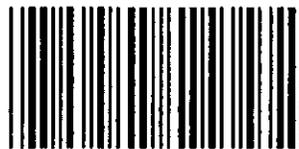


Zoning Board



2001



TOWN OF URBANA ZONING BOARD OF APPEALS
August 16, 2001

Present: Joseph Littleton, Chairman
James Bailey, Member
Scott Burg, Member
Robert Domras, Member

After lengthy inspection of the property and plans, Chairman Littleton reconvened and called the meeting to order at 7:45 p.m. for Application #2001-012, Peter Krog, 4 Centre Drive, Orchard Park, NY 14127, in the matter of a request for a Variance pursuant to Section 105-59 of the Zoning Law of the Town of Urbana. Mr. Krog is seeking relief from the front yard setback to construct a boathouse with two bedroom apartment at 373 West Lake Rd., Hammondsport, NY. Mr. Domras suggested a modification of the design (see sketch on file), resulting in an area 6 ft. X 22 ft. of variance.

A motion was made by Mr. Bailey, seconded by Mr. Burg to accept the findings.

ROLL CALL VOTE:	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

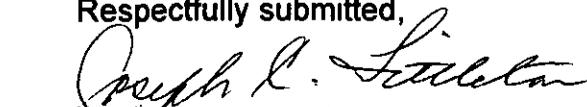
Motion carried by unanimous vote.

Motion made by Mr. Bailey to grant the Variance as presented at this meeting. Motion seconded by Mr. Burg.

ROLL CALL VOTE:	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

Respectfully submitted,


Joseph Littleton, Chairman
Town of Urbana
Zoning Board of Appeals

JL:cs
AP:docs/urbana/8-16-01Z

TOWN OF URBANA ZONING BOARD OF APPEALS

August 16, 2001

Present: Joseph Littleton, Chairman
James Bailey, Member
Scott Burg, Member
Robert Domras, Member

After lengthy inspection of the property and plans, Chairman Littleton reconvened and called the meeting to order at 7:45 p.m. for Application #2001-012, Peter Krog, 4 Centre Drive, Orchard Park, NY 14127, in the matter of a request for a Variance pursuant to Section 105-59 of the Zoning Law of the Town of Urbana. Mr. Krog is seeking relief from the front yard setback to construct a boathouse with two bedroom apartment at 373 West Lake Rd., Hammondsport, NY. Mr. Domras suggested a modification of the design (see sketch on file), resulting in an area 6 ft. X 22 ft. of variance.

A motion was made by Mr. Bailey, seconded by Mr. Burg to accept the findings.

ROLL CALL VOTE:	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

Motion made by Mr. Bailey to grant the Variance as presented at this meeting. Motion seconded by Mr. Burg.

ROLL CALL VOTE:	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

Respectfully submitted,

Joseph Littleton, Chairman
Town of Urbana
Zoning Board of Appeals

JL:cs
AP:docs/urbana/8-16-01Z

**ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS & DECISION**

Applicant: Peter Krog
4 Centre Drive
Orchard Park, NY 14127

Variance No: #2001-012
Zoning District: _____
Published Notice on: _____
Notice to County Sent on: _____
Hearing Held On: 8/16/02

Property Location: 373 West Lake Rd., Hammondsport, NY 14840
Requirement for which Variance is Requested: Front yard lakeshore setback

Applicable Section of Town Zoning Code: _____

FACTORS CONSIDERED:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes ___ No X

Reasons: Shoreline structure obscures view more than the present. However
modifications as presented will minimize this objection.

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes X No ___

Reasons: A possible alternative resulting in
minimal variance has been agreed upon.

3. Whether the requested variance is substantial: Yes ___ No X

Reasons: The modified request is not substantial.

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes ___ No X

Reasons: Properties to North and South have pre-existing
setback variance.

5. Whether the alleged difficulty was self-created: Yes ___ No X

Reasons: _____

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

- the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: The property will be much improved. Neighbors' view will be minimally affected.

The ZBA further finds that a variance of _____ from Section _____ of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:
The modified proposal is a reasonable use of the property.

