

APRIL 12, 2012

A regular meeting of the Zoning Board of Appeals of the Village of Lakewood, NY, was held Thursday, April 12, 2012, 6:30 PM, in the Board Room of the Anthony C. Caprino Municipal Building, 20 W. Summit Street, with Deputy Chairman Louis S. Drago, Jr. presiding. Board Members present were Duane F. Anderson and Willard Anderson. Also present were Village Clerk/Secretary Joseph M. Johnson and Building Inspector Charles L. Smith. Absent were Zoning Board of Appeals Chairman William F. Chandler and board member Myra V. Blasius.

#### APPROVAL OF MINUTES

Motion by Willard Anderson, seconded by Duane F. Anderson, to approve the minutes of the last regular meeting of the Zoning Board of Appeals held October 13, 2011.  
Adopted: 3 ayes, no nays (Drago, D. Anderson, W. Anderson)

#### SIDE YARD SET-BACK VARIANCE 1 PINE AVE.

Mr. & Mrs. Timothy M. Shults, 1 Pine Ave., have submitted an application for a side yard set-back variance regarding a proposal to construct a 10 ft. x 20 ft. addition onto the south side of their existing garage at the above address. The proposed site plan indicates a side yard set-back of 4 ft. 2 in. rather than the required 8 ft. as prescribed in Section #25-10 (E), [Single-Family Residential (R-1) District], of the Village of Lakewood Zoning Law.

Deputy Chairman Drago asked Mr. Shults if he would like to briefly explain his proposed addition.

Mr. Shults indicated that his contractor, Mr. Busty Iuculano would be happy to explain the proposed addition as well as answer any questions that the Board of Appeals might have.

Mr. Iuculano said the original size of the golf cart storage area was 6 ft. x 10 ft. but it was determined the space wasn't big enough. The adjusted site plan will take the garage addition four (4) feet closer to the common boundary line to the south. Neighbors to the south and east have not mentioned that they have any issues with the proposed addition.

Motion by Duane F. Anderson, seconded by Willard Anderson to grant/approve the application for a side yard set-back variance as submitted by Mr. & Mrs. Timothy M. Shults, 1 Pine Ave., whereby they will be allowed to construct a 10 ft. x 20 ft. addition onto the south side of their garage, having a side yard set-back of 4 ft. 2 in. rather than the required 8 ft. as prescribed in Section #25-10, (E), [Single-Family Residential (R-1) District], of the Village of Lakewood Zoning Law.  
Adopted: 3 ayes, nays (Drago, D. Anderson, W. Anderson)

#### FRONT & SIDE YARD SET-BACK VARIANCES 1 FAIRDALE AVE.

Mr. Jody A. Peterson, 501 West Third Street, Suite #7, Jamestown, N.Y., has submitted an application for front and side yard set-back variances regarding a proposal to construct an 11 ft. x 19 ft. addition onto the front of the existing commercial building at 1 Fairdale Ave.

APRIL 12, 2012 (CONTINUED)

The proposed site plan indicates front and side yard set-backs of less than 1 ft. rather than the required 20 ft. and 10 ft. respectively, as prescribed in Section #25-14, (E), [Highway Business (B-2) District], of the Village of Lakewood Zoning Law.

Deputy Chairman Drago asked Mr. Peterson if he would like to briefly explain his proposal.

Mr. Peterson indicated that he would like permission to construct a small addition onto the front of the building so as to add some square footage for his prospective tenant, which is a beauty salon & spa.

Deputy Chairman Drago asked Mr. Peterson how many employees does the tenant expect to have.

Mr. Peterson said there will be six employees.

Mrs. Betsy Shults, 1 Pine Ave., said Mr. Peterson's proposal looks great and it will be nice having a new business in town.

Board member Duane F. Anderson asked Mr. Peterson what if any were his plans regarding the 4 ft. x 8 ft. advertising sign in front of the property.

Mr. Peterson indicated the sign Mr. Anderson is referring to will be removed. Mr. Peterson said the other pylon type sign will be refurbished. Mr. Peterson went on to say that future plans for the building at 5 Fairdale Ave. include warehousing and retail.

Deputy Chairman Drago said the one concern he had was the volume of traffic and available off-street customer parking. That question was answered upon learning there is ample room behind the building that can be converted into a parking area.

Motion by Willard Anderson, seconded by Duane F. Anderson, to grant/approve the application for front and side yard set-back variances as submitted by Mr. Jody A. Peterson, 501 West Third St., Suite #7, Jamestown, New York whereby he will be allowed to construct an 11 ft. x 19 ft. addition onto the front of the commercial building at 1 Fairdale Ave., having set-backs of less than 1 ft. rather than the required 20 ft. and 10 ft. respectfully as prescribed in Section #25-14 (E), [Highway Business (B-2) District], of the Village of Lakewood Zoning Law, with the stipulation that Mr. Peterson remove the 4 ft. x 8 ft. dilapidated sign board in front of the building at 1 Fairdale Ave.

Adopted: 3 ayes, no nays (Drago, D. Anderson, W. Anderson)

Meeting adjourned: 6:39 PM

---

Joseph M. Johnson  
Village Clerk/Secretary