Zoning Board

2007

TOWN OF URBANA ZONING BOARD OF APPEALS
OCTOBER 17, 2007

Present: Scott Burg, Chairman
Nichole Dresser
Robert Domras
Richard Frey
Richard Watson
Debbie Pierce, Recording Secretary

Others Present: Atty. Peter Baker, Anthony Cavallero, Merl Cavallaro and Dominic Romeo

The Zoning Board of Appeals of the Town of Urbana held a Public Hearing on October 17, 2007 at 7:00 p.m. in the Town Hall.

Chairman Burg called the Public Hearing to order at 7:10 p.m. for Application #2007-069, Dominic Romeo, 10533 East Lake Road, Hammondsport, New York has applied for a variance pursuant to the Town of Urbana Code 105-28 A to erect a 6' high privacy fence. Town Code stipulates that in any district walls and fences up to 4' high shall be permitted anywhere on a lot.

Chairman Burg declared quorum is present.

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

No opinion from the Steuben County Planning Department.

Opinion from the Town of Urbana Planning Board was received to deny this variance due to "no hardship"

No letters from the neighbors were received.

Type II Seqra is on file.

The applicant and Board members discussed the application purpose. Mr. Romeo explained that he would like to erect a 6' fence from the high water mark at the lake up to the base of the road. Mr. Romeo would like a 6' fence instead of a 4' fence for more privacy.

Atty. Baker, representing the Cavallero's, explained that there were other issues regarding the front yard and rear yard setbacks. There is a 20' rear yard setback requirement. The Cavallero's would like to make a compromise. They would request front and rear yard setbacks be honored.
They would like the fence placed 3' off the property line to allow for air flow and not block sunlight.

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

Old Business:
None - the previous ZBA Public Hearing Minutes were not available.

New Business:
Chairman Burg opened the Regular Business Meeting of the Zoning Board of Appeals at 7:35 p.m.

The application 2007-069 , Dominic Romeo was discussed.
A motion was made by Mr. Domras and seconded by Mrs. Dresser to **accept the findings.**

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

A motion was made by Mr. Frey to **deny** the Variance.
Motion seconded by Mr. Domras.

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

A motion to adjourn at 7:50 p.m. was made by Chairman Burg and seconded by Mr. Domras and carried.

Respectfully submitted,

Scott Burg, Chairman
Town of Urbana
Zoning Board of Appeals

Fee: $75.00 paid Application #: 2007-069 Tax Parcel #: 105.06-01-027.000

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840

VR2

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Variance Findings & Decision

Property Location: 10533 East Lake Road, Hammondsport, NY

Requirement for which Variance is Requested: 6' High Fence in a residential area - Code allows 4'

Applicable Section of Town Zoning Code: 105-28 A

FACTORS CONSIDERED:

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

   Reasons: 6' High fence would impede views and restrict air flow.

2. Whether benefit sought by applicant can be achieved by a ***feasible alternative*** to the variance: ☒ Yes ☐ No

   Reasons: 4' High fence would suffice, and would not require a variance.

3. Whether the requested variance is ***substantial***: ☒ Yes ☐ No

   Reasons: 4' to 6' High fence is a 50% increase in fence height.

4. Would the variance have an ***adverse impact*** on the physical or environmental conditions in the neighborhood: ☐ Yes ☒ No

   Reasons: Minimal impact on physical and environmental conditions.

5. Whether the alleged ***difficulty was self-created***: ☒ Yes ☐ No

   Could construct a 4' high fence without requiring a variance.

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Variance Findings & Decision—page 2

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZB A, 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 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 ZB A 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:

Scott Burg (DP) 10/19/07

Chairman, Zoning Board of Appeals Date

RECORD OF VOTE

MEMBER NAME	AYE	NAY
Chair Scott Burg	X	
Member Richard Frey	X	
Member Robert Domras	X	
Member Nichole Dresser	X	
Member Richard Watson	X	

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Application #: 2007-069 Tax Parcel #: 105.06-01-027.000

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840

VR3

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Zoning Board of Appeals—Notice of Action

Applicant

Name DOMINIC ROMEO
Address 10 SUMMIT DR
ELMIRA, NY

Property Owner:

Name DOMINIC ROMEO
Address 10533 E. LAKE Rd
HAMMONDSPORT NY 14840

At a meeting of the Zoning Board of Appeals on _____, 20___, the following matter was considered and the action indicated below was taken on your:

