

**Village of Spencerport
Zoning Board of Appeals
November 18, 2010**

Present

Chairman Dole
Michael Flavin
Mark Unvericht
Dale Kellerson

Absent

Others Present

Trustee Carol Nellis Ewell
Donna Stassen, Secretary
Joan Quigley
Jill and Michael Coffey

At this time Chairman Dole led the Pledge of Allegiance.

Public Hearing

The appeal of Michael and Jill Coffey, 16 Coolidge Avenue, Spencerport NY 14559 for an area variance for a proposed 6' closed construction privacy fence to be placed on the property line on same property. Whereas any privacy fence must be located to the rear of the front line setback and not nearer to a side line or rear line setback, but in no event less than two feet from any side line or rear line, shall not exceed 6 ft in height and shall not exceed a total of length of 65 feet on any one lot pursuant to Chapter 140-31-A (4).

Dale Kellerson: Are you replacing the fence that is there now?

Mr. Coffey: That is not my fence that is the neighbor's fence, I asked the owner of the fence if we could take that fence down because it is pretty rough looking and he said no. That is a rental property right now. There is not much we can do about it we were just hoping that the fence would just go away but that has not happened.

We are putting up the fence for ourselves and also to hide that fence.

Chairman Dole: How much of a gap will there be between your fence and the neighbors fence?

Mr. Coffey: Probably 2 – 3 feet.

Chairman Dole: Their fence is not on the property line is it?

Mr. Coffey: No, my fence won't be on the property line either it will probably be 6 – 8 inches off the property line. We are putting up white vinyl fencing 52 feet in length.

Dale Kellerson: Does it make a difference how far the end of the fence is to the right of way?

Chairman Dole: It does but this fence is within those guidelines.

At this time the board offered the following resolution

Resolution No 204
November 18, 2010

Introduced by Michael Flavin
Seconded by Mark Unvericht

Resolved that the application of Michael and Jill Coffey of 16 Coolidge Ave, Spencerport NY for an area variance on property located at same is deemed a Type 2 action and no further review is required.

Resolution No 205
November 18, 2010

Introduced by Michael Flavin
Seconded by Mark Unvericht

Resolved that the application of Michael and Jill Coffey of 16 Coolidge Ave for an area variance to erect a 6' high privacy fence on property located at same be approved, Whereas the maximum height allowed is 4 ft pursuant to Chapter 140-31-A(4) of the village code in an R-1 Residential District.

Such variance was approved with the following conditions:

1. Such fence not to exceed 52' in length.
2. Fence to be placed no closer than 6 inches to property line.
3. Homeowner is responsible for maintaining both sides of the fence.
4. Fence to be installed to professional standards.

Furthermore be it resolved that such approval was granted based on the following:

1. No one from the neighborhood came to speak against such proposed variance.
2. Such area variance will not result in any negative impact on the neighborhood.
3. Nor will such fence have an adverse environmental impact on the neighborhood.

Ayes: Dole, Flavin, Unvericht, Kellerson

Nays: none

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Approval of Minutes

Motion made by Chairman Dole seconded by Mark Unvericht and carried unanimously to approve the October 21, 2010 minutes as amended.

Adjournment

Motion made by Chairman Dole seconded by Michael Flavin and carried unanimously to adjourn the meeting at 7:15 p.m.