

Minutes of the regular meeting of the Fairport Zoning Board, held October 28, 2013 at 7:00 p.m., in the Board Room, Village Hall, 31 South Main Street, Fairport, New York.

PRESENT:

J. Himmelberg
M. Fortner
D. Davis
T. Nadler
P. Cantwell (alternate)
Sean Gibbons (alternate)
G. Wolf, Attorney
J. Steen, Code Enforcement Officer

OTHERS PRESENT:

ABSENT:

E. Wierzbicki

Area Variances

Jennifer Takatch, AIA as agent, for Dana and Monica Consler at 11 Grand Erie Way in the R-A Residential District, for variances pursuant to section 550-8 (Attachment 1) to permit the construction of a sun room such that the lot coverage would be 18.25% instead of 15%.

The secretary read the legal notice as it appeared in the Daily Record on October 10, 2013.

Jennifer Takatch, spoke on behalf of the applicants explaining the need to enlarge their one story home. The application requests a 3% increase to the home that was built at 15.2% lot coverage. The sunroom will be one story in height with no intention of adding a second story to the home, now or in the future.

P. Cantwell commented that its being referred to as a sunroom but it is actually an addition. Ms. Takatch explained that it will be insulated and heated for year round use.

T. Nadler questioned whether there would be a basement under the new addition. It was explained that there will be a crawl space only, no basement. The interior will have a step down into the new addition. The exterior will work into the yard to feel like part of the property, not sitting up high on the yard.

D. Davis stated that the plans show the house and garage to be approximately 2600 square feet. She asked the exact size of the house without the garage. Ms. Consler said that the home is approximately 1600-1800 square foot without the garage or new addition. She also explained that when her family gathers there isn't enough room to accommodate the entire family in the existing living room area. The new addition would allow for the family to gather in one area together.

M. Fortner confirmed that the home has three bedrooms and 2 and one half bathrooms. He asked about the trees in the backyard and commented that the neighborhood has smaller lots having a more strict lot coverage allowance than some other zones in the Village. Ms. Consler explained that no trees will be removed to accommodate for the addition.

J. Himmelberg stated that he believes that this project is not out of line with the other homes in the neighborhood.

No one else wished to speak. The public hearing was closed.

Checklist for consideration of Area Variances:

1. *Will an undesirable change be produced in the character of the neighborhood, or will a detriment to nearby properties be created by granting the variance?* No, the neighborhood was described as Grand Erie Way. (all members agreed)
2. *Can the applicant achieve the desired end by some means other than a variance?* No. (all members agreed)
3. *Is the requested variance substantial?* No. This is a one story home, where massing appears less. (all members agreed)
4. *Will the proposed variance have an adverse impact or effect upon physical or environmental conditions in the neighborhood or district?* No. (all members agreed)
5. *Was the need for a variance self-created?* Yes. (all members agreed)
6. *Would a decision to grant the application be inconsistent with a prior decision of the board?* No. (all members agreed)

There were no objections from neighbors.

Motion was made by P. Cantwell seconded by T. Nadler and it was unanimously resolved to approve the variance as requested with the addition to remain as one story never to be built up.

**P. Cantwell sat on this application

APPROVED

Minute Approval

Motion was made by J. Himmelberg, seconded by S. Gibbons, and it was unanimously resolved to approve the minutes of the September 23, 2013. All voted for the motion except M. Fortner, who abstained, he was not in attendance at the September 23, 2013 meeting.

Other Business

D. Davis acknowledged the accomplishments of Luke Fortner, son of Board member M. Fortner. A recent news article was published about Luke; a sight impaired teenager running for the cross country team. Luke is a courageous boy with a positive attitude.

There being no other business the meeting was adjourned at 7:24 p.m.

Respectfully Submitted,

Deborah L. Fuller, Secretary
Zoning Board of Appeals