☐ Request for an interpretation of the zoning law/ordinance: The Board adopted the following resolution which states it interpretation of the zoning ordinance/law as requested in your appeal: _____ (attach copy of resolution) _____

☒ Request for an area variance. By resolution of the board, it was determined 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 and a variance of _____

_____ from Section _____ of the zoning ordinance/law 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. The following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community:

attach copy of conditions

BY _____ _____

Secretary, Zoning Board of Appeals Date

©Town of Urbana 2004

Fee: _____ Application #: 2007-069 Tax Parcel #: 105.06-01-027.000

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840

VR2

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Variance Findings & Decision

Property Location: 10533 East Lake Rd H-Port

Requirement for which Variance is Requested: 6' High Fence in residential Area Code Allows 4' -

Applicable Section of Town Zoning Code: 105-28 A

FACTORS CONSIDERED:

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

   Reasons: 6' High would impede views and restrict air flow.

2. Whether benefit sought by applicant can be achieved by a ***feasible alternative*** to the variance: ☒ Yes ☐ No

   Reasons: 4' High fence would suffice, and would not require a variance

3. Whether the requested variance is ***substantial***: ☒ Yes ☐ No

   Reasons: 4' to 6' High Fence is a 50% increase in fence height.

4. Would the variance have an ***adverse impact*** on the physical or environmental conditions in the neighborhood: ☐ Yes ☒ No

   Reasons: Minimal impact on physical and environmental conditions

5. Whether the alleged ***difficulty was self-created***: ☒ Yes ☐ No

   Could construct 4' High Fence without requiring a variance

©Town of Urbana 2004

Variance Findings & Decision—page 2

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZB A, 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 ZBA further finds that a variance of _____ from Section 10528A _____ 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 ZB A 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:

_____ Chairman, Zoning Board of Appeals

_____ Date

RECORD OF VOTE

MEMBER NAME	AYE	NAY
Chair _____	____	____
Member _____	____	____
Member _____	____	____
Member _____	____	____
Member _____	____	____

©Town of Urbana 2004

Application #: 2007-069 Tax Parcel #: 105.06-01-027.000

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840

VR3

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Zoning Board of Appeals—Notice of Action

Applicant	*Property Owner:*
Name Dominic Romeo	Name Dominic Romeo
Address 10 Summit Dr.	Address 10533 E. Lake Road
Elmira, NY	HAmmondsport, NY 14840

At a meeting of the Zoning Board of Appeals on October 17, 20 07 the following matter was considered and the action indicated below was taken on your:

☐ Request for an interpretation of the zoning law/ordinance: The Board adopted the following resolution which states it interpretation of the zoning ordinance/law as requested in your appeal: _____ (attach copy of resolution) _____

☒ Request for an area variance. By resolution of the board, it was determined 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 and a variance of _____

_____ from Section _____ of the zoning ordinance/law 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. The following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community:

attach copy of conditions

BY Deborah Prince 10/19/07

Secretary, Zoning Board of Appeals Date

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Town of Urbana
Zoning Board of Appeals
Minutes
July 18, 2007

Present: Scott Burg, Chairman
Robert Domras
Richard Watson
Richard Frey
Dawn Hoyt, Secretary

Others Present: Lonnie Knowles (Contractor representing Cavallaro's), Mary Cavallaro, Mike Cavallaro, Anthony Cavallaro, Francis Narvone, Dominic Romeo, and Attorney Baker (Rep Cavallaro's)

Absent: Nicole Dresser

Chairman Burg opened the ZBA meeting at 7:10p.m.

Chairman Burg spoke and said that this was not an open meeting and this meeting was tabled last time so that the Board could speak with Town Council about the Variance for Cavallaro's.

Chairman Burg asked Mr. Knowles if he had brought his proposed changes and if he did to please bring them forward. Mr. Knowles said that he changed the Stairs to be egres these are similar to the way they were before. Burg asked Knowles if the Board could keep a copy for the file. Knowles gave the Board a copy.

Attorney Baker announced he was representing the Cavallaro's and he said that the issues were the side yard set back.

Board Member Frey stated his opinion about the concrete wall supporting the septic system that was put up illegally for the Septic and that should be the issue. Burg said that they discussed that last time and the wall was already there and told by Inspector DeBuck that they could put the wall in. Mr. Frey was still not happy with the fact that they did not get a Variance to put this wall in and that he was told by Council if you let this go, then people will think it is alright to do this kind of construction with out a Variance and that is not the truth.

