

**Town of Geneseo  
Zoning Board of Appeals  
Public Hearing for Phyllis Meyer, 5014 Long Point Road  
Tuesday, June 22, 2010**

Appeal by **Phyllis Meyer**, appellant, from a decision of the Code Enforcement Officer and application for permission to construct a porch which fails to meet the front yard setback requirement of 70 feet as per Schedule II of the Town of Geneseo Zoning Code on property located at 5014 Long Point Road in the Town of Geneseo, NY.

Board Members Present: **Chairman John Maxwell, Peter Palermo, Steven Haigh, Soren Thomas and Greg Foust**

Public Present: **Ron Maxwell**, Code Enforcement Officer and **Adam Meyer**, son of applicant,

**Chairman John Maxwell** opened the meeting at 8:07 and explained that green cards were not sent as there are no neighbors nearby. This house is on farmland all owned by the applicant. He then confirmed that all the Board had viewed the property.

**Chairman John Maxwell** invited Adam Meyer to explain the project.

**Adam Meyer** said the existing porch had recently been removed. The proposed porch would be in the same location but would extend the width of the house (30 feet). It would be the same distance from the road as the old porch but the zoning rules have changed since the old porch was built. This porch would have a covered roof with head room only.

The Board conferred and agreed that a 35' variance was 50% and agreed they rarely exceeded a 50% request. This is a replacement porch that will be wider than the original but will not extend any further into the front yard than the old one. No public was present. There were no objections.

**Chairman John Maxwell** directed the Board to the short form SEQRA application and requested the Board to assist with the form. He read the form aloud and the Board made appropriate comments.

**Greg Foust** moved and **Peter Palermo** seconded the motion to approve the SEQRA form as prepared and to direct Chairman John Maxwell to sign it. Carried.

**Chairman John Maxwell** signed the SEQRA form.

**Chairman John Maxwell** summarized: to grant a 35' front yard setback variance for the property located at 5014 Long Point Road.

The Board then went through the 5 questions necessary for an area variance:

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% is substantial. This is a replacement porch and will extend the same distance into the front yard as the previous porch.

4. Will proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? **No**

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

**Peter Palermo** moved the granting of a *35' front yard setback variance for the property at 5014 Long Point Road.*

**Greg Foust** seconded. The vote was: **Chairman John Maxwell** -aye; **Peter Palermo**-aye; **Greg Foust** -aye; **Steven Haigh** - aye; **Soren Thomas** - aye. **Motion Carried.**

**Chairman John Maxwell** asked for approval of the Randy Cofield April 13 minutes. **Steven Haigh** moved approval as amended and **Peter Palermo** seconded. Carried.

**Peter Palermo** moved that the hearing and meeting be closed and **Steven Haigh** seconded. Motion carried. Meeting adjourned at 8:30 P.M. Respectfully submitted by Carolyn C. Meisel, Secretary, Geneseo Town Zoning Board of Appeals.