

CALL TO ORDER

On June 3, 2026, the Town of LeRay Zoning Board of Appeals held a Work Session meeting in the Conference Room of the Town of LeRay Municipal Building. The meeting was called to order at 6:00 PM by Chairperson Oatman.

ROLL CALL

Member Mushtare: ☒ Present ☐ Absent
Member O'Brien: ☒ Present ☐ Absent
Member Favret: ☒ Present ☐ Absent
Chairperson Oatman: ☒ Present ☐ Absent

Additionally, Lee Shimel (Zoning Enforcement Officer), and Morgan Melançon (Secretary to Planning & Zoning) were in attendance.

ACCEPTANCE OF WORK SESSION MINUTES

The minutes from the July 2, 2025 work session meeting were reviewed by the Board. A motion was made by Member Mushtare and seconded by Member Favret to accept the minutes as drafted. The vote went as follows:

Member Mushtare: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent
Member O'Brien: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent
Member Favret: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent
Chairperson Oatman: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent

The motion passed.

WORK SESSION

1. Area Variance Application for Alexandra Villarreal, located at 22256 Twin Oaks Drive, tax parcel #83.08-2-43.

The Board discussed the Area Variance application submitted by Alexandra Villarreal for the proposed replacement of the existing detached garage. The Board discussed whether the existing garage's nonconforming status would be affected if the structure were demolished and rebuilt, and whether a front yard variance may also be required depending on the interpretation of the Code and the proposed location of the replacement garage.

Mr. Shimel reviewed the Zoning Code requirements that were in effect when the property was purchased in 2009 and stated that the setback regulations were the same at that time. He advised that if the replacement garage were moved closer to the road, a front-yard variance would be required.

The Board discussed prior nonconforming structure matters that had come before them and noted that, in those cases, the existing structure or supporting elements were required to remain in place in order to maintain the nonconforming status. Chairperson Oatman stated that she interpreted the proposed demolition and reconstruction differently than an addition to, or continuation of, an existing nonconforming structure. It was recommended that the Town Attorney be contacted for clarification regarding the applicable Code language and whether the proposed demolition and reconstruction would affect the garage’s nonconforming status.

The Board discussed whether the proposed garage could be constructed in a manner that would reduce or eliminate the need for a variance. Possible alternatives discussed included attaching the garage to the existing residence, locating the garage on the opposite side of the house if feasible, or connecting the garage to the house by a breezeway. The Board noted that additional information was needed to determine whether these alternatives were practical, including the location of existing entrances, the available space on each side of the house, and the effect that connecting the garage to the residence could have on the required setback, structure classification, and insurance considerations.

In reviewing the drawing requirements on the Zoning Permit application, the Board noted that a more complete drawing would be needed showing the entire lot, property boundaries, existing structures, and proposed improvements in order to determine whether alternative locations were available.

Chairperson Oatman discussed the Area Variance test questions and stated that the response provided regarding substantiality needed further review. She noted that the request appeared to involve a 50% variance from the required setback, which the Board had historically considered substantial.

Potential impact of the requested variance on the adjoining property owner were discussed. Chairperson Oatman stated that comments from the adjoining property owner could be considered as part of the Board’s review. Mr. Shimel stated that the adjoining property owner had not provided written consent or comment at that time, but that the property owners had been in communication.

ADJOURNMENT

A motion to adjourn the work session was made by Member Mushtare and seconded by Member O’Brien. The vote went as follows:

Member Mushtare:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent
Member O’Brien:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent
Member Favret:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent
Chairperson Oatman:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent

The motion passed and the meeting adjourned at 6:26 PM.

Respectfully submitted,
Morgan R. Melançon
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Secretary to Planning and Zoning