

**VILLAGE OF HONEOYE FALLS ZONING BOARD**

**March 28, 2005**

**MEMBERS PRESENT:** G. Harold Gaffin, Chairman; Jim Hoh; Mark Donahoe; Hank Besenceny

**ALSO PRESENT:** Jim Turner, Code Enforcement Officer; Mike Tobin, Village Attorney;

Chairman Gaffin opened the public hearing at 7:33 PM

**AREA VARIANCE REQUEST: TOLES: 59 RODNEY DR:**

Mr. Toles outlined his plan to add a garage to the existing home at 59 Rodney Drive. The rear setback would be 32½. The house is very small and he would like to put an addition on the house for mudroom; small addition to the kitchen and a two car garage. Before he bought the house he noticed it was common in the neighborhood to put on this type of an addition. It would add curb appeal to the house and increase its' value. The house is presently only 900 sq. ft.

Chairman Gaffin stated that most of the homes have 1 car garage or no garage. Few have 2 car garages. Mr. Toles pointed out the yellow home, two doors north of his, has a two car garage. Chairman Gaffin would like to know why Mr. Toles feels he needs a two car garage. Mr. Toles stated that he has another storage shop for his work tools but would like to keep his personal items at home. He has a plow, tools, snow mobile, snow blower and a welder he would like to store inside the garage and he wants to be able to do maintenance on these items and his pickup truck inside his garage. Chairman Gaffin asked if he could do this in a wider one car garage. Mr. Toles did not think that would be big enough.

Chairman Gaffin stated that this was a self made hardship because Mr. Toles purchased the home in this condition. Mr. Toles said he looked around the neighborhood before he purchased the property and assumed that because it had been done to others in the neighborhood, he would be able to do the same. Mr. Donahoe wants to know if trees will be disturbed. Mr. Toles stated one tree would have to be cut down.

Chairmah Gaffin asked if there was any input from the public.

**Tom Hartman**, 53 Rodney Drive, let the board know that he favors the project. He and his wife have no problem with the addition.

No other public comment was given and the public hearing was closed at 7:45 PM

**DISCUSSION:**

Motion by Hank Besanceny, seconded by Mark Donahoe to granted the area variance as presented.

The Board addressed items 1-5 on the Area Variance Determination Worksheet.

1. An undesirable change will not be produced in the character of the neighborhood or be a detriment to nearby properties because many of the houses in that area have garages, this one does not have one yet and is out of place. Mr. Besanceny agrees that the lots in this neighborhood are small and most of the properties have put on additions.
2. The benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance, because any other method would have the same results.

3. The requested area variance it is not substantial, because a 22' width for a 2 car garage is the minimum. Most homeowners need a 2 car garage.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, because of two issues: Mr. Besanceney noted that the house, with the addition, fits in the 20% of lot coverage allowed for buildings. Mr. Tobin pointed out that if it was a free standing garage the minimum side setback would only have to be 3'. If that was done he would need a variance for the distance between buildings of less than 10'. Area variance is not substantial because the request is the minimum.
5. The alleged difficulty has been self-created, because the applicant knew the condition of the property before he purchased it, but this is not substantial to warrant any other terms of the applications being denied.

Some of the neighbors have not responded in a positive or negative manner regarding the application. The applicant did not ask all the neighbors. The Zoning Notice sign was not properly posted, as Mr. Toles placed in his front window, not on the property less than 10' from the street. Because of this the Board will make a condition of the approval that three of the neighbors (#53, #65, and #48 Rodney Drive) be contacted. Mr. Toles will have to submit something in writing from them stating they are not opposed to the addition.

**ROLL CALL VOTE:**

Jim Hoh:	Aye
Mark Donahoe:	Aye
Hank Besanceney:	Aye
Hal Gaffin:	Aye

ALL IN FAVOR  
MOTION GRANTED

**BUSINESS MEETING**

Minutes for the February 28, 2005 meeting could not be approved without Theresa Markham present.

Motion by Jim Hoh, seconded by Mark Donahoe, to approve the minutes of the January 24, 2005 Zoning Board meeting

ALL IN FAVOR  
MOTION GRANTED

At the next meeting the Board would like to address a Zoning regulation for failure to properly post the Zoning Notice sign. Without prior approval of the CEO to post the sign other than the specified way will result in rescheduling the hearing and will require an additional \$65.00 application fee.

Motion by Hank Besanceney, seconded by Mark Donahoe, to adjourn the meeting at 8:15 PM.

ALL IN FAVOR  
MOTION GRANTED

*Respectfully submitted,*

*Geriann P. Alford  
Secretary for the Zoning Board of Appeals*