# ZONING BOARD MEETING NOVEMBER 20, 2003

Present Absent

Chairman Powell Keery George Fellows John Dole Louis Grammatico Michael Flavin

Donna Stassen, Secretary Zoning Board

#### Others Present

Christine Firestine 3022 Brockport Road

The Pledge of Allegiance was led by Chairman Powell Keery.

## **Approval of Minutes**

Motion was made by John Dole seconded by Michael Flavin and carried unanimously that the meeting minutes of October 16, 2003 be approved as read.

### **Public Hearing**

The application of Christine Firestine for an area variance for a proposed gazebo with a side setback of (1) foot whereas the minimum required side setback is (5) feet pursuant to Chapter 140-14 F in a Residential District.

Christine Firestine stated to the board that the proposed gazebo will be an addition to the existing deck. The deck/gazebo is located right next to the apartment building, and she doesn't believe that it will offend anyone. It will be an added improvement to her property.

Chairman Powell Keery stated that neither Building Inspector Jack Crooks nor Village Attorney Richard Olson have any concerns with the structure. They did state however that if neighbors came objecting the height that might be a concern. Chairman Powell Keery went on to say that there were no neighbors in attendance.

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Zoning Board Meeting November 20, 2003

Page 2

Louis Grammatico: Will you be taking the arborvitaes down, do they belong to you?

Ms. Firestine: No, they won't be coming down, I planted them but they are on the apartment complex property. Originally I was going to place a fence one foot off the property line per Zoning Board approval, but instead I planted the arborvitaes.

After reviewing the submitted plans and board discussion the following resolution was offered:

Resolution No 136 11/20/03 Introduced by George Fellows Seconded by John Dole

Resolved that the application of Christine Firestine, 3022 Brockport Road, Spencerport, NY for an area variance for a proposed gazebo with a side setback of one (1) foot whereas, the minimum required side setback is (5) five feet pursuant to Chapter 140-14-F in a residential district be approved.

Such approval is based on the following considerations:

- 1. The gazebo will not have a negative impact on the neighborhood.
- 2. Furthermore, such gazebo will not have an adverse environmental impact on the neighborhood.
- 3. Such gazebo to be built to professional standards.
- 4. Applicant to obtain the required building permits and inspections, per Jack Crooks Building Inspector.

Furthermore, such variance is a Type 2 action and no further environmental review is required.

Ayes: Powell Keery, Dole, Fellows, Grammatico, Flavin

Nays: none

#### **Unfinished Business**

The Zoning Board has reviewed **Resolution No. 81,** the application of Dennis Levandowski 162 S Union Street for the granting of a variance and has found that the applicant is in violation of the terms (see attached). Chairman Powell Keery will contact Building Inspector Jack Crooks asking for his office to follow up on such violations, in regards to parking and number of businesses in the building.

Zoning Board Meeting November 20, 2003

Page 3

### **New Business**

The board has received the results of the survey but has requested a copy of the survey so they know the questions that were being asked.

# Adjournment

Motion was made by Chairman Powell Keery seconded by Michael Flavin and carried unanimously that the meeting be adjourned at 7:20.

At this time the board went into a workshop session.