to allow a total of 1,878 sq.ft. of attached accessory structure (garage) space; and
 2) of 2'6" to allow a 10' principal structure side yard setback; and
 3) of 15' to allow a 30' principal structure rear yard setback;
 located at 9770 Keystone Court.

DISCUSSION:

Present to represent his request was Tommy Thomas, who explained that his proposed garage would be attached to the house via a breezeway. His purpose for the addition of the proposed garage is to enhance the functionality of the household.

Mr. Thomas explained that they have young adults that have vehicles, so they have a number of vehicles, and the garage would allow him to store them securely. It will allow him to eliminate the clutter that is in his driveway, helping to improve the aesthetics of not only his property, but the neighborhood as well.

Mr. Thomas noted that the proposed garage is not small, it is 40' deep which is mainly to accommodate on-site boat storage, which would otherwise be stored in the driveway. This keeps the boat out of the driveway, and properly stored in a safe location.

Mr. Thomas stated that his main goal with this proposed garage, which he relayed to the architect, was to make sure it looked as though it was part of the house. Aesthetically, he wants it to look as if it is one with the house, and not stick out or appear out of place.

Mr. McNamara noted that there are a few bigger sized trees on the property that will need to be removed to build the proposed garage.

Mr. Thomas responded yes.

Mr. McNamara said that he feels the proposed garage will look good, it will fit the neighborhood and the lot. He hates to see the big trees have to come down, but does understand.

In terms of the front elevation, Chairman Mills noted that he likes that the breezeway is tying in to the existing house. Architecturally, that goes a long way in terms of unifying the aesthetics, and integrating the structures.

Chairman Mills noted that the brick façade is important as well, and asked Mr. Thomas if they make it a condition that the front façade is to be brick, would he agree to that.

Mr. Thomas responded yes.

Chairman Mills stated that he assumes the rest of the proposed garage will be vinyl siding.

Mr. Thomas responded yes; he is interested in eventually siding the whole house, this would be a great way to do that.

Chairman Mills asked if it would be a Hardie Board or similar.

Mr. Thomas responded yes; a fiber cement.

Chairman Mills asked Mr. Thomas if he plans to operate any business out of this proposed structure.

Mr. Thomas responded no.

Chairman Mills asked if they made it a condition, would he be amenable to it.

Mr. Thomas responded yes.

Mr. Krey asked Mr. Thomas if he looked around the neighborhood to see if there are any other garages similar to this one being proposed.

Mr. Krey said that there are quite a few 4 and 5-car garages in the neighborhood that are connected by breezeways, so it is very consistent with the neighborhood.

Mr. Krey asked Mr. Thomas what the square footage of his home is.

Mr. Thomas responded that it is 4,400 sq. ft.

Mr. Dale stated that he thinks the proposed garage is too big. The lot is surrounded by 4 properties, and Mr. Thomas is asking for double the size that the code will allow. This basically forces setback problems on the side and the rear.

Mr. Dale stated that he feels reducing setbacks actually deprives neighbors as well as the homeowner of open space between the structures.

Mr. Thomas explained that he spoke with each of his neighbors about his plan. His rear lot line is shared with two neighbors, he has discussed this with both of them, and they are both supportive. He has also spoken with the neighbors in the cul-de-sac, all of whom were also supportive.

Mr. Thomas told Mr. Dale that he appreciates his concern and is sensitive to it, but again, his intent is to add to the aesthetics of the neighborhood and make it look like other homes in the neighborhood. Part of improving the aesthetics of both his property and the neighborhood, is to remove the traffic in his driveway.

Referring to the back of Mr. Thomas's property, Mr. Drinkard noted that one of the properties is a conservation area that is not to be disturbed. Mr. Drinkard asked Mr. Thomas if he knows how far in to his property it goes.

Mr. Thomas estimated that on the side of the garage, in the very back corner, approximately 2'-4'. On the other side of the rear of his lot line that is away from the garage, it extends down the length a bit more of the rear lot line.

Mr. Drinkard explained that the survey from the main print shows it to be future use, he thinks that since it was designated as future use on the original subdivision survey, where they broke up the plot.

Neighbor Notifications are on file, no comments have been received.

With no one wishing to speak, Public Participation was closed for this item.

