

Approved: 05-03-2016

Village of Geneseo
Zoning Board of Appeals
Applicant: Brian Prunoske
Property Address: 200 Lima Road
Tax map Id. #: 81.9-2-34
April 05, 2016; 4:30 p.m.

Present:

Carolyn Meisel, Chair
Marlene Hamilton
Robert Meyers
Paul Schmied
Thomas Wilson

Code Enforcement Officer:

Ronald Maxwell

Secretary:

Debra Lund

Public Present:

None

Applicant:

Brian Prunoske

Chair C. Meisel opened the meeting and public hearing at 4:30 p.m. The Board members were introduced. The reason for the public hearing was a request by the applicant for a five (5') foot variance of the west side yard setback for a garage addition that fails to meet the required ten (10') foot setback per Bulk & Use Table 130-131 for the R-2 district of the Code of the Village of Geneseo. Eight legal notices were sent to property owners within one-hundred feet of the property lines as per Village Code and eight green cards were returned. It was noted proper legal notice had been advertised.

Two letters were received from neighboring property owners. The Woodbine Park Homeowner's Association representative Tina Jubert wrote "this property is not affecting Woodbine Park; therefore, I have no issues with this". (The note was written on the legal notice that had been sent to the Association and hand delivered.)

Richard Hilimire letter:

March 23, 2016

To: *Village of Geneseo Planning Board*

Please take notice that I, Richard Hilimire, am the current and legal owner of the property at 196 Lima Road, in Geneseo, NY. My property is adjoining to the property at 200 Lima Road; the property legally owned and resided by Mr. Brian Prunoske. I would thereby be the most effected by any physical changes to said property in the foreseeable future. He has proposed an addition to his garage that would alter the physical appearance of his property. I am aware of his plans for expansion and do not have any objection to these plans or any variance he would need to do so.

Thank you.

Brian Pruonske (signed letter)

03/30/16

Riichard Hilimire (signed letter)

03/28/16

Chair C. Meisel asked the applicant to state his case.

B. Prunoske said he wished to place an addition onto his garage for storage and parking for his truck. The addition would be eighteen (18') feet wide and match the current roofline and house siding. He has twenty-three and one-half (23 ½ ') feet to the property line on the west side of his property and would therefor, need a five (5') foot variance.

C. Meisel asked how the nearest neighbor felt about it. B. Prunoske said the nearest neighbor was Richard Hilimire and he was fine with the plans as evidenced by the letter submitted to the Board.

R. Hilimire's east lot line is B. Prunoske's west property boundary.

The Board reviewed the 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
Neighbors had expressed the opinion the addition would not create a problem.
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 _____ No X
Fifty (50%) percent
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 _____

This is an area variance and a type two action that does not require a SEQR. It was so noted that the proposed action has been considered under SEQR; per regulation #13 – granting of an area variance(s) for a single-family, two-family or three-family residence are not subject to review under SEQR, and has met the requirements for a Type II action: the proposed action is not environmentally significant.

B. Prunoske had photos of the property and explained the positioning of the proposed garage addition and the difficulty he would face if he had to find another solution to his storage issue. The property drops off in the back yard by approximately six feet from the upper yard. He had six inches of standing water in part of it last year. This means he cannot place a storage shed there. T. Wilson asked if the fence was at the back of the proposed garage and how B. Prunoske would get to his back yard once the garage addition was built. B. Prunoske replied he will have two doors on the addition so he will be able to drive through into the back yard when necessary.

With no further discussion, R. Meyers moved to grant the five (5') foot variance of the west side yard setback for a garage addition that fails to meet the required ten (10') foot setback per the Bulk & Use Table 130-131 for the R-2 district of the Village Code on property located at 200 Lima Road, Tax Map Id# 81.9-2-34. M. Hamilton seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; R. Meyers, aye; and T. Wilson, aye. P. Schmied did not cast a vote as he had not yet entered the meeting and public hearing. The motion passed.

WHEREAS, The Village of Geneseo Zoning Board of Appeals, hereinafter referred to as Zoning Board, has considered the above referenced area variance application and

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WHEREAS, the Zoning Board has reviewed the application submitted by Brian Prunoske and dated February 22, 2016 and received in the Village Clerk's office on February 22, 2016 and,

WHEREAS, on April 05, 2016 the Zoning Board held a public hearing, which was duly advertised for the purpose of soliciting public comment on the proposed actions and finding the proposed action is an area variance and a type two action that does not require a SEQR per regulation #13 – granting of an area variance(s) for a single-family, two-family or three-family residence are not subject to review under SEQR; and

WHEREAS, after soliciting information from all involved parties and the public; and

NOW, THEREFORE BE IT RESOLVED that the Zoning Board approves a five foot variance of the west side yard setback for a garage addition that fails to meet the required ten foot side yard setback per Bulk & Use Table 130-131 for the R-2 District of the code of the Village of Geneseo on property located at 200 Lima Road, Tax Map Id# 81.9-2-34.

The above resolution was offered by Robert Meyers and seconded by Marlene Hamilton on April 05, 2016. Following discussion thereon, the following roll call vote was taken and recorded: Chair Carolyn Meisel, aye; Marlene Hamilton, aye; Robert Meyers, aye; and Thomas Wilson, aye. Paul Schmied was not present at the time of the vote.

T. Wilson moved to close the public hearing at 4:47 p.m. M. Hamilton seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; R. Meyers, aye; and T. Wilson, aye. The motion passed and the hearing closed.

B. Prunoske thanked the Board and exited the meeting at 4:48 p.m.

P. Schmied entered the meeting at 4:50 p.m.

Discussion followed and P. Schmied was brought up to date on the results of the public hearing. R. Maxwell brought the Board up to date on ongoing and possible future projects within the Village and those in the Town that might affect the Village in the future.

The March 01, 2016 Saxton Sign Company representing Mavis Discount Tire minutes were reviewed. It was noted there was a typo in the minutes – the twenty-four (24') foot sign length should have been twenty-one (21') feet. A note will be placed with the resolution on file in the Clerk's office to reflect the correction. P. Schmied moved to approve the minutes as amended. T. Wilson seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; R. Meyers, aye; P. Schmied, aye; and T. Wilson, aye. The motion carried.

The March 01, 2016 Design One Architecture and Planning, PLLC representing Bar Eat O minutes were reviewed. T. Wilson moved to approve the minutes with a second from M. Hamilton. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; R. Meyers, aye; P. Schmied, aye; and T. Wilson, aye. The motion carried.

T. Wilson moved to close the meeting; M. Hamilton seconded the motion. All were in favor and the meeting closed at 5:20 p.m.

Debra Lund, Secretary

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