

MEMBERS PRESENT: Henry Besanceney
Theresa Markham
James Hoh

ALSO PRESENT: Michael Tobin, Village Attorney; James Turner, Code Enforcement Officer;
Brendan Haggerty, Applicant and Daniel Pope, Architect

Acting Chairman Markham called the public hearing to order at 7:30 p.m.

PUBLIC HEARING: AREA VARIANCE: 45 MONROE ST.: HAGGERTY

Ms. Markham opened the public hearing at 7:35 p.m. The public notice was read and procedure explained to the applicant. Brendan Haggerty is requesting a variance to rebuild the rear portion of an existing residential building. Said building is on a residential lot with an existing non-conformance to Village Code having three residences where only one is allowed.

Mike Tobin inquired whether Mr. Haggerty was aware that the property is zoned residential and allowed only one residential building on the premises. Mr. Haggerty responded that the three family residences were in existence when he purchased the property.

Ms. Markham wanted to know if any of the neighbors expressed disagreement to this proposal. Mr. Haggerty said none were expressed to him and that the sign has been up as required.

Mr. Pope informed the board that this request is not for an addition to the building, as the size of the building will not change. The request is to remove the back portion of the building and put a lower level under it, and then rebuild that portion in line with the rest of the building. This would allow for the utilities to be in the basement and add efficiency. Aesthetically this would improve the property and no negative impact would result.

Ms. Markham inquired if there were any comments from the assembled. As none were noted, the public hearing was closed at 7:50 p.m.

REGULAR BUSINESS MEETING

Ms. Markham opened the regular business meeting at 7:51 p.m.

ACTION ON THE PUBLIC HEARING ITEM

Motion by James Hoh, seconded by Theresa Markham to deny the zoning variance to Haggerty as stated.

DISCUSSION

Ms. Markham has some concerns that this request will turn a non-livable space into livable area and the structure is already non-conforming. This variance would increase the non-conformance. Mr. Besanceney noted that the residence would remain a single family residence which it has been for a long time, but with a kitchen upstairs there would be opportunity to add another unit upstairs and therefore create a two-family residence.

Ms. Markham stated that aesthetically this rebuilding would be an improvement to the property, but maintaining it as is would be giving non-conformity. Mr. Haggerty did purchase the property with a pre-existing hardship and that an additional hardship was not shown to exist. There seems to be no financial hardship because the rent comes from the two apartments in the front structure.

Ms. Markham asked for further comments and vote.

ROLL CALL VOTE

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| Besanceney | AYE |
| Markham | AYE |
| Hoh | AYE |

Motion to deny application unanimously passed.

ADJOURN

Motion by Henry Besanceney, seconded by Theresa Markham to adjourn the meeting at 8:00 p.m.
Motion carried, meeting adjourned.

Respectfully submitted,

Gerianne P. Alford
Secretary, Zoning Board of Appeals