

**VILLAGE OF GENESEO**  
**ZONING BOARD OF APPEALS PUBLIC HEARING FOR**  
**Jones, Anthony & Rachel**  
**40 Oak Street**  
**Tax Map ID # 80.16-3-23**  
**October 07, 2008; 5:00 p.m.**

Application for permission to erect a two-car garage with storage when it fails to meet the fifteen (15') feet maximum height requirement for unattached structures accessory to residential buildings per Section 130-17A (1) per the Village of Geneseo Zoning Code; the garage to be twenty-four (24') feet in height with storage only above.

Present:

Carolyn Meisel, Chair  
Marlene Hamilton  
Gail Dorr  
Paul Schmied  
Thomas Wilson

Code Enforcement Officer

Ronald Maxwell  
Dean O'Keefe

Secretary:

Debra Lund

Applicant:

Anthony Jones

Public Present:

Liz Porter  
Val Rabe  
Anna Kowalchuk, Liv. Co. Mus. Rep.  
Margaret Vangalio  
Tony Jones  
Christine Thompson  
Margery Wilkie  
Carolyn Pangia  
Scott Kipphut  
Phyllis Sibow

Dave Caito  
Howard Appell, Liv. Co. News  
Kurt Cylke  
Susan Richardson  
Thomas Thompson  
Jonathan Kruger  
Richard Taylor, Pres. Church Rep.  
J. Michael Jones, Atty.  
Gerald Fly

Chair C. Meisel opened the hearing at 5:12 p.m. The application request was read and it was noted proper notification had been published and twelve certified return receipt letters were sent and eleven returned. The Board introduced themselves and A. Jones was invited to speak.

A. Jones noted his contractor, R. Graham, had been detained and would not be able to attend. A. Jones stated his reasons for building this style garage was lack of adequate storage space due to a damp basement and a desire to erect a garage which compliments the home styles in his neighborhood. The building will be a two-bay garage with gables to match the house. The shingles and siding will be in keeping with those on the house as well. A. Jones remarked there are several garages with heights comparable to his proposed twenty-four (24') foot height in the village such as the ones at 29 and 39 South

Street. The garage erected recently at 129 Lima Road is a three-bay but in keeping with the height he is requesting. G. Dorr asked if blue prints were available. A. Jones commented the shed would be torn down as shown in the drawings presented to the Board.

T. Thompson, the next door neighbor (38 Oak Street), stated he is in favor of the project and said the proposed garage maintains the architecture of the house and others in the area with the steeply pitched roofline.

Chair C. Meisel asked if there were other comments from the public; there were none. A. Jones stated he spoke with several neighbors regarding the project; those he spoke with were in favor of it. C. Meisel noted only one chose to attend and is in favor of the building.

P. Schmied wished to commend the Code Enforcement Officers for a job well done; it had been pointed out to him that the proposed zoning code revision will allow thirty-five (35') foot in height for an accessory structure in a residential area. The building would be in compliance if A. Jones waited for the revision to pass into law. He viewed the area and agrees the architectural style of the building matches other buildings in the area.

M. Hamilton stated it appears A. Jones did his homework by checking out other comparable recent projects, speaking with neighbors and so forth. She is satisfied with his efforts.

With no further discussion, the Board reviewed the five area variance 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? Yes \_\_\_  
\_\_\_ No  X
2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance? Yes \_\_\_\_\_ No  X
3. Is the requested variance substantial? Yes  X  No \_\_\_\_\_  
The upcoming zoning revision will soon make this in compliance and the building design matches local architecture.
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Yes \_\_\_\_\_ No  X
5. Is the alleged difficulty self-created? Yes  X  No \_\_\_\_\_

P. Schmied moved A. Jones be granted permission to erect a two-car garage with storage when it fails to meet the fifteen (15') foot maximum height requirement for unattached structures accessory to residential buildings per Section 130-17 A (1) per the Village of Geneseo Zoning Code; the garage to be twenty-four (24') feet in height with storage only above. It is noted the building would be in compliance with the proposed zoning code revision which allows accessory buildings to be thirty-five (35') feet in height. G. Dorr seconded the motion. The vote was as follows: Chair C. Meisel- aye; M. Hamilton – aye; G. Dorr- aye; P. Schmied – aye; and T. Wilson – aye. The motion carried.

P. Schmied moved the public hearing be closed at 5:18 p.m. C. Meisel seconded the motion. All were in favor and the hearing closed.

Debra Lund, Secretary