

VILLAGE OF HONEOYE FALLS ZONING BOARD

February 28, 2005

MEMBERS PRESENT: Theresa Markham-Acting Chairman, Jim Hoh, Mark Donahoe

ALSO PRESENT: Jim Turner, Code Enforcement Officer; Mike Tobin, Village Attorney; Brian Kaufman, Applicant; Tim O'Brien.

Chairman Markham opened the public hearing at 7:30 PM

AREA VARIANCE REQUEST: KAUFMAN: 14 W. MAIN ST.

Brian Kaufman presented the Board with a plan to put a small deck on the back of the building for patients to get a view of the falls. Deck is proposed to be 12' in length on the south and 7' on the north by 21'6" wide.

Mr. Donahoe asked what the hardship is for Mr. Kaufman. Mr. Kaufman indicated that it would help the practice draw patients and he is cramped for space. He stated that on warm days he could put a training bike out on the deck for patient use so they are not so crowded inside and could enjoy the view.

Chairman Markham indicated the space could be made more appealing by adding windows on the back wall.

Chairman Markham asked if there was any input from the public, as none was noted the public hearing was closed at 7:47 PM.

Motion to approve the request for a variance made by Jim Hoh, seconded by Mark Donahoe.

DISCUSSION:

Mr. Donahoe indicated that this is a pretty focal point of the Village so we should look at it critically. This is a pre-existing, non-conforming use, as are all the other properties in the area. The deck would not impede on any site lines for neighbors. Chairman Markham has a concern with what would come next? What direction are we heading for future use of this building? The exercise equipment outside could detract from the atmosphere. Mr Donahoe adds that the applicant could move some of his business downstairs if he is pressed for space. This is a sensitive area and we need to be careful what we allow to be built in this area. Mr. Turner pointed out the SEQR process through the Planning Board would take care of those issues.

Mr. Tobin stated from a legal standpoint, if the members have a severe reservation, they should not rely on the planning board to rectify the situation.

Mr. Turner stated there is a minimal impact and neighboring property has done a similar deck. Similar structures exist in that area. Mr. Hoh wanted to know if The Brewery had to go through a variance request to build on their deck. Mr. Tobin indicated that they own property enough not to require a variance so that was not necessary in their situation.

ROLL CALL VOTE:

Jim Hoh:	Aye
Mark Donahoe:	Nay
Theresa Markham:	Nay

MOTION NOT CARRIED

The board felt there would be a significant change in the look and character of the area, which is a focal point of the Village.

Motion by Jim Hoh, seconded by Mark Donahoe, to adjourn the meeting at 8:02 PM.

ALL IN FAVOR

MOTION GRANTED

Respectfully submitted,

*Gerriann P. Alford
Zoning Board Secretary*