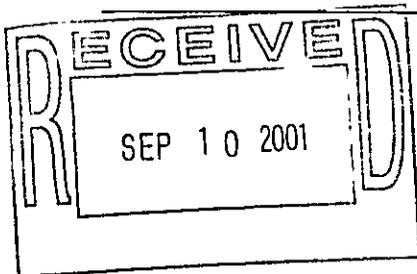
CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: _____

Adverse impact to be minimized: _____

Condition No. 2: _____

Adverse impact to be minimized: _____



Joseph L. Lovelace
Chairman, Zoning Board of Appeals

9/10/01
Date

RECORD OF VOTE

	MEMBER NAME	AYE	NAY
Chair	<u>Littleton</u>	<u>X</u>	_____
Member	<u>Domras</u>	<u>X</u>	_____
Member	<u>Burg</u>	<u>X</u>	_____
Member	<u>Bailey</u>	<u>X</u>	_____
Member	_____	_____	_____

TOWN OF URBANA ZONING BOARD OF APPEALS
June 14, 2001

Present: Joseph Littleton, Chairman
James Bailey, Member
Scott Burg, Member
Edward Tyler, Member
Robert Domras, Member
Carolyn Spicer, Recording Secretary

Others Present: Robert O. Steele, Janet Stone, Karen Natemeier, Lorna Whitney,
Richard E. Rahill, Peter Krog, Kevin Bennett, Christina Bennett,
Thomas K. Barry

The Zoning Board of Appeals of the Town of Urbana held a Public Hearing on June 14, 2001 at 7:00 p.m. in the Town Hall.

Chairman Littleton called the **Public Hearing** to order at 7:00 p.m. for Application #2001-012, Peter Krog, 4 Centre Drive, Orchard Park, NY 14127, in the matter of a request for a Variance pursuant to Section 105-59 of the Zoning Law of the Town of Urbana. Mr. Krog is seeking relief from the front yard setback to construct a boathouse with two bedroom apartment at 373 West Lake Rd., Hammondsport, NY.

Notice of the Public Hearing and proof of publication is on file in the Town Clerk's office.

Opinion from the Town of Urbana Planning Board recommending the application be denied is on file and was read into the record.

A letter from Bill and Karen Natemeier opposing the application is on file and was read into the record.

An affidavit of Karen Natemeier is on file and read into the record, authorizing Jan Stone to speak on Ms. Natemeier's behalf.

A letter from Alan and Lorna Whitney is on file and read into the record, supporting Mr. Krog's application.

No opinion from the County or any other government agency was received.

Chairman Littleton explained to those present the duties and responsibilities of the Zoning Board of Appeals.

The applicant and Board members discussed the application purpose. Mr. Krog explained the proposed project to the Board members and responded to their questions. Chairman Littleton asked Board members and others present if there were additional questions. Ms. Natemeier questioned the location of the high water line, and presented her own drawing for the record. Lorna Whitney spoke in favor of Mr. Krog's request.

The Public Hearing closed at 7:36 p.m.

Chairman Littleton called the **Public Hearing** to order at 7:37 p.m. for Application #2001-013, Peter Krog, 4 Centre Drive, Orchard Park, NY 14127, in the matter of a request for a Variance pursuant to Section 105-59 of the Zoning Law of the Town of Urbana. Mr. Krog is seeking relief from the front yard setback to construct a garage on his property located at 371 West Lake Rd., Hammondsport, NY.

Notice of the Public Hearing and proof of publication is on file in the Town Clerk's office.

Opinion from the Town of Urbana Planning Board recommending the application be approved is on file and was read into the record.

Department of Transportation noted they request a survey of the property prior to granting the variance to ensure the right-of-way is not infringed upon.

No opinion from the County or any other government agency was received.

The applicant and Board members discussed the application purpose. Mr. Krog explained the proposed project to the Board members and responded to their questions. Chairman Littleton asked Board members and others present if there were additional questions. There were no additional questions.

The Public Hearing closed at 7:46 p.m.