The Board discussed different ways of solving all the problems none of which would be a easy solution.

Mr. Navone asked to speak he said that this could have been resolved if The Applicants just asked him instead of aggravating him.
Chairman Burg told everyone that were going to take a five minute recess at 8:04pm
The Board reconvened at 8:11pm

Chairman Burg said that no matter what decision the Board make there is going to be somebody who is not happy with the decision.

Attorney Baker asked is change of steps was a major change.

Board Member Domras said that it is not a major change as long as it stays in hole. Unfortunately The ZBA was not going to be able to resolve issues between the neighbors.

Chairman Burg said that these stairs have to meet all requirements for Bld and Fire Codes. As I recall we met 3yrs ago on this same issue with the Corner hole needing to be filled in.

Chairman Burg wanted to know the new address for the property. 10523 E Lake Rd Mr. Cavallaro said.

Mr. Domras made a motion to accept the findings seconded by Mr. Watson.

Roll Call Vote:	Scott Burg	Aye
	Robert Domras	Aye
	Richard Watson	Aye
	Richard Frey	Nay

Mr. Domras made a motion to grant the Variance with condition New steps to structure will be constructed as drawn on drawing #1 as submitted by Lonny Knowles dated 07/18/07. Construction must meet all building & fire Codes. Seconded by Mr. Watson.

Roll Call Vote:	Scott Burg	Aye
	Robert Domras	Aye
	Richard Watson	Aye
	Richard Frey	Nay

Chairman Burg told the Cavallaro's that they would be notified within 5-10 business days of their decision.
Motion to adjourn at 9:10 p.m. made by Mr. Domras and seconded by Mr. Watson and carried by a unanimous voice vote.

Respectfully Submitted

Dawn M. Hoyt
Town of Urbana
Zoning Board of Appeals Secretary

RECEIVED
AUG - 9 2007
By_____

Application #: 2007-044 Tax Parcel: _____

Town of Urbana

VR3

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840
(07/18/07)

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Zoning Board of Appeals---Notice of Action

Applicant	Property Owner
Name:**Lonnie Knowles** Address: **98 York Ave.** **Elmira, NY 14905**	Name: **Mark M. & Todd B. Cavallaro** Address: **21 Houghton Circle** **Corning, NY 14830**

At a meeting of the Zoning Board of Appeals on **July 18, 2007**, the following matter was considered and the action indicated below was taken on your:

__ Request for an interpretation of the zoning law/ordinance: The Board adopted the following resolution which states its interpretation of the zoning law/ordinance as requested in your appeal: _____ (attach copy of resolution) _____

_ Request for an area variance. By resolution of the board, it was determined that:

_ The Benefit to the Applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore is **denied**.

_X_ The Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community and a variance of 8.5 Side Yard set back from Section 105.16C.(1)b of the Zoning ordinance/law is 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.
The following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community:_____

BY Dawn M. Hayt
Secretary, Zoning Board of Appeals

7/20/07
Date

Town of Urbana 2007

Fee: _____ Application #: **2007-044** _____ Tax Parcel: _____

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840

VR2

AREA

Applicant: Knowles/Cavallaro (07/18/2007)

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Variance Findings & Decision

Property Location: **10523 East Lake Road, Hammondsport, NY 14840**

Requirement for which Variance is Requested: **Eight and half foot side yard setback**

Application Section of Town Zoning Code: **105-16c (1) b.**

FACTORS CONSIDERED:

1. Whether ***undesirable change*** would be produced in character of neighborhood or a detriment to nearby properties: ___Yes _x_No

   Reasons: **No granting variance allows applicant to upgrade structure. Variance will not impact character of neighborhood.**

2. Whether benefit sought by applicant can be achieved by a ***feasible alternative*** to the variance: ___Yes _x_No

   Reasons: **Granting Variance allows applicant to increase usable floor space with minimum impact on neighbors.**

3. Whether the requested variance is ***substantial:*** ___Yes _x_No

   Reasons: Requesting 5% increase in usable space is not a substantial.

4. Would the variance have an ***adverse impact*** on the physical or environmental conditions in the neighborhood: ___Yes _x_No

   Reasons: No impact-construction may improve environmental conditions when construction is completed.

5. Whether the alleged ***difficulty was self-created:*** ___Yes _x_No

   Reasons: Pre-existing non conforming KLSL property.