Mr. Krey confirmed that some trees will need to be removed in order to build the proposed garage, and asked if new trees can be planted afterwards to replace those that were removed.

Mr. Thomas responded that his ability will be limited. He does plan to landscape around the garage, but there are mature trees that are all around the area, so space is limited.

Chairman Mills asked Mr. Thomas if his plan is to landscape around all sides of the garage. From his perspective, the most important sides would be the north and east sides.

Mr. Thomas stated that he thinks there is an opportunity to do landscaping back there, there are mature trees which limits the light that gets through. He would need to consult with a landscaper to see how that would work.

Chairman Mills asked Mr. Thomas if he would agree to a condition stating that he must provide landscaping along the north and east side, although it creates enforcement issues in terms of species and specificity.

Chairman Mills consulted with Mr. Bleuer regarding potential landscaping conditions.

Mr. Bleuer stated that if it is open-ended, the building inspector would check to see that there is landscaping treatment, but they would not be bound to any standards.

Chairman Mills noted that he feels that the best thing to do is to provide some discretion, but to trust that Mr. Thomas will do some landscaping at least along those two sides.

Mr. Thomas responded yes; that is fully agreeable.

Mr. Drinkard noted that both the north and east sides will most likely continue to have an abundance of pine needles that fall, providing a natural scape extending up to the house. Or potentially, a line of vegetation such as flowers, but he does not know if flowers will do well in that location.

ACTION:

Motion by Gerald Drinkard, seconded by Patrick Krey, to **approve** Appeal No. 3 as written, with the following conditions:

1. front façade is to be brick
2. no business is to be conducted from the structure

The applicant understands and agrees to the conditions.

ON THE QUESTION:

Mr. Krey stated that the large size, and placement of the home address the issues with the garage. While the proposed garage is large, the home itself is very large. Additionally, there are existing trees on site to help mitigate the views.

Mr. Krey also stated that there are other homes within the subdivision with similar attached garages, therefore it is not out of character with the neighborhood.

Chairman Mills added that the neighborhood is filled with a variety of garage structures which allow for 4-5 garage set ups. The lots are more spacious, with this lot in particular having an extensive amount of existing foliage to help mitigate the additional structure size.

Chairman Mills also stated that the applicant is going to great lengths in the design process by adding a breezeway as well as a front façade that includes brick to match the existing house. This will preserve the architectural character of the neighborhood and the principal residence, along with the proposed structure. It will not have an adverse impact on the condition of the neighborhood.

Gerald Drinkard	Aye	Richard McNamara	Aye	Ryan Mills	Aye
Patrick Krey	Aye	Steven Dale	Nay		

MOTION CARRIED

Appeal No. 4

Fathima Taniya Nazaar
Planned Unit Residential Development
Town Code Reference: §101-3(C)(2)

Applicant requests a variance of 2' to allow a 6' fence to be within the front yard setback located at 8208 Fernleaf Court.

Chairman Mills recused himself from Appeal No. 4. The proper paperwork will be filed.

DISCUSSION:

Fathima Nazaar and Imad Kariapper were present to represent this request, adding that this proposed fence is for privacy and safety.

Mr. McNamara asked if the large pine trees down the road are going to stay.

Ms. Nazaar responded yes.

Mr. McNamara noted that they get a lot of privacy from the pine trees.

Ms. Nazaar responded that they get a little bit, there are some gaps. She explained that the primary reason is that she wears a head scarf for religious reasons, and she would like to go outside in her own yard without anyone seeing her.

Ms. Nazaar stated that for safety reasons, she has a 1 ½ year old who has started running, and she would like to be able to be in the backyard with him without worrying about him running towards the road.

Mr. McNamara asked how far off the property line then fence will go.

Ms. Nazaar noted that she is aware they are allowed to go 35' from the center of the road, which when measured comes to right in front of the trees. The fence will go right behind the trees.

Mr. McNamara noted that the fence comes approximately 45' down the driveway side of the property, referring to Exhibit A. Mr. McNamara asked if they will continue the fence down the back of the property.

Ms. Nazaar stated that their neighbor already has a fence, so they will connect to that. Then on the other side, there is a very small amount that is open, they will close that off. Their neighbors have a fence there also, which they will also connect. When she got the original fence permit for 4', she was told that side is in line for 6' if it is in line with the house.

