

TOWN OF KNOX
ZONING BOARD OF APPEALS
August 26, 2021

The meeting was called to order at 7:30 p.m., by Chairman Kristian Snyder followed by the Pledge of Allegiance.

Present on this date: Kristian Snyder, Lee Empie, Rose Pritchard, and Sue Mason

Absent: Ernie Cupernall

Review of May 27, 2021 Minutes

Old Business: Chairman Snyder opened discussion regarding Mr. Beeble

- Mr. Beeble applied for an Area Variance in regards to building a shed on his property; Mr. Beeble advised that a setback was not needed; he received signatures from his neighbors; Chairman Kristian conducted a site visit to verify there was no other place the shed could be placed due to the fact there is a stream running through his back yard; a public meeting was scheduled for last month with no objections;

A Motion was made by Mr. Empie and Second by Mrs. Pritchard to grant Mr. Beeble the building of his shed, all in favor, motion carries

New Business: Chairman Snyder opened discussion regarding Mr. Raffensperger and Mr. Hammond

- Mr. Scott Raffensperger has applied for a commercial loan for a building on 1932 NYS Route 156, Knox, N.Y. 12023; the building is owned by Mr. Robert Stevens; Mr. Raffensperger's bank requested clarification from the Town of Knox Zoning Board of Appeals for the Board's interpretation and approval as to whether Mr. Raffensperger would be permitted; Mr. Raffensperger advised he is in the process of purchasing the garage in order to store his personal and business vehicles; Resolution Number 001-2021 is attached
- Mr. and Mrs. Joseph Hammond had applied for an Area Variance approximately eight years ago to replace the porch on the front of his house; it was approved but the Hammond's never built the porch; after one year the Area Variance is invalid and a new application was provided to the Hammond's; also, letters of notification must be forwarded to his neighbors, which Mr. Hammond agreed; Mr. Hammond advised the porch area would be five more feet, towards the front; Mr. Hammond would provide the application along with letters from neighbors

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**A Motion was made by Chairman Snyder and Second by Mr. Empie to adjourn, all in favor,
motion passed**

DRAFT

Respectfully Submitted
Val Ackroyd, Secretary
Zoning Board of Appeals

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**RESOLUTION OF THE ZONING BOARD OF APPEALS
OF THE TOWN OF KNOX**

WHEREAS, Mr. Raffensperger is interested in purchasing real property known at 1932 State Route 156 (46.-2-63) located within the Town of Knox and is currently zoned Residential; and

WHEREAS, on or about July 30th of 2021, through his attorney Thomas Herkenham, Mr. Raffensperger indicated his intended use of the abovementioned property was “for storage and maintenance of commercial trucks”; and

WHEREAS, Mr. Raffensperger has requested an interpretation of the Town of Knox’s Zoning Ordinance from the Zoning Board of Appeals as to whether or not his intended use of the property is a permitted use or requires a Use Variance; and

WHEREAS, upon preliminary review it was determined that the vehicles to be stored and maintained are commercial trucks owned by Mr. Raffensperger. or an entity under his control; and

WHEREAS, there existed a difference in opinion between the Knox Building and Zoning Administrator and members of the Knox Zoning Board of Appeals as to whether or not a Use Variance was needed for the intended use; and

WHEREAS, the Zoning Board of Appeals requested a legal opinion from the Town Attorney, Michelle Storm of Monaco, Cooper, Lamme & Carr PLLC

NOW, THEREFORE LET IT BE RESOLVED, that the Zoning Board of Appeals of the Town of Knox in accordance with a legal review, a copy of which is attached, has determined that the “storage and maintenance” of Mr. Raffensperger’s private, albeit commercial trucks, does not require a Use Variance and is therefore considered a permitted use; and

BE IT FURTHER RESOLVED, that the Town of Knox Zoning Ordinance places a multitude of restrictions on uses for property located in a Residential zone and the passing of the resolution does not exempt Mr. Raffensperger or any future owner of the aforementioned property from any such restrictions except as specifically state above; and

BE IT FURTHER RESOLVED, that Mr. Raffensperger. or any future owner of the aforementioned property in reference to said property’s use shall be bound by any and all laws, ordinances, restrictions,

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covenants, or otherwise established by any local, state, and/or federal agencies.

Motion Made By: Lee Empie
Seconded By: Rose Pritchard

ZBA Members:
Lee Empie
Kristian Snyder
Rose Pritchard

Vote:
Aye
Aye
Aye

Certified BY:
Traci Schanz
Traci Schanz
Knox Town Clerk
8/26/21

