

Honeoye Falls Village Zoning Board Meeting Minutes July 25, 2016

Members Present: Hank Besanceney, Stephanie Tolan, Patrick Brennan, Mark Donohoe

Members Absent: Barry Kissack

Also Present: Michael Tobin (Village Attorney), Charlie Johnson (Code Enforcement Officer), Dan Bassette, Barry Quinn, Fran McGory, Jane McGory

Chairman Besanceney called the meeting to order at 7:30 p.m.

Area Variance – 54 Ontario Street – Fran and Jane McGory

Applicant, Fran McGory is requesting an area variance to allow construction of a 5 foot tall privacy fence along the north property line from the rear yard to extend forward of the rear wall of the house for approximately 34 feet. This is in a location where an average height of the fence cannot exceed 4 feet. He plans to use board on board fencing. The applicant had planted privacy shrubs, but they have been eaten by deer.

Chair Besanceney opened the meeting for public comment. There were no comments.

M. Donohoe commented that the five foot fence is a nice compromise. The applicant made an effort to create a barrier with landscape, but it was not a sufficient barrier.

A motion was made by P. Brennan and seconded by M. Donohoe to grant the Area Variance for a five foot fence. A Roll call vote was taken: H. Besanceney-Aye, S. Tolan-Aye, M. Donohoe-Aye, P. Brennan-Aye. Motion carried.

The applicant signed the sign posting affidavit.

A motion to approve the April 25, 2016 meeting minutes as written was made by M. Donohoe and seconded by S. Tolan. A roll call vote was taken: H. Besanceney-Aye, S. Tolan-Aye, M. Donohoe-Aye, P. Brennan-Aye. Motion carried.

In making its variance determination, the Zoning Board of Appeals made the following findings:

1. The benefit sought by the applicant cannot be achieved by other feasible means. However, the applicant attempted to use landscaping without success.
2. Granting of the variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The neighboring properties have consented and are using similar materials for the same purpose.
3. The requested variance is not substantial. Height of the variance requested is not excessive and accomplishes the desired outcome to reduce views to the neighboring property.
4. The variance will not have any adverse physical or environmental effects on the neighborhood or district. Fences of this design are common in the neighborhood.

5. The alleged difficulty was self-created. However, it is not a substantial request and supports a desired outcome.

**A motion was made by P. Brennan to adjourn the meeting at 7:50 p.m. M. Donohoe seconded.
Motion carried.**

Respectfully submitted,
Patty Pragle
ZBA Clerk