Mr. Drinkard stated that as a matter of principle, he looked at all the rest of Ms. Nazaar's subdivision, and there are no other 6' fences in the front of the house. You can put up a 4' fence, but not a 6' fence.

Mr. Drinkard asked Ms. Nazaar if she has spoken with her neighbors regarding this proposed fence.

Ms. Nazaar responded yes; when she had them sign the notification forms.

Mr. Drinkard asked if there is anything on file from the neighbors.

Mr. Bleuer stated that Neighbor Notifications are on file, no comments were received.

Mr. Drinkard added that the fences in the front yard where Ms. Nazaar's will be, have previously been denied principally because they were obstructions to people and traffic on the street. Because Ms. Nazaar lives in a cul-de-sac, he does not think that would be an issue.

Mr. Drinkard asked Ms. Nazaar if they get a lot of traffic on their street.

Ms. Nazaar responded no.

Referring to when he made the site visit, Mr. Dale stated that he could not determine how far the fence will go. The drawings appear to show the fence extending through the pine trees.

Ms. Nazaar explained that the way the pine trees were planted before they moved in, was there are 2 right next to the neighbor's fence, and a few more along the roadside. In order to be in line with the code they would have to possibly go through 2 of the pine trees next to the neighbor's fence.

Mr. Dale stated that the fence will go through the pine trees, and then butt up against the 4' chain link fence.

Ms. Nazaar responded that they would have to see what is actually feasible, and what would be allowed. They are trying to be in the same line as their neighbor's existing fence so that it is more uniformed and matches the aesthetic.

Mr. Dale asked if they will be using this fence for containment of her 1 ½ year old, so it will need to be closed.

Ms. Nazaar stated that it will be closed.

Mr. Dale noted that if they go through the pine trees, they still need to make the turn with the fence.

Mr. Kariapper stated that they could modify the plan, as long as it can tie in with their neighbor on Pine Loch.

Mr. Dale suggested that if they follow the pine trees that run along the road, the fence will turn, follow the pine trees, and then cut over and join with the 4' chain link.

The applicants agreed to Mr. Dale's suggestion.

Mr. Krey noted that there are old trees and then new trees that are planted on the driveway side, and asked if they planted those.

Ms. Nazaar responded yes; they are Arborvitae

Mr. Krey referred to a large patch in the ground, and asked if there was a shed that was removed.

Mr. Kariapper stated that the previous owners had a vegetable garden and fire pit that they replaced with grass.

Mr. Krey noted that the fence could be done at 4', but they are requesting the additional 2' for safety reasons for their child, and privacy reasons for themselves.

In terms of a change to the neighborhood, Mr. Krey noted what Mr. Drinkard pointed out that it would be a change to the neighborhood.

Neighbor Notifications are on file, no comments have been received.

With no one wishing to speak, Public Participation was closed for this item.

Mr. McNamara asked what color the chain link fence of the next-door neighbor.

Ms. Nazaar responded that it is black.

Mr. Drinkard asked what color this fence will be.

The applicants responded that they are planning a white vinyl fence.

Mr. McNamara note that white is very stark, and an earth-tone fence would be preferred.

Mr. Drinkard noted that the applicants state they want privacy, but are installing a stark white fence that stands out. Earth tone is a lot more attractive than white.

ACTION:

Motion by Gerald Drinkard, seconded by Richard McNamara, to **approve** Appeal No. 4 as written, with the following conditions:

1. fence to run parallel and inside existing tree line along Fernleaf Court, and jog around inside existing trees on the east property line, before abutting existing adjacent fence.

ON THE QUESTION:

Mr. Krey stated that he believes the condition that is imposed will mitigate issues with the fence being disruptive to the neighborhood by removing trees that are currently on the property.

Mr. Drinkard noted that this request differs from other similar requests in that this fence will not obstruct any sight lines or vision lines from the street.

Gerald Drinkard Aye Richard McNamara Aye Patrick Krey Aye
Steven Dale Aye

MOTION CARRIED

Chairman Mills returned to the Dias.

Appeal No. 5

Patrick & Susan Quast
Residential Single-Family
Town Code Reference:

- 1) §229-55(D)
- 2) §229-55(H)
- 3) §229-55(F)

Applicant requests variances:

- 1) to allow a secondary detached garage; and
- 2) of 248 sq.ft. to allow a 448 sq.ft. detached accessory structure (garage); and
- 3) to allow an accessory structure (garage) greater than 400 sq.ft. to use materials different from the principal structure; located at 5284 Mayfield Court.

