

VILLAGE OF PENN YAN
MEETING MINUTES

SEPTEMBER 30, 2013

ZONING BOARD OF APPEALS

111 Elm Street
7:00 pm ROOM 202

PRESENT: STEVE OWENS-Chairman, ARTHUR PIKE, RUTH DAVIS, LYNN DURYEA-Board Secretary

ABSENT: JAMES McELHENNY, DAVE REEVE – Trustee Liaison

PUBLIC PRESENT: Susan Grattan, David Specksgoor

A MOTION by Art Pike to APPROVE the AUGUST 26, 2013 minutes.

A SECOND from Ruth Davis. All in favor 3. Carried

FIRST ISSUE: Application from Susan Grattan for a setback variance at 12 Rosewood Drive, Penn Yan.

A MOTION by Art Pike to accept the application as presented.

A SECOND from Ruth Davis.

The matter was now on the floor for discussion.

Ms. Grattan was present. She stated her request was to place a non-permanent, 10 foot by 16 foot shed at the end of her existing driveway but, even after formal research on the property, was unable to establish where the property line was on that side of the lot. She said her best estimate of the property line location would put the shed closer than the conforming six feet and possibly as close as 16 inches to the actual side yard property line.

The Board asked her why another location was not suitable and if the shed was to be built on a foundation.

Ms. Grattan explained the unusual sloping contours that covered most of her lot which forced her to locate the shed in the only level area. She stated its purpose was for storage of yard items and it would be a Wood-TeX structure with no foundation.

Chairman Owens introduced two letters received by the Board from neighboring property owners. Both indicated they had no objection to the location of the shed.

The Board then conducted the Balance Test and from the application they found;

1. Benefit could not be achieved by other means since there were no other level options on the lot that would be reasonably convenient to the homeowner for storage and retrieval of property.
2. The only neighbors affected, provided the Board with written consent which also confirmed they had no objections to the location of the shed.
3. The shed positioned close to the property line would not cause an undesirable change in the neighborhood character or to nearby properties, and would ultimately serve to create a more tidy environment at the property.

4. The shed near the lot line would not have any adverse physical or environmental effects since it was not a large enough impervious surface to create significant stormwater run-off issues.
5. The alleged difficulty had been self-created since a shed is not an essential structure, but the Board found the request acceptable.

OTHER BUSINESS:

A MOTION by Art Pike to adjourn the meeting at 7:30PM.

Submitted by: