



September 19th, 2023

Opening:

The regular meeting of the Town of Chautauqua Zoning Board of Appeals was called to order at 3:30 pm, on Tuesday, September 19th by Zoning Board Chairman, Troy Smith.

Board Members Present:

Troy Smith, Roberta Tenpas, Charles Krause, L. James Lewellyn.

Board Members Absent: Stanley Marshaus

Others Present: Frank Watson (Code Officer), Nicole Yacklon (Code Clerk), Ken Shearer (Code Officer), Christine McKay, Sara Reale.

Agenda:

Case No. 1:

To act on the appeal of Christine McKay for construction of a fence around her property. The property is located at 6020 Mill Road and is designated on the official Chautauqua County Tax map as Section 246.13 Block 3, Lot 45 which is in a Residential Lakeside area requiring a variance for Height.

Public Comments: Christine McKay spoke about how the fence is needed to keep her show dogs in her yard. The posts will be below the frost line.

Board Comments: Comment was made that the fence law should be revisited for Height requirements.

After hearing from Christine McKay and after Chairman Smith read all five-determining factor's for a variance, a motion was made by Chairman Smith to approve the variance a second on the motion was made by Roberta Tenpas.

Vote: Chairman, Troy Smith – aye
Member, Charlie Krause – aye
Member, Roberta Tenpas – aye
Member, L. James Lewellyn - aye

Approval was made for the variance needed for height of 2” over the allowed height from Section 143-58.1 of the Zoning Code.

Motion carried.

Case No. 2:

To act on the appeal of Sara Reale for construction of a Shed and Deck on her property. The property is located at 5868 Whitney Bay Road and is designated on the official Chautauqua County Tax map as Section 314.12 Block 1, Lot 26 which is in a Residential Lakeside area which requires a variance.

Public Comments: None

Board Comments: None

After Chairman Smith read all five-determining factors for a variance, a motion was made by Chairman Smith to approve the variance. A second on the motion was made by Charles Krause.

Vote: Chairman, Troy Smith – aye
Member, Charlie Krause – aye
Member, Roberta Tenpas – aye
Member, L. James Lewellyn - aye

Approval was made for the variance needed for the shed and deck for lot size, lot width and rear yard setback, following sections: 143-17A, 143-17 D, 143-17C, of the Zoning Codes.

Motion carried.

With no further comment the meeting was adjourned.

Respectfully,

Nicole Yacklon

Deputy Clerk/Code and Zoning

10.5.23