Variance Findings & Decision----page 2

Applicant: Knowles/Cavallaro (4/18/07)

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.***

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

Reasons: Granting variance allows applicant reasonable use of property and has minimal impact on character and surrounding of neighborhood.

The ZBA further finds that a variance of **8.5** from section **105.16C.(1)b** 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: **It allows applicant to improve existing structure with minimal variance and minimal determent to neighbors.**

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: **New steps to structure will be constructed as drawn on Drawing #1 as submitted by Lonny Knowles dated 7/18/07. Construction must meet all building & Fire codes.**
Adverse impact to be minimized:

Condition No. 2:

Adverse impact to be minimized:

Chairman, Zoning Board of Appeals — 08/09/07 Date

RECORD OF VOTE

MEMBER NAME	AYE	NAY
Chair: Scott Burg	X	
Member: Robert Domras	X	
Member: Richard Watson	X	
Member: Nichole Dresser		
Member: Richard Frey		X

TOWN OF URBANA ZONING BOARD OF APPEALS
April 18, 2007

RECEIVED
APR 30 2007
By_____

Present: Scott Burg, Chairman
Robert Domras
Richard Frey
Richard Watson
Nichole Dresser
Peggy Soles, Recording Secretary

Others Present: Brian Flynn William & Carin Tobin, Mr. Knowles (contractor representing Mark and Todd Cavalaro), Mary and Francis Navone neighbor's to the south of Cavalaro's)

Absent:

The Zoning Board of Appeals of the Town of Urbana held a Public Hearing on April 18, 2007 at 7:00 P.M. in the Town Hall.

Mr. Burg explained the purpose of this meeting and invited all present to stay for the regular business meeting at the close of this public hearing.

Chairman Mr. Burg called the **Public Hearing** to order at 7:10 p.m. for Application #2007-010, Lonnie Knowles, 98 York Ave., Elmira, NY who has applied for an area variance on behalf of Mark and Todd Cavalaro, 21 Houghton Circle, Corning, NY for their property located at 395 East Lake Road, Hammondsport, N.Y. Mr. Knowles is seeking relief from Town of Urbana Code 105-16 c. (1) b which requires a ten (10) foot side yard setback. Mr. Knowles is seeking Eight and half (8.5) foot relief at the existing buildings northeast corner.
It is an area variance and is recognized as a Type II SEQR.

Followed by: Public hearing for Application #2006-099, William Tobin of 105 Park Place, Bath, New York 14810, who has applied for a variance for his cottage located at 8582 West Lake Road Hammondsport, NY 14840, pursuant to Town of Urbana Code 105-16 c (3) a. which requires a maximum of two and a half (2 ½) stories. Mr. Tobin is requesting to build a three (3) story residence. He is also seeking a variance pursuant to Town Code105-16c (1) b, which requires the side yard setback shall be ten (10) feet. Mr. Tobin is requesting a variance to place an elevator one (1) foot from the property line. This a rehearing of the request for the above variance held on February 21, 2007 has been annulled.
This is <u>not</u> a use variance. It is an area variance is recognized as a Type II SEQR.

Mr. Burg declared quorum is present.

Notice of the Public Hearing and proof of publication for Knowles/Cavalaro and for Tobin is on file in the Town Clerk's office.

No opinion from the Steuben County Planning Department was received.

No Opinion from the Town of Urbana Planning Board with was received,

Application file # 2004-005 for Cavalaro's was reviewed and read into record for background history of the variance.

No letters from the neighbors were received.

Site Planview for the Cavalaro's was reviewed and is on file.

Outline of the concerns from th Navone's in regards to variance for the Cavalaro's is on file.

Letter from Geoffrey and Jill Grimsman in regards to Tobin application was read into record and is on file.

Letter from the Zoning Officer & Planning Board are on file.

A current and up to date survey map for the Tobin's was presented, reviewed and is on file.

The applicant and Board members discussed the purpose of application # 2007-010 (Knowles/Cavalaro). Mr. Knowles explained for the Cavalaro's, the proposed project for the variance to the Board members and responded to their questions. Mr. And Mrs. Navone, neighbor's to the south of the Cavalaro's voiced their concerns of encroachment of a two (2) foot walkway - access to the lake. Mr. Burg asked Board members and others present if there were additional questions or concerns.

Board member Mr. Domras made a motion to rehear the Tobin variance request and was seconded by Mr. Frey.

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

Motion carried by unanimous vote.

Board member Mr. Frey made a motion to annul the original decision for the hearing for Tobin's held originally on February 21, 2007. This motion was seconded by Ms. Dresser.