Chairman Littleton called the **Public Hearing** to order at 7:47 p.m. for Application #2001-014, Richard Rahill, 110 East Fourth Street, Corning, NY 14830, in the matter of a request for a Variance pursuant to Section 105-59 of the Zoning Law of the Town of Urbana. Mr. Rahill is seeking relief from the front yard setback to construct a garage at 369 West Lake Rd., Hammondsport, NY.

Notice of the Public Hearing and proof of publication is on file in the Town Clerk's office.

Opinion from the Town of Urbana Planning Board recommending the application be approved is on file and was read into the record.

Department of Transportation noted they request a survey of the property prior to granting the variance to ensure the right-of-way is infringed upon.

A letter from Alan and Lorna Whitney is on file and read into the record, supporting Mr. Rahill's application.

No opinion from the County or any other government agency was received.

The applicant and Board members discussed the application purpose. Mr. Rahill explained the proposed project to the Board members and responded to their questions. Chairman Littleton asked Board members and others present if there were additional questions. Mr. Rahill's original request was for 14 feet and it is now 20 feet. No additional questions.

The Public Hearing closed at 7:51 p.m.

Chairman Littleton called the **Public Hearing** to order at 7:52 p.m. for Application #2001-010, Mr. Kevin Bennett, 337 East Lake Road, Hammondsport, NY 14840, in the matter of a request for a Variance pursuant to Section 105-59 of the Zoning Law of the Town of Urbana. Mr. Bennett is seeking relief from the front yard setback to construct a 2-1/2 garage at 337 East Lake Rd., Hammondsport, NY.

Notice of the Public Hearing and proof of publication is on file in the Town Clerk's office.

Opinion from the Town of Urbana Planning Board recommending the application be approved is on file and was read into the record.

A letter (via e-mail) from William S. Lane, supporting Mr. Bennett's application is on file and was read into the record.

No opinion from the County or any other government agency was received.

The applicant and Board members discussed the application purpose. Mr. Bennett explained the proposed project to the Board members and responded to their questions. Chairman Littleton asked Board members and others present if there were additional questions. No additional questions.

The Public Hearing closed at 7:55 p.m.

Chairman Littleton called the **Public Hearing** to order at 8:02 p.m. for Application #2001-011, Thomas K. Barry, 3 North Road, Corning, NY 14830, in the matter of a request for a Variance pursuant to Section 105-59 of the Zoning Law of the Town of Urbana. Mr. Barry is seeking relief from the front yard setback to add a 20' X 40' addition, a 6' X 20' deck, and a 21' X 21' garage to his residence at 459/460 East Lake Rd., Hammondsport, NY.

Notice of the Public Hearing and proof of publication is on file in the Town Clerk's office.

Opinion from the Town of Urbana Planning Board recommending the application be denied is on file and was read into the record.

No opinion from the County or any other government agency was received.

The applicant and Board members discussed the application purpose. Mr. Barry explained the proposed project to the Board members and responded to their questions. Chairman Littleton asked Board members and others present if there were additional questions. Mr. Domras presented calculation of the square footage of the proposal, and it does not exceed allowed amount for bulk area. The total building square footage is 14.8% of the lot area. No additional questions.

The Public Hearing closed at 8:20 p.m.

Chairman Littleton opened the **Regular Business Meeting** of the Zoning Board of Appeals at 8:21 p.m.

Mr. Burg made a motion to approve the minutes of the meeting on April 26, 2001 as submitted. Seconded by Mr. Bailey and carried by a unanimous voice vote.

Old Business:

None

New Business:

The application of Mr. Krog was discussed (#2001-013). Mr. Domras recommended 20 feet from the edge of the pavement, making a motion to include that as a condition of the variance. Motion seconded by Mr. Burg.

A motion was made by Mr. Domras, seconded by Mr. Burg to accept the findings.

ROLL CALL VOTE:	Edward Tyler,	Aye
	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

Motion made by Mr. Burg to grant the Variance with the following stipulation: a.) Setback minimum will be 20 feet; b.) Granting of a setback variance by the Zoning Board of Appeals does not waive any other regulations including, but not limited to, Department of Transportation requirements, and the applicant must comply with all other applicable regulations. Motion seconded by Mr. Bailey.