DISCUSSION:

Patrick Quast was present to represent his request, explaining that he and his wife moved in to the house 5 years ago, they love the location, huge fan of the home, but it has needed a lot of repairs. There is currently a structure at the rear of the property that they knew needed to come down at some point. It is structurally failing, unstable, and he does not allow his kids to go inside it. They use it primarily for storage and lawn equipment, but had issues this past year with the roof, which was improperly installed. The structure is not serving any purpose for them.

Mr. Quast stated that he has recently purchased a truck, and while his wife’s parking skills are admirable, putting the truck and the SUV in the garage at the same time are a bit difficult. They have 2 small children, with an abundance of toys that they would like to keep stored as well as lawn equipment.

Mr. Dale asked if it would be possible to match the color of the house in terms of colors and material, to make it less intrusive.

Mr. Quast stated that it definitely would be possible, they can certainly look in to that.

Mr. Krey asked if that was the main reason as to why they are requesting basically a pole barn in terms of materials, is the cost issue.

Mr. Quast explained that they are able to pivot to accommodate the requests of the board if they want plywood siding, if that is what they desire.

Mr. Krey asked how old the original structure is.

Mr. Quast stated that he does not know; but it is a hodge-podge of building materials. Discussion continued regarding the age and lumber of Mr. Quast's house and accessory structure.

Mr. Krey asked Mr. Quast if he looked around his neighborhood to see if any other homes have detached garages.

Mr. Quast stated that the home across the street has a detached garage with a metal roof. He has a 1-car garage that is attached to his house, and also a 2-car garage on the outside.

Mr. Krey asked Mr. Quast how big his home is.

Mr. Quast responded that it is approximately 2,500 sq. ft.

Chairman Mills referred to Mr. Dale's preference for vinyl siding, it does aesthetically tie-in better with the aesthetics of the home and neighborhood, and especially because Mr. Quast is proposing a pole barn style construction.

Chairman Mills asked if the board made it a condition to have vinyl siding, would Mr. Quast be amenable to that.

Mr. Quast responded yes; he would.

Chairman Mills asked Mr. Quast if he is running any business out of the proposed structure.

Mr. Quast stated he will be cutting grass in his backyard, that is it.

Chairman Mills confirmed that the back accessory structure is going to be removed.

Mr. Quast responded yes. When they ran the electrical line, it used to rest right on top of that accessory structure. When they purchased the home and had the electrical service out, they tightened up the line so that it was no longer resting on top of it.

Discussion continued regarding a timeline for the removal of the existing accessory structure on the property. Mr. Quast noted that removal would be prior to the construction of the proposed structure.

Mr. Drinkard stated that 3 variances were requested, now Mr. Quast is only requesting 2, since he will be using vinyl siding to match the house.

Mr. Quast responded that is correct, at the direction of the board.

Chairman Mills noted that since a metal roof will be installed, it is still different than the principal structure therefore prong number 3 would still pertain.

Mr. Bleuer confirmed that if the board is not going to restrict the style of roof, it is better to be safe and leave that prong active.

Neighbor Notifications are on file, no comments received.

With no one wishing to speak, Public Participation was closed for this item.

ACTION:

Motion by Ryan Mills, seconded by Steven Dale, to **approve** Appeal No. 5 as written, with the following conditions:

1. siding to be vinyl and color / type matching the house
2. no business is to be conducted from the structure
3. existing barn structure in the back to be removed prior to building permit obtained for new structure
4. roof of structure to be black in color

ON THE QUESTION:

Mr. Krey stated that this request is unique in the aspect that there is an existing secondary detached accessory structure on the property that has been there for an extended length of time. The proposed accessory structure will be a marked improvement.

Additionally, Mr. Krey noted that it will not be out of character for the neighborhood, as the neighbor across the street also has a detached garage.

Gerald Drinkard	Aye	Richard McNamara	Aye	Ryan Mills	Aye
Patrick Krey	Aye	Steven Dale	Aye		

MOTION CARRIED

Meeting adjourned at 6:55 p.m. with a motion by Richard McNamara.

MOTION CARRIED

Amy Major
Senior Clerk Typist