

**Town of Geneseo**  
**Zoning Board of Appeals**  
**Public Hearing for Michael and Renee Book Kleinhans**  
**8 p.m. Tuesday, September 23, 2008**

Appeal by **Michael and Renee Book Kleinhans**, appellants, from a decision of the Code Enforcement Officer and application for permission to construct an addition to the home which fails to meet the south side yard setback requirement of 15 feet, as per Schedule II of the Town of Geneseo Zoning Code on property located at 5283 West Lake Road in the Town of Geneseo, NY.

Board Members Present: Chairman John Maxwell, Vice-Chairman Rick Taylor, Peter Palermo and Steven Haigh.

Public Present: Ron Maxwell, Code Enforcement Officer, Michael Kleinhans and Renee Kleinhans.

Chairman John opened the hearing at 8 pm and immediately Peter stated that the neighbor to the south said NO. All laughed as that neighbor is Renee's mother.

Chairman John reported that the county had no objections and that there were 15 green cards out and 13 returned.

Vice-Chair Rick reported he couldn't find the pipe near the flower bed. The applicants said they never saw such a pipe either although it is shown on the survey.

Peter asked the applicants to describe what they want to do.

Michael stated they want to add a bedroom and bath and he shared the plans showing all the elevations.

Vice-Chair Rick suggested an 8' variance on the south side to give them a little wiggle room.

Chairman John at this time asked the 5 questions:

1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by granting the variance? *No.*
2. Can the benefit sought by the applicant be achieved by some feasible method other than the variance? *No.*
3. Is the requested variance substantial? *Yes. 50%*
4. Will proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? *No. It is a secluded spot.*

5. Is the alleged difficulty self created? *Yes*

Vice-Chair Rick moved and Peter seconded the motion to grant an 8' side yard setback variance on the south side for the proposed addition at 5283 West Lake Rd. The vote was unanimous: Chairman John, Vice-Chair Rick, Steven, and Peter all voted Yes.

Vice-Chair Rick moved that the hearing be closed and Peter seconded. Motion carried. This hearing closed at 8:30

Respectfully submitted by Carolyn C. Meisel, Secretary, Geneseo Town Zoning Board of Appeals.