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

Motion carried by unanimous vote.

The applicant and Board members discussed the purpose of application # 2006-099 (Tobin). Mr. Tobin explained the proposed project for the variance to the Board members and responded to their questions. Mr. Burg asked Board members and others present if there were additional questions.

The Public Hearing closed at 7:30 p.m.

A short recess was called.

Old Business:
None

New Business:
Mr. Burg opened the Regular Business Meeting of the Zoning Board of Appeals at 7:45 p.m.

Board member Mr. Watson made a motion to approve the minutes of the meeting of March 22, 2007 as submitted. Seconded by Mr. Domras .

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

Motion carried by unanimous vote.

The application (2007-010), Mr. Knowles was discussed.

No findings were reviewed by the board on the application for Knowles/Cavalaro due to the decision by the Zoning Board of Appeals to deny the variance.

Ms. Dresser made a motion to deny the variance for Knowles/Cavalaro
Motion seconded by Mr. Frey

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

The application (2006-099), Mr. Tobin was discussed.
A motion was made by Mr. Domras and seconded by Ms. Dresser to accept the findings for the height variance.

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

Ms. Dresser made a motion to grant the variance for Mr. Tobin in regards to the building height
Motion seconded by Mr. Frey.

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

A motion was made by Mr. Watson and seconded by Mr. Domras to accept the findings for the variance for Mr. Tobin in regards to the elevator .

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

Mr. Domras made a motion to grant the variance for Mr. Tobin in regards to the elevator with no conditions.
Motion seconded by Mr. Frey

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

Motion to adjourn at 8:50 p.m. made by Mr. Domras and seconded by Ms. Dresser and carried by a unanimous voice vote.

Respectfully submitted,

Chairman, Scott Burg
Town of Urbana
Zoning Board of Appeals
SB:ps

Fee: _____ Application #: 2006-099 Tax Parcel: _____

Town of Urbana

VR2

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840
Applicant: Knowles/Cavalaro (4/18/07)

AREA

RECEIVED
APR 30 2007
By_____

Town Clerk (607) 569-3743 Code Department (607) 569-9707

Variance Findings & Decision

Property Location: **395 East Lake Road, Hammondsport, New York 14840**

Requirement for which Variance is Requested: **Eight and half foot side yard setback**

Application Section of Town Zoning Code: **105-16c (1) b.**

FACTORS CONSIDERED:

1. Whether ***undesirable change*** would be produced in character of neighborhood or a detriment to nearby properties: ___Yes ___No

   Reasons:

2. Whether benefit sought by applicant can be achieved by a ***feasible alternative*** to the variance:

   ___Yes ___No

   Reasons:

3. Whether the requested variance is ***substantial:*** ___Yes ___No

   Reasons:

4. Would the variance have an ***adverse impact*** on the physical or environmental conditions in the neighborhood: ___Yes ___No

   Reasons:

5. Whether the alleged ***difficulty was self-created:*** ___Yes ___No

   Reasons:

Variance Findings & Decision----page 2

Applicant: Knowles/Cavalaro (4/18/07)

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

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

X 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 board requests proof of permits / legal documentation for the construction of the concrete retaining wall, which did not exist three (3) years ago when the applicant appeared before the Zoning Board of Appeals on April 21, 2004.**

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:
Adverse impact to be minimized:

Condition No. 2:

Adverse impact to be minimized:

Chairman, Zoning Board of Appeals

4/25/07
Date

RECORD OF VOTE

MEMBER NAME	AYE	NAY
Chair: Scott Burg	____	____
Member: Robert Domras	____	____
Member: Richard Watson	____	____
Member: Nichole Dresser	____	____
Member: Richard Frey	____	____

Application #: 2006-010 Tax Parcel: _____

Town of Urbana

VR3

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840
(4/18/07)

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Zoning Board of Appeals—Notice of Action

Applicant	Property Owner
Name: **Lonnie Knowles**	Name: **Mark M. & Todd B. Cavalaro**
Address: **98 York Ave.**	Address: **21 Houghton Circle**
Elmira, New York 14905	**Corning, New York 14830**

At a meeting of the Zoning Board of Appeals on **April 18, 2007**, the following matter was considered and the action indicated below was taken on your:

__ Request for an interpretation of the zoning law/ordinance: The Board adopted the following resolution which states its interpretation of the zoning law/ordinance as requested in your appeal: _____ (attach copy of resolution) _____

X Request for an area variance. By resolution of the board, it was determined that:

X the Benefit to the Applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore is **denied**.