ROLL CALL VOTE:	Edward Tyler,	Aye
	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

The application of Mr. Rahill was discussed (#2001-014).

A motion was made by Mr. Burg, seconded by Mr. Domras to accept the findings including two conditions.

ROLL CALL VOTE:	Edward Tyler,	Aye
	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

Motion made by Mr. Burg to grant the Variance with the following stipulation: a.) Setback minimum will be 20 feet; b.) Granting of a setback variance by the Zoning Board of Appeals does not waive any other regulations including, but not limited to, Department of Transportation requirements, and the applicant must comply with all other applicable regulations. Motion seconded by Mr. Bailey.

ROLL CALL VOTE:	Edward Tyler,	Aye
	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

The application of Mr. Bennett was discussed (#2001-010).

A motion was made by Mr. Bailey, seconded by Mr. Burg to accept the findings with two conditions.

ROLL CALL VOTE:	Edward Tyler,	Aye
	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

Motion made by Mr. Bailey to grant the Variance with the following stipulation: a.) Setback minimum will be 20 feet; b.) Granting of a setback variance by the Zoning Board of Appeals does not waive any other regulations including, but not limited to, Department of Transportation requirements, and the applicant must comply with all other applicable regulations. Motion seconded by Mr. Burg.

ROLL CALL VOTE:	Edward Tyler,	Aye
	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

The application of Mr. Krog was discussed (#2001-012). The Town of Urbana Planning Board has recommended denial. No adverse comment from any other government agency. Discussion ensued. No decision was reached and the matter was tabled to gather additional information. The Board requested from Mr. Krog the following: drawings; elevations; roof line; proposed area to be staked.

The Board will reconvene on August 16, 2001, 7:00 p.m. at the site at 371 West Lake Road, Hammondsport, NY to discuss the variance.

The application of Mr. Barry was discussed (#2001-011). The Town of Urbana Planning Board recommended denial. No adverse comments from any other government agency. Discussed ensued.

A motion was made by Mr. Bailey, seconded by Mr. Domras to accept the findings with two conditions.

ROLL CALL VOTE:	Edward Tyler,	Aye
	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

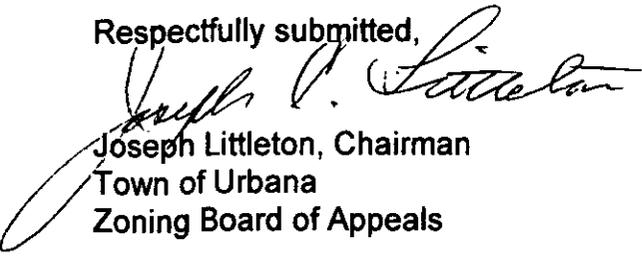
Motion made by Mr. Burg to grant the Variance with the following stipulation: a.) Setback minimum will be 20 feet; b.) Granting of a setback variance by the Zoning Board of Appeals does not waive any other regulations of the Town or any other jurisdiction including, but not limited to, Town of Urbana Waste Water and highway regulations, and the applicant must comply with all other applicable regulations. Motion seconded by Mr. Domras.

ROLL CALL VOTE:	Edward Tyler,	Aye
	James Bailey,	Aye
	Scott Burg,	Aye
	Robert Domras,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

Motion to adjourn at 9:49 p.m. made by Mr. Littleton and seconded by Mr. Bailey. Carried by a unanimous voice vote.

Respectfully submitted,


Joseph Littleton, Chairman
Town of Urbana
Zoning Board of Appeals

**ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS & DECISION**

Applicant: Kevin Bennett
337 East Lake Rd.
Hammondsport, NY 14840

Variance No: 2001-010
Zoning District: _____
Published Notice on: 6/2/01
Notice to County Sent on: _____
Hearing Held On: 6/14/01

Property Location: 337 East Lake Rd., Hammondsport, NY
Requirement for which Variance is Requested: 105-59
Applicable Section of Town Zoning Code: 105-59

FACTORS CONSIDERED:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes ___ No X

Reasons: The new construction is an improvement over the existing conditions.

