

Village of Hammondsport
Zoning Board of Appeals
Oct. 2, 2013

The Village of Hammondsport Zoning Board of Appeals held a Public Hearing on Wed. Sept. 18, 2013 at 7:00 p.m., 18 Water Street, Hammondsport, NY.

PRESENT

Board Members: Tim Atwood
Bob Deseyn
Linda Carl
Bea Keck

PUBLIC PRESENT: Paul Wilson

Linda Carl made a motion that Tim Atwood act as chairman for the meeting of Oct. 2, 2013 and it was seconded by Bob Deseyn.

Chairman Tim Atwood opened the Public Hearing at 7:00 and declared a quorum.

Chairman Atwood stated that the Public Hearing in front of the ZBA is Area Variance Application 2013-36 Paul Wilson, 1 Vine St. Applicant is seeking to remove existing porch on Davis St. side and replace it with an "L" shaped covered porch.

The Zoning officer letter from Bob Magee states Mr. Wilson is required to seek a 3 foot relief from the required 25' setback.

The file has the following: Application completed, SEQR, Notice of Publication, Neighbor Letter and Discussion: Area Variance Application 2013-36 was reviewed and each answer to the application questions was discussed.

Environmental Assessment Short Form was reviewed for application 2013-36
SEQR Findings: This project was classified as an Unlisted Action with no negative environmental impact.
Linda Carl made motion to accept SEQR Findings and Bob Deseyn second.

ROLL CALL VOTE: Atwood-Aye
Deseyn-Aye
Carl-Aye
Keck-Aye

Motion Carried

Note: the M239 from Steuben County Planning Dept. was not received by the Oct. 2 meeting but received Oct. 03 and the County Review stated it has not revealed any significant inter-community or county-wide considerations.

Public Hearing closed at 7:50 and the Board opened their regular meeting.

Discussion: Area Variance Application 2013-36 was reviewed and each answer to the application questions was discussed.

- A. An overview of the project : Remove existing porch on Davis St. side of house and replace with an "L" shaped covered porch. The new porch will be 8' deep x 16'-3" long on the Davis St. side, while the side parallel to the driveway will be 6' deep x 9'-7" long. All wood construction with asphalt architectural roofing. The porch will be painted to match the existing house colors.
- B. The proposed porch will provide the houses only area for outside relaxation (BBQ and sitting). There will be no burden on the neighbors or community.
- C. There will be no undesirable affect on the character of the neighborhood. No encroachment and not line of sight to the neighbors will take place. The porch will not extend out any more than existing neighbor's does now.
- D. The lot (only half lot on Vine St.) does not offer the opportunity to build a porch anyplace else on the property.
- E. The Area Variance is not substantial due to proposed following character of neighborhood and is no closer to sidewalk and property line of neighbor.
- F. No adverse effect will be created by this project. The porch will be painted and trimmed out to match the style and colors of the house. No neighbor or passerby's line of sight will be affected by proposed porch.
- G. Hardship is self created. The lot is the only half lot on Vine St. There is no Western or back yard. All the lot is bordered by Davis and Vine Streets and there is no other area to construct the proposed porch.

As a result of the above discussion, the Zoning Board of Appeals has concluded with the following Findings:

1. The construction of a covered "L" shaped porch will not result in an undesirable change to the character of the neighborhood or detriment to nearby properties. The porch will improve the overall property and make a more functional use of the area as well as conform to the character of the neighborhood.
2. The benefit sought by the property owner cannot be achieved by any other method due to no Western or backyard. All the lot is bordered by Davis and Vine St. and there is no other area for outdoor relaxation.

3. The Area Variance requested is substantial. There will be a 3' relief from 25'.
4. The proposed variance will not have any adverse effect or impact on the physical or environmental condition of the neighborhood. The porch will improve the property.
5. The alleged difficulty was self created. The size of the variance requested is needed for porch dimensions and will make better use of outdoor space for property owners.

Based on the answers to the application questions, Motion was made by Bob Deseyn to accept the Findings, seconded by Linda Carl.

ROLL CALL VOTE: Atwood- Aye
Deseyn-Aye
Carl-Aye
Keck-Aye

Motion Carried

Decision:

Bob Deseyn made a motion seconded by Linda Carl to approve, based on the aforementioned Findings, the Area Variance 2013-36 submitted by Paul Wilson to remove existing porch on Davis St. side and build an "L" shaped covered porch with a 3' relief.

ROLL CALL VOTE: Atwood-Aye
Deseyn-Aye
Carl-Aye
Keck-Aye

Motion Carried

Motion was made by Linda Carl to close the meeting and seconded by Bob Deseyn. Meeting was adjourned at 8:20 p.m.

Respectfully submitted,
Kelly Harris