__ the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community and a variance of _____ from Section _____ of the Zoning ordinance/law is 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.
The following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community: _____

BY_____ _____
Secretary, Zoning Board of Appeals Date

Fee: _____ Application #: 2006-099 Tax Parcel: _____

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840
Applicant: Tobin (4/18/07)

VR2

AREA

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By

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Variance Findings & Decision

Property Location: **8582 West lake Road, Hammondsport, New York 14840**

Requirement for which Variance is Requested: **Three (3) story structure.**

Application Section of Town Zoning Code: **105-16c (3) a.**

FACTORS CONSIDERED:

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

   Reasons: **Well within the character of the neighborhood. New structure is below the maximum height of thirty five (35) feet.**

2. Whether benefit sought by applicant can be achieved by a ***feasible alternative*** to the variance:

   ___Yes X No

   Reasons: **Constructing a three (3) story structure is reasonable with the maximum height below thirty five (35) feet.**

3. Whether the requested variance is ***substantial:*** ___Yes X No

   Reasons: **Maximum total height is below thirty five (35) feet.**

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

   Reasons: Well within the character of the neighborhood.

5. Whether the alleged ***difficulty was self-created:*** X Yes ___No

   Reasons:

Variance Findings & Decision----page 2

Applicant: Tobin(4/18/07)

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.***

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

Reasons: **Constructing a three (3) story structure is well within the character of the neighborhood.**

The ZBA further finds that a variance of **three (3) stories** from section **105-16c (3) a** 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 variance allows reasonable use of the property and the total height of new structure is less than thirty five (35) feet.**

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: **None**

Adverse impact to be minimized:

Condition No. 2: **None**

Adverse impact to be minimized:

Chairman, Zoning Board of Appeals — Date: 4/25/07

RECORD OF VOTE

MEMBER NAME	AYE	NAY
Chair: Scott Burg	X	
Member: Robert Domras	X	
Member: Richard Watson	X	
Member: Nichole Dresser	X	
Member: Richard Frey	X	

Application #: 2006-099 Tax Parcel: _____

Town of Urbana

VR3

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840
(4/18/07)

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Zoning Board of Appeals—Notice of Action

Applicant	Property Owner
Name: **William Tobin**	Name: **William Tobin**
Address: **105 Park Road**	Address: **105 Park Road**
Bath, New York 14810	**Bath, New York 14810**

At a meeting of the Zoning Board of Appeals on **April 18, 2007**, the following matter was considered and the action indicated below was taken on your:

__ Request for an interpretation of the zoning law/ordinance: The Board adopted the following resolution which states its interpretation of the zoning law/ordinance as requested in your appeal:
_____ (attach copy of resolution) _____

X Request for an area variance. By resolution of the board, it was determined that:

__ the Benefit to the Applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community.

X the Benefit to the Applicant **DOES** outweigh the Detriment to the Neighborhood or Community and a variance of **three (3) stories** from Section **105-16c. (1) b** of the Zoning ordinance/law is 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.
The following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community: **No conditions**

BY_____ _____
Secretary, Zoning Board of Appeals Date

TOWN OF URBANA ZONING BOARD OF APPEALS
March 22, 2007

Present: Scott Burg, Chairman
Robert Domras
Richard Frey
Richard Watson
Nichole Dresser
Peggy Soles, Recording Secretary

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Others Present: John Webster

Absent:

The Zoning Board of Appeals of the Town of Urbana held a meeting on March 22, 2007 at 7:00 P.M. in the Town Hall to discuss the Keuka Lake Uniform Docking and Mooring Law, Local Law No. 3 of the year 2006.

Chairman Scott Burg called the meeting to order at 7:10 p.m.

Mr. Burg declared quorum is present.

Figure 1 (Section 5-c) "Determining Water Rights Lines" Keuka Lake map was reviewed and is on file.

Figure 2 (Section 6-A-1-c) "Dock Configuration Examples" diagram was reviewed and is on file.

John Webster opened discussion with the explanation of the Inter- Municipal Committee.

Items of discussion:
Dock placement and decks. The state is not in favor of decks being built over the water.
Boat lift stations
Coves in Figure 1 (section 5-c)

Structures which have already been built or started prior to the law going into effect, are "grand fathered' in and is acceptable practice.
Any repairs can be made provided they stay in the same foot print.