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes ___ No X

Reasons: _____

3. Whether the requested variance is substantial: Yes ___ No X

Reasons: _____

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes ___ No X

Reasons: Type II SEQR. No determination required.

5. Whether the alleged difficulty was self-created: Yes ___ No ___

Reasons: _____

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

JL
JL

the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.

the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: The public benefits by improved setback and improved parking.

The ZBA further finds that a variance of _____ from Section _____ of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: Granting of a setback variance by the Zoning Board
of appeals does not waive any other regulations including but not limited
~~to DOT requirements. Applicant must comply~~
with all other applicable regulations

Condition No. 2: The setback minimum will be 20 feet.

Adverse impact to be minimized: Safety

Joseph C. Littleton
Chairman, Zoning Board of Appeals
Joseph Littleton

6/27/01
Date

RECORD OF VOTE

	MEMBER NAME	AYE	NAY
Chair	<u>Joseph Littleton</u>	<u>X</u>	<u> </u>
Member	<u>James Bailey</u>	<u>X</u>	<u> </u>
Member	<u>Scott Burg</u>	<u>X</u>	<u> </u>
Member	<u>Edward Tyler</u>	<u>X</u>	<u> </u>
Member	<u>Robert Domras</u>	<u>X</u>	<u> </u>

**ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS & DECISION**

Applicant: Richard Rahill
110 East Fourth St.
CORNING, NY 14830

Variance No: 2001-014
Zoning District: _____
Published Notice on: 6/2/01
Notice to County Sent on: _____
Hearing Held On: 6/14/01

Property Location: 369 West Lake Rd., Hammondsport, NY
Requirement for which Variance is Requested: 105-59
Applicable Section of Town Zoning Code: 105-59

FACTORS CONSIDERED:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes ___ No X

Reasons: The new construction is an improvement over the existing conditions.

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes ___ No X

Reasons: _____

3. Whether the requested variance is substantial: Yes ___ No X

Reasons: _____

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes ___ No X

Reasons: Type II SEQR. No determination required.

5. Whether the alleged difficulty was self-created: Yes ___ No ___

Reasons: _____

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.

the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: The public benefits by improved setback and improved parking.

The ZBA further finds that a variance of _____ from Section _____ of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: Granting of a setback variance by the Zoning Board of appeals does not waive any other regulations including but not limited to DOT requirements. Applicant must comply with all other applicable regulations

Condition No. 2: The setback minimum will be 20 feet.

Adverse impact to be minimized: Safety

Joseph P. Littleton
Chairman, Zoning Board of Appeals
Joseph Littleton

6/27/01
Date

RECORD OF VOTE

	MEMBER NAME	AYE	NAY
Chair	<u>Joseph Littleton</u>	<u>X</u>	<u> </u>
Member	<u>James Bailey</u>	<u>X</u>	<u> </u>
Member	<u>Scott Burg</u>	<u>X</u>	<u> </u>
Member	<u>Edward Tyler</u>	<u>X</u>	<u> </u>
Member	<u>Robert Domras</u>	<u>X</u>	<u> </u>

**ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS & DECISION**

Applicant: Peter Krog
4 Centre Drive
Orchard Park, NY 14127

Variance No: 2001-~~012~~⁰¹³ *JKh*
Zoning District: _____
Published Notice on: 6/2/01
Notice to County Sent on: _____
Hearing Held On: 6/14/01

Property Location: 373 West Lake Rd., Hammondsport, NY 14840
Requirement for which Variance is Requested: 105-59
Applicable Section of Town Zoning Code: 105-59

FACTORS CONSIDERED:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes ___ No X

Reasons: The new construction is an improvement over the existing conditions.

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes ___ No X

Reasons: _____

3. Whether the requested variance is substantial: Yes ___ No X

Reasons: _____

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes ___ No X

Reasons: Type II SEQR. No determination required.

5. Whether the alleged difficulty was self-created: Yes ___ No ___

Reasons: _____

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.

the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: The public benefits by improved setback and improved parking.

