

TOWN OF WINDSOR ZONING BOARD OF APPEALS

MEETING MINUTES

DATE: June 18, 2014

TIME: 7:30 P.M.

LOCATION: Windsor Town Hall

BOARD MEMBERS PRESENT: Mahlon Guernsey, Chairman
Heather Gordon, Secretary
Douglas Fuller
David Kohlbach

BUSINESS DISCUSSED:

The May 20, 2014 meeting minutes were reviewed and approved by board members. Code Enforcement Officer David Brown attended the meeting along with John Jurkin, a Town resident. At 7:59 P.M. the Zoning Board of Appeals held a public hearing regarding Gary Shedd's application for an area variance. Please see the public hearing minutes for further information regarding that hearing. At 8:17 P.M. the public hearing was closed and the board moved on to other business.

Mr. Jurkiw of 239 Beaver Lake Circle, Windsor and the Broome County Beaver Lake Association filed an Application for Interpretation with the Zoning Board of Appeals. Mr. Jurkiw stated that he is a board member of the association and is here to represent the association. The application concerns property owned by Richard and Dottie Topa at 100 Beaver Lake Circle, Windsor, parcel # 198.13-2-10. The application states that they request that a mobile home owned by Richard Topa be removed from in front of his cottage as they believe it is in violation of section 64-24(B) of the Windsor Town Code. This section states that an unoccupied mobile home or travel trailer shall not be parked or located between the street line and the front of the building line, as defined in the Windsor Zoning Ordinance, of such premises nor within twenty feet of the adjoining property line. The application further states a complaint that was filed approximately one year ago has not been acted on by Code Enforcement officer David Brown, as he feels it is not something he can take action on. The application states that the mobile home is clearly in front of the front building line as defined in the Windsor Zoning ordinance, and it has been parked there for many years and is unregistered.

The Zoning Board of Appeals discussed the situation with Mr. Jurkiw. Mr. Jurkiw stated that the mobile home is parked right on the edge of the roadway, directly across from the Association pavilion and is used for storage. He stated that it is dilapidated and unregistered. Efforts by the Association to have Mr. Topa remove the mobile home have been unsuccessful. When questioned by board members, Mr. Jurkiw stated that the Association does not have any by-laws that cover the parking of mobile homes, and that they typically consider the front of the home as facing the lake rather than the roadway. Also, he is unsure whether the mobile home is on Association property or on the Topa's property, or both. It was pointed out to Mr. Jurkiw that if the mobile home is on Association property, they may be able to have it removed. Code Enforcement Officer David Brown explained that there have been four complaints regarding this mobile home, which is a Winnebago-type mobile home parked on the edge of Beaver Lake Circle. It is on the backside of the lake, and it is a registered, parked vehicle. Beaver Lake Circle is a very narrow road, but he does not think that the mobile home's location makes that part of the road any narrower. Mr. Brown stated that Beaver Lake Circle is not a Town road, it is maintained by the Beaver Lake Association, and that is the main reason he cannot take any action on this issue. The Zoning Board members agreed that this issue does not appear to be something that Mr. Brown or the Zoning Board can address. Chairman Guernsey requested that Mr. Brown ask a Windsor Fire Chief to look at the situation to determine if the mobile home's location impedes emergency vehicles from accessing homes on Beaver Lake Circle. Mr. Brown agreed to do so.

NEXT MEETING: July 16, 2014 at 7:30 P.M.

Respectfully Submitted,
Heather Gordon, Secretary