Scott Burg questioned letter he received from Thomas J. Foster II, Vestal N.Y.. This letter was read into record and discussed.

Mr. Webster explained the Voluntary Mooring and Docking documentation forms. These forms listed: "Residential Use Category" and "Other land Use Category" are only suggested to be used and these forms are not required.

Richard Watson questioned Mooring listed under section 4 (Definitions of the Law). John Webster explained this definition, with other board members joining in this discussion.

Mr. Burg questioned the trailer park areas on the lake. Robert Domras answered this with quoting Section 6, #2 c of the law.
Total number of trailers allowed in park was discussed.

Roof Boat Lift - No overhead use is allowed (i.e. using this area as a deck with chairs etc.).

Open discussion occurred at this time.

Four (4) mandatory with eight (8) hours preferred of Instruction to occur per year for each board member.

A letter will be sent by Dick Gardiner to all board members in regards to mandatory hours of instruction.

Mr. Burg stated The 14th Annual Southern Tier West Local Government Conference is mandatory and will be held on May 2, 2007 in Salamanca N.Y.

Mr. Burg closed the meeting at 8:00 p.m. with a unanimous vote from all board members.

Respectfully submitted,

Chairman, Scott Burg
Town of Urbana
Zoning Board of Appeals
SB:ps

TOWN OF URBANA ZONING BOARD OF APPEALS
February 21, 2007

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By_____

Present: Scott Burg, Chairman
Robert Domras
Richard Frey
Richard Watson
Peggy Soles, Recording Secretary

Others Present: William & Carrin Tobin, Dr. Susan Schwartz (neighbor to the south), James & Kathy Opelt (representatives for Terry Underhill-neighbor to the north), Chris Todd (Architect).

Absent: Nichole Dresser

The Zoning Board of Appeals of the Town of Urbana held a Public Hearing on February 21, 2007 at 7:00 P.M. in the Town Hall.

Mr. Burg explained the purpose of this meeting and invited all present to stay for the regular business meeting at the close of this public hearing.

Chairman Mr. Burg called the **Public Hearing** to order at 7:20 p.m. for Application #2006-099, William Tobin of 105 Park Place, Bath, New York 14810, has applied for a variance application # 2006-099, for his cottage located at 8582 West Lake Road Hammondsport, NY 14840, pursuant to Town of Urbana Code 105-16c. (3). which requires a maximum of two and a half (2 ½) stories, and 105-16c (1) b, which requires the side yard setback shall be ten (10) feet. Mr. Tobin is seeking relief to construct a three (3) story structure and also he is requesting a variance to place an elevator one (1) foot from the property line.
This is <u>not</u> a use variance. It is an area variance is recognized as a Type II SEQR.

Mr. Burg declared quorum is present.

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

No opinion from the Steuben County Planning Department was received.

No Opinion from the Town of Urbana Planning Board with was received,

Letters from the Zoning Officer & Planning Board were read into record and are on file.

No letters from the neighbors were received.

Neighbor's survey map was reviewed and is on file.

Construction drawings were reviewed.

The applicant and Board members discussed the application purpose. Mr. Tobin explained the proposed project for the variance to the Board members and responded to their questions. The representative for the neighbor to the north had concerns of the height of the building and of the future deck . Neighbor to the south voiced concerns in regards to the height of the building blocking views, setback of the future deck and property encroachment of the elevator being on her land. Mr. Burg asked Board members and others present if there were additional questions.

The Public Hearing closed at 8:10 p.m.

A short recess was called.

Old Business:
None
New Business:
Mr. Burg opened the Regular Business Meeting of the Zoning Board of Appeals at 8:20 p.m.

Board member Mr. Watson made a motion to approve the minutes of the meeting of January 17, 2007 as submitted. Seconded by Mr. Domras .

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	**Absent**
	Richard Frey	Aye
	Richard Watson	Aye

Motion carried by unanimous vote.

The application (2006-099), Mr. Tobin was discussed.
A motion was made by Mr. Domras and seconded by Mr. Frey to accept the findings.

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	**Absent**
	Richard Frey	Aye
	Richard Watson	Aye

Mr. Frey made a motion to grant the variance in regards to the elevator with the condition as stated in the Decisions and Findings (attached).
Motion seconded by Mr. Watson

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	**Absent**
	Richard Frey	Aye
	Richard Watson	Aye

It was determined by the members of the Zoning Board of Appeals that NO VARIANCE is required in regards to the building height. It is less than thirty five (35) feet and proposed building is two and ½ (2.5) stories not three (3) stories as determined by the Zoning Board of Appeals.

