

Village of Geneseo Zoning Board of Appeals

Public Hearing

80 Steeplechase - Tax Map#: 81.5-1-74.445

October 2, 2024 @ 4:30pm

Members Present:

Carolyn Meisel, Chair
Gretchen Crane, Member
Robert Meyers, Member

Other Village Representatives Present:

Shawn Forrester, Deputy Clerk/Treasurer
Craig Wadsworth, Code Enforcement Officer

Others Present:

William O'Dell, Jeanette O'Dell, Suzanne Heindl, Edward Heindl, Lawerance May

4:30pm Chair Meisel called the Board to order it is noted that Members Schmied was excused, but there is a quorum.

Chair Meisel opened the public hearing for 80 Steeplechase followed by the Board introducing themselves It is noted that all proper notices were sent via US Mail, return receipt requested, as well as published in the Livingston County Newspaper, as follows; Notice is hereby given that a public hearing will be held by the Village of Geneseo Zoning Board of Appeals on October 2, 2024, at 4:30pm, in the Geneseo Village Building Board Room, 119 Main Street, Geneseo NY pursuant to Chapter 130 Zoning, Section 130-12, Section 130-17 and, 130-132 RU2 Bulk and Use Table and any other sections of the Village Code which may apply. On the application of Edward Heindl. The applicant is seeking an area variance for a shed which fails to meet the side setback of 6' as required by the Village Code. The proposed shed side setback is 2' for the property located at 80 Steeplechase Tax Map # 81.5-1-74.445, in the Village of Geneseo.

Edward Heindl was present to explain that he had received "bad information" and had installed the shed too close to the setback. He continued with informing the Board that the developers were proposing a 10-foot easement, to continue the expansion.

William and Jeanette O'Dell told the Board that the shed looked fine.

There was much discussion regarding the possible easement as well as what the potential new neighbor might think of the shed. Discussion continued with how the shed was installed and if it could be moved.

Chair Meisel asked the public if there were any questions or comments. Hearing none, Chair Meisel moved to close the public hearing. Member Crane seconded. The hearing was closed with ayes from all.

This was followed by the Board discussing and answering 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 area variance?

Chair Meisel: Yes. By keeping the building 2' from the line will encourage further violations.

Member Crane: No. Not the character of the neighborhood but it is a detriment to the property line of the neighbor that it encroaches on.

Member Meyers: No. Dilemma is adjacent lot is not owned. If easement is not approved, there could be a problem.

(2) Can the benefit sought by the applicant be achieved by some other method, feasible for the applicant to pursue, other than an area variance?

Chair Meisel: Yes. Move the shed make it legal.

Member Crane: Yes. They could move the shed.

Member Meyers: Yes. Move the Shed.

(3) Is the requested area variance substantial?

Chair Meisel: Yes. 66%

Member Crane: Yes. 66% over the allotted area.

Member Meyers: Yes. 66%

(4) Will the proposed area variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

Chair Meisel: No.

Member Crane: No.

Member Meyers: No. Still rather undeveloped

(5) Is the alleged difficulty self-created? (Which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.)

Chair Meisel: Yes.

Member Crane: Yes. The shed is placed by the homeowner in the improper place.

Member Meyers: Yes.

Member Crane moved to deny the Area Variance Applications to install for a shed at 80 Steeplechase. Member Meyers seconded. With no further discussion the Area Variance was denied with ayes from all.

The minutes from the May 1, 2024 meeting were reviewed. Member Crane moved to approve the minutes as amended. Member Meyers seconded. With no further additions, corrections, or discussion the minutes were approved with ayes from all.

Chair Meisel moved to close the meeting. Member Crane seconded. The meeting was closed with ayes from all at 5:02pm.

Shawn Forrester
Clerk/Treasurer