

VILLAGE OF HONEOYE FALLS ZONING BOARD

March 23, 2009

MEMBERS PRESENT: Hal Gaffin, Chair; Hank Besanceney; Mark Donahoe; Jim Hoh

ALSO PRESENT: Danny Bassette (181 Monroe St); Tom & Eileen Weigert (565 Quaker Meeting House Rd; Mark Muller (architect for T & E Weigert)

Chair Gaffin opened the public hearing at 7:30 PM

AREA VARIANCE – 565 QUAKER MEETING HOUSE RD – TOM & EILEEN WEIGERT

Tom & Eileen Weigert are applying for an area variance to allow a side-setback of 13'. Their property is currently zoned RA which requires a minimum side set-back of 40'.

The current structure is a duplex with two up and down apartments on each side. There is a common front door and each unit has a separate rear entrance. The Weigerts live on one side of the duplex and their daughter and grandson live on the other side.

Mr. & Mrs. Weigert presented plans to put an 896 sq. ft. addition on the south side of their home which would enable them to have a bedroom and bathroom on the ground floor. They will also add a front porch and a separate front entrance.

Their property has a unique wedge shape. The property that abuts their property on the south is a two acre lot which is currently undeveloped. This adjacent property is mostly wetlands.

There were no comments/questions from the public so Chair Gaffin closed the public hearing at 7:50 PM.

Motion by Jim Hoh, seconded by Hank Besanceney, to grant the area variance.

Jim Hoh commented that the RA zoning doesn't really make sense for this property or the adjacent property. If it was zoned as R1 or R2, then the 13' set back would be in compliance and the Weigerts wouldn't need a variance.

Chair Gaffin will write to the Board of Trustees, recommending that these two parcels be rezoned as R1.

ROLL CALL VOTE

1. H. Besanceney – Aye
2. H. Gaffin – Aye
3. M. Donahoe - Aye
4. J. Hoh – Aye

ALL IN FAVOR

MOTION CARRIED – VARIANCE GRANTED

The Board filled out the Area Variance Determination Worksheet (see attached).



APPROVE MINUTES FROM FEBRUARY 23, 2009

Motion by Hank Besanceney, seconded by Mark Donahoe, to approve the minutes from the February 23, 2009 ZBA as presented.

ALL IN FAVOR
MOTION CARRIED – MINUTES APPROVED



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

ALL IN FAVOR
MOTION CARRIED – MEETING ADJOURNED

*Respectfully submitted,
Judi Barrett
Clerk for the Zoning Board of Appeals*

Village of Honeoye Falls
ZONING BOARD OF APPEALS
AREA VARIANCE DETERMINATION

Applicant/Owner: Tom and Eileen Wiegert
Property Address: 565 Quaker Meeting House Rd
Zoning Ordinance(s): Chapter 190, Attachment 1 – Table Of Lot And Bulk Requirements
Variance(s) Requested: Relief of 27' from required 40' side set-back for a total set-back of 13'

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

The Zoning Board made the following findings:

1. THE BENEFIT SOUGHT BY THE APPLICANT CAN CANNOT BE ACHIEVED BY OTHER FEASIBLE MEANS. EXPLAIN:

The addition can not be build due to existing site development (driveway and site topo).

2. GRANTING OF THE VARIANCE WILL WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES. EXPLAIN:

The addition is in keeping with neighboring houses and will adhest the quality of the neighborhood.

3. THE REQUESTED VARIANCE IS IS NOT SUBSTANTIAL. EXPLAIN:

It is substantial but appears to be in consequence because of the nature of the adjacent lot and current zoning (RA).

4. THE VARIANCE WILL WILL NOT HAVE ANY ADVERSE PHYSICAL OR ENVIRONMENTAL EFFECTS ON THE NEIGHBORHOOD OR DISTRICT. EXPLAIN:

The addition will enhest the neighborhood, no adverse effects.

5. THE ALLEGED DIFFICULTY WAS WAS NOT SELF-CREATED. EXPLAIN:

~~was~~ but is present. The dwelling is presently non-compliant.

Zoning Board Decision: Based upon the above findings, the Zoning Board

GRANTS DENIES the area variance application.

Chairman Signature

Hal Hoff

Date

3/23/09