The ZBA further finds that a variance of _____ from Section _____ of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: Granting of a setback variance by the Zoning Board of appeals does not waive any other regulations including but not limited to DOT requirements. Applicant must comply with all other applicable regulations

Condition No. 2: The setback minimum will be 20 feet.

Adverse impact to be minimized: Safety

Joseph L. Littleton 6/21/01
Chairman, Zoning Board of Appeals Date
Joseph Littleton

RECORD OF VOTE

	MEMBER NAME	AYE	NAY
Chair	<u>Joseph Littleton</u>	<u>X</u>	<u> </u>
Member	<u>James Bailey</u>	<u>X</u>	<u> </u>
Member	<u>Scott Burg</u>	<u>X</u>	<u> </u>
Member	<u>Edward Tyler</u>	<u>X</u>	<u> </u>
Member	<u>Robert Domras</u>	<u>X</u>	<u> </u>

TOWN OF URBANA ZONING BOARD OF APPEALS
April 26, 2001

Present: Joseph Littleton, Chairman
 James Bailey, Member
 Scott Burg, Member
 Edward Tyler, Member
 Carolyn Spicer, Recording Secretary

Others Present: Susan Schwartz, applicant, Bill and Carin Tobin, neighbors.

The Zoning Board of Appeals of the Town of Urbana held a Public Hearing on April 26, 2001 at 7:00 p.m. in the Town Hall.

Chairman Littleton called the **Public Hearing** to order at 7:10 p.m. for Application #2001-006, Mrs. Susan Schwartz, 28 High Meadow, State College, PA 16803, in the matter of a request for a Variance pursuant to Section 105-16 C (1)(d)(1) of the Zoning Law of the Town of Urbana. Mrs. Schwartz is seeking relief from the front yard setback to remove existing cottage and construct a new cottage and deck at 75 West Lake Rd., Hammondsport, NY.

Notice of the Public Hearing and proof of publication is on file in the Town Clerk's office.

Chairman Littleton explained to those present the duties and responsibilities of the Zoning Board of Appeals.

The applicant and Board members discussed the application purpose. Mrs. Schwartz, with the use of blueprints, explained the proposed project to the Board members and responded to their questions. Chairman Littleton asked Board members if there were additional questions.

The Public Hearing closed at 7:25 p.m.

Chairman Littleton opened the **Regular Business Meeting** of the Zoning Board of Appeals at 7:27 p.m.

Mr. Tyler made a motion to approve the minutes of the meeting on November 30, 2000 as submitted. Seconded by Mr. Burg and carried by a unanimous voice vote.

Old Business:

None

New Business:

The application of Mrs. Schwartz was discussed. It was noted that the Board is ruling on Section 105-16 C(1)(d)(1), front yard depth of Lakeshore property.

A motion was made by Mr. Bailey, seconded by Mr. Burg to accept the findings.

ROLL CALL VOTE:	Edward Tyler,	Aye
	James Bailey,	Aye
	Scott Burg,	Aye
	Joseph Littleton,	Aye

Motion carried by unanimous vote.

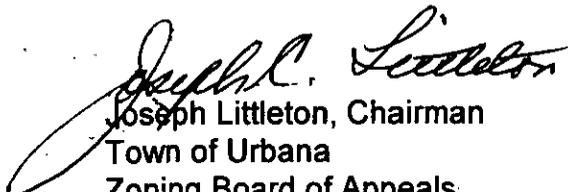
Motion made by Mr. Tyler to grant the Variance with the following stipulation: a.) that the upstairs deck extend no further toward the lake than the existing lower deck. Motion seconded by Mr. Bailey.

ROLL CALL VOTE:	Edward Tyler,	Aye
	James Bailey,	Aye
	Scott Burg,	Aye
	Joseph Littleton,	Aye

Motion carried by a unanimous vote.

Motion to adjourn at 7:51 p.m. made by Mr. Bailey and seconded by Mr. Littleton. Carried by a unanimous voice vote.

Respectfully submitted,


Joseph Littleton, Chairman
Town of Urbana
Zoning Board of Appeals

JL:cs