

**VILLAGE OF HONEOYE FALLS ZONING BOARD**

**January 24, 2005**

**MEMBERS PRESENT:** C. Harold Gaffin, Chairman; Hank Besanceney;  
Mark Donahoe; Jim Hoh

**ALSO PRESENT:** Jim Turner, Code Enforcement Officer, Jules Zysman,  
Applicant.

Chairman Gaffin called the public hearing to order at 7:34 PM

**PUBLIC HEARING: AREA VARIANCE: 170 HYDE PARK: ZYSMAN**

Dr. Jules Zysman stated there always has been a 4 ft. fence along this property line and he wanted to replace it with a 6 foot fence to deter the deer from eating out of their garden. The contractor informed them they did not need a variance or a building permit, so their understanding was that they were within code. He stated that it is his error for not checking with the village. Shanks put up the fence at a cost of \$3,700.00 at the end of November. Three neighbors have written letters in support of the application. Dr. Zysman also wanted to let the Board know that he may extend the fence with one more section at the rear to taper it down to four feet at that end.

Jim Hoh asked if the Monroe County ROW was along the south line of this property. Jim Turner said that it is a sewer line on Frank Csapo's property, not on Zysman property.

Chairman Gaffin closed public hearing at 7:46 PM

**REGULAR BUSINESS MEETING**

Motion by Hank Besanceney, seconded by Jim Hoh, to grant variance for the 6' fence, including the potential section to taper the fence at the rear.

Chairman Gaffin wants to discuss options in this situation. This is a process violation and we don't want to encourage this process of building first and asking for variance and permit after the fact.

Mr. Besanceney sees no problem, because it does not disturb any site lines and the fence cannot be seen behind the arborvitae trees.

Mr. Hoh said the issue of building without a permit is a village government problem, not ours.

Mr. Besanceney suggested the code should be changed, because we do not have a zoning code controlling the height of bushes, which are also a form of fencing.

Mr. Donahoe stated that the position of the house on the property is dictating where this fence is allowed, which in this case is quite far away from the fence.

**ALL IN FAVOR  
MOTION PASSED**

**APPROVE MINUTES**

Motion by Hank Besenceney, seconded by Mark Donahoe, to approve the minutes of the August 23, 2004 Zoning Board meeting.

ALL IN FAVOR

MOTION PASSED

Motion by Mark Donahoe, seconded by Hank Besenceney, to approve the minutes of the December 27, 2004 Zoning Board meeting.

ALL IN FAVOR

MOTION PASSED

Motion by Jim Hoh, seconded by Mark Donahoe to adjourn the meeting 8:08 PM.

ALL IN FAVOR

MOTION PASSED

*Respectfully submitted,*

*Gerianne P. Alford*

*Secretary for the Zoning Board of Appeals*