

**VILLAGE OF HONEOYE FALLS ZONING BOARD OF APPEALS**

**April 23, 2002**

**MEMBERS PRESENT:** C. Harold Gaffin, Chairman; Jim Hoh; Theresa Markham; Henry Besanceney

**ALSO PRESENT:** Michael Tobin, Village Attorney; James Turner, Village Code Enforcement Officer; Gerald Semmel.

Chairman Gaffin called the meeting to order at 7:30 p.m.

The variance applications by Roland Lyle were withdrawn due to a request for two variances: an area variance and a use variance. Only the application for an area variance had been published as a public hearing.

**AREA VARIANCE : GARAGE ADDITION : 124 MONROE STREET : SEMMEL**

Chairman Gaffin opened the public hearing at 7:32 p.m. The public notice was read to the assembled and the applicant signed the affidavit.

Mr. Semmel approached the Board to discuss his application for an area variance. Mr. Semmel stated that he wished to knock out the back wall of his existing garage to add space for storage of vehicles. Mr. Semmel provided a survey map showing that the angles of the lot lines would make it extremely difficult to add any space to the garage. Mr. Semmel stated that the oddly-shaped lots were common in that part of Monroe Street. Mr. Semmel stated that he had been to the Planning Board for site plan approval and had been referred to the Zoning Board for the variance.

Mr. Gaffin inquired if the existing garage was in conformity with setbacks; Mr. Semmel stated it was. Mr. Gaffin noted that the lot shape was odd, and that there was no other way Mr. Semmel could add to his garage without encroaching upon the setbacks. Mr. Semmel stated that his neighbors were aware of his planned addition and had no objections. A discussion ensued regarding the lots and their shapes in that area of Monroe Street.

Mr. Gaffin inquired if there were any comments from the assembled. As none were noted, the public hearing was closed at 7:40 p.m.

**BUSINESS MEETING**

Ms. Markham noted that there was no other way for Mr. Semmel to proceed with his addition without that variance. Mr. Hoh noted that due to the odd shape of the lot lines, the encroachment was more or less a technicality. Mr. Gaffin inquired as to the use of the proposed addition; Mr. Semmel stated that the addition would be used for storage of vehicles and firewood.

Motion by Henry Besanceney, seconded by Jim Hoh to adopt the following resolution:

WHEREAS; Gerald Semmel has applied for an area variance, specifically for a garage extension to be 7.7 feet from the easterly property line, AND

WHEREAS; a public hearing was held and no objections heard, AND

WHEREAS; The Zoning Board made the following findings:

- 1) That the current garage is 11.4 feet from the easterly property line, and therefore will not cause an undesirable change in the neighborhood;

- 2) The relief cannot be achieved by other than an area variance, because the garage cannot be extended toward the front of the house or away from the easterly property line;
- 3) The variance is not substantial;
- 4) The variance will not have an adverse affect on the physical or environmental conditions in the neighborhood because the garage is being extended;
- 5) The difficulty is not self-created, as the subdivision / lot lines were not placed perpendicular to the highway boundary lines.

THEREFORE, the Zoning Board grants Mr. Semmel's application for an area variance based on these findings.

**ROLL CALL VOTE:**

HOH: Aye  
BESANCENEY: Aye  
GAFFIN: Aye  
MARKHAM: Aye

Motion unanimously carried, variance granted.

**MINUTES**

Motion by Theresa Markham, seconded by Henry Besanceney to approve the minutes as amended.

Motion carried.

**OTHER BUSINESS**

The Board discussed the letter written to the Mayor regarding the parking problems at North Main Street. After much discussion, Mr. Gaffin stated that the Zoning Board would need to ask for guidance form the Planning Board in regards to this matter in the future.

**CHANGE OF MEETING DATE**

The Zoning Board changed its regular meeting date form Monday, May 27 to Monday May 20, due to the Memorial Day holiday.

**ADJOURN**

Motion by Jim Hoh, seconded by Henry Besanceney to adjourn the meetin gat 8:02 p.m.

Motion carried, meeting adjourned.

*Respectfully submitted,*

*Sheila Coleman  
Secretary, Zoning Board of Appeals*