Motion to adjourn at 9:20 p.m. made by Mr. Domras and seconded by Mr. Watson and carried by a unanimous voice vote.

Respectfully submitted,

Chairman, Scott Burg
Town of Urbana
Zoning Board of Appeals
SB:ps

Fee: _____ Application #: 2006-099 Tax Parcel: _____

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840
Applicant: Tobin (2/21/07)

VR2

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Variance Findings & Decision

Property Location: **8582 West lake Road, Hammondsport, New York 14840**

Requirement for which Variance is Requested: **One (1) foot side yard for construction of Elelvator.**

Application Section of Town Zoning Code: **105-16c (1) b.**

FACTORS CONSIDERED:

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

   Reasons: **Location of elevator has minimal impact on the character of the neighborhood.**

2. Whether benefit sought by applicant can be achieved by a ***feasible alternative*** to the variance:

   ___Yes X No

   Reasons: **Steep narrow lot limits location of the elevator and existing building limits side yard setbacks.**

3. Whether the requested variance is ***substantial:*** X Yes ___No

   Reasons: **Asking for a relief of nine (9) foot out of ten (10) feet.**

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

   Reasons: **There are other elevators in the neighborhood and the proposed elevator location has minimal impact of surroundings and character of the neighborhood.**

5. Whether the alleged ***difficulty was self-created:*** X Yes ___No

   Reasons:

Variance Findings & Decision----page 2

Applicant: Tobin(2/21/07)

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.***

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

Reasons: **Due to the narrow lot and existing structure, location of the elevator is limited to the proposed location and has minimal impact on the neighborhood.**

The ZBA further finds that a variance of **one (1) foot** from section **105-16c (1) b** 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 variance allows reasonable use of the elevator without impeding on the neighbors and effecting the character of the surrounding area.**

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: **Within ninety (90) days, a survey must be completed to determine exact location of property line and setback distance of existing elevator. The proof of the survey will be given to the CEO for approval of permit.**

Adverse impact to be minimized:

Condition No. 2: **None**

Adverse impact to be minimized:

Chairman, Zoning Board of Appeals — Date 3/12/07

RECORD OF VOTE

MEMBER NAME	AYE	NAY
Chair: Scott Burg	X	
Member: Robert Domras	X	
Member: Richard Watson	X	
Member: Nichole Dresser		
Member: Richard Frey	X	

Application #: 2006-099 Tax Parcel: _____

Town of Urbana

VR3

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840
(1/17/07)

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Zoning Board of Appeals—Notice of Action

Applicant	Property Owner
Name: **William Tobin**	Name: **William Tobin**
Address: **105 Park Road**	Address: **105 Park Road**
Bath, New York 14810	**Bath, New York 14810**

At a meeting of the Zoning Board of Appeals on **February 21, 2007**, the following matter was considered and the action indicated below was taken on your:

__ Request for an interpretation of the zoning law/ordinance: The Board adopted the following resolution which states its interpretation of the zoning law/ordinance as requested in your appeal:
_____ (attach copy of resolution) _____

X Request for an area variance. By resolution of the board, it was determined that:

__ the Benefit to the Applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community.

X the Benefit to the Applicant **DOES** outweigh the Detriment to the Neighborhood or Community and a variance of **one (1) foot side yard setback** from Section **105-16c. (1) b** of the Zoning ordinance/law is 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.
The following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community: **No conditions**

BY Peggy Sales 3/12/07
Secretary, Zoning Board of Appeals Date

Town of Urbana 2007

TOWN OF URBANA ZONING BOARD OF APPEALS
January 17, 2007

Present: Scott Burg, Chairman
Nichole Dresser
Robert Domras
Richard Frey
Richard Watson
Peggy Soles, Recording Secretary

Others Present: Robert Mori (Representative for Karen Brandt)

Absent: Tim Akers (Contractor), Karen Brandt

The Zoning Board of Appeals of the Town of Urbana held a Public Hearing on January 17, 2007 at 7:00 P.M. in the Town Hall.

Mr. Burg explained the purpose of this meeting and invited all present to stay for the regular business meeting at the close of this public hearing.

Chairman Mr. Burg called the **Public Hearing** to order at 7:05 p.m. for Application #2006-094, Karen Brandt of 10564 West Lake Road, Hammondsport, New York 14810, has applied for a variance, application # