

VILLAGE OF GENESEO
ZONING BOARD OF APPEALS PUBLIC HEARING FOR

Douglas Carman
28 Highland Road
Tax Map Id. # 80.16-3-32.1
January 08, 2008, 5:00 P.M.

Application for permission to replace an existing garage of 16' in height with a garage which is 26' tall when the new structure exceeds the 15' maximum height allowed per section 130-17A (1) per the Village of Geneseo Zoning Code and when the proposed addition to the house fails to meet side yard set back of 15' per Schedule II per the Village of Geneseo Code.

Member Present:

Chair C. Meisel
G. Dorr
M. Hamilton
T. Wilson

Code Enforcement Officer:

D. O'Keefe

Absent:

P. Schmied

Applicants:

Doug Carman & Lisa Scoville

Secretary:

D. Lund

Public Present:

Dan and Judy Scoville, Dan Dimpfl

Chair C. Meisel opened the public hearing at 5:00 p.m. by stating the purpose of the hearing is the applicant seeking permission to replace an existing garage of 16' in height with a garage which is 26' tall when the new structure exceeds the 15' maximum height allowed per section 130-17A (1) per the Village of Geneseo Zoning Code and when the proposed addition to the house fails to meet side yard set back of 15' per Schedule II per the Village of Geneseo Code. Chair C. Meisel noted the proper legal notice had been published and Secretary D. Lund stated the applicant had sent a copy of the legal notice to all property owners within 100' of all property lines as per Village code requirement.

It was noted nine certified notices were sent and eight returned. Members of the Board were introduced after which the Carmans were asked to state their case.

L. Scoville said they would like to remove an existing 10' x 22'2" sunroom at the back of the house and replace it with an addition that is 10' longer making the total 20' x 22'2". The plans for the addition meet code permit requirements except for the side yard set back. They are asking for the variance as this would keep the addition in line with the existing house line. The replacement garage is basically within the existing garage footprint but closer to her parent's, Dan and Judy Scoville's, lot line. It is in compliance with the side yard set back but fails to meet height restrictions in the code. D. O'Keefe commented she was correct and the garage did not need a variance for the side yard set back. D. Carman stated they prefer the non-attached garage and the two stories would give them additional storage.

D. Dimpfl stated that he had reviewed the plans at the Code Office. He is their neighbor to the north and has no issues with either the house addition or the replacement garage. He is in favor of their plans being granted.

D. Lund noted Anita Whitehead of 72 Center Street had stopped into the Village Clerk's Office on January 7, 2008 (2:30 p.m.) and reviewed the plans. A. Whitehead remarked she is pleased with the proposed garage plan as it would be much more attractive than the current building. She views the proposed garage as an asset to the neighborhood. P. Schmied called January 8, 2008 to say he would not make the meeting but would like to convey to the Board that he is in favor of the proposed garage as it compliments the house and is architecturally appropriate as the gables echo those on the house.

With no further discussion, the Board reviewed the five area variance questions (#1- garage height variance; #2- house addition set back 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? Yes ___ No 1/2

2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance? Yes ___ No 1/2

3. Is the requested variance substantial? Yes 1 No 2

The garage height allows for trusses & room for storage; non-residential use only, plans for each are very attractive.

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Yes ___ No 1/2

5. Is the alleged difficulty self-created? Yes 1, 2 No _____

G. Dorr moved to approve the replacement of an existing garage of 16' in height with a garage which is 26' high when the new structure exceeds the 15' maximum height allowed per Section 130-17A (1) per the Village of Geneseo Zoning Code and with the stipulation the second floor be for non-residential use only. M. Hamilton seconded the motion. The vote was as follows: Chair C. Meisel – aye, G. Dorr – aye, M. Hamilton – aye, and T. Wilson – aye. The motion passed.

T. Wilson moved to approve the proposed addition to the house when said addition fails to meet side yard set back of 15' per Schedule II per Village of Geneseo Zoning Code by 7'10" but which matches the current house line. M. Hamilton seconded the motion. The vote was as follows: Chair C. Meisel – aye, G. Dorr – aye, M. Hamilton – aye, and T. Wilson – aye. The motion passed.

G. Dorr moved to close the public hearing at 5:15 p.m. M. Hamilton seconded the motion. The vote was as follows: Chair C. Meisel – aye, G. Dorr – aye, M. Hamilton – aye, and T. Wilson – aye. The motion passed.

General discussion of changing businesses in the Village followed. It was noted the Lunahsea vacancy has been filled by the Calvary Chapel of Genesee Valley and will be a coffee shop.

C. Meisel moved the meeting close at 5:25 p.m. T. Wilson seconded the motion. The vote was as follows: Chair C. Meisel – aye, G. Dorr – aye, M. Hamilton – aye, and T. Wilson – aye. The motion passed. The meeting closed.

Debra Lund, Secretary