

**VILLAGE OF PENN YAN
ZONING BOARD OF APPEALS
MEETING MINUTES
DECEMBER 20, 2004**

PRESENT: Steve Owens, Chairman, Arthur Pike, Robert Davis, Rhonda Cook, Secretary

ABSENT: Maryanne Maciejewski, Karol Hartman

PUBLIC PRESENT: Bob Hoban, Christi Hoban, Sandy Birmingham
Steve Owens, Chairman called the meeting to order at 7:02 p.m.

MINUTES: Robert Davis made a motion to approve the September 20, 2004 minutes. Arthur Pike second. All in favor – 3.

FIRST ISSUE: application for variance from Robert and Christi Hoban to add a 10' x 20' Woodtex building closer to the principal building than allowed at 34 Hillcrest Dr., Penn Yan, NY. Arthur Pike made a motion to bring the issue to the floor for discussion. Robert Davis second. Bob Hoban was present to explain what he intends to use the Woodtex building for. He wants to use it for general storage. They have items stored in a storage shed elsewhere, which is \$40.00 a month and was recently raised to \$65.00 a month. They decided it was time to do something different. They felt this would not harm anything. At this point Steve Owens asked if there were any other questions from the public or board members. There were none. The Zoning board proceeded with the balancing test.

All in favor – Steve Owens – aye, Robert Davis – aye, Arthur Pike – aye. Variance granted.

NEXT ISSUE: Application for variance from John Pallar to add a 14' x 28' addition on the back of an existing office building at 354 Clinton St., Penn Yan, NY. Arthur Pike made a motion to bring the issue to the floor for discussion. Robert Davis second. Steve Owens asked if there were any questions or comments from the public. Sandy Birmingham did comment that she's against the expansion, because she feels the Village should adhere to the code. The code clearly states that a pre-existing nonconforming use cannot be expanded. John has a commercial business in an R-1 district. Sandy would like to see residential areas stay residential. The board proceeded with the balancing test. Mr. Pallar was not present to explain why he needs to expand the business. The board doesn't know whether benefit can be achieved by other means feasible to the applicant. They feel there would be an undesirable change to the neighborhood character and nearby properties. They feel the change is substantial. It is almost doubling the building size. They feel the request would have adverse physical effects through an increase in traffic at an already difficult intersection. The applicant wasn't available to ask whether the alleged difficulty is self created. **The board proceeded with the vote. Robert Davis – nay, Steve Owens, nay, Arthur Pike, nay. Variance denied.**

Arthur Pike made a motion to adjourn. Robert Davis second. All those in favor – 3.

The ZBA meeting is scheduled for January 17, 2005 at 7:00 p.m. in the Village offices 111 Elm St., main conference room, second floor.

Minutes respectfully submitted by:

Rhonda R. Cook, Secretary

Village of Penn Yan

Zoning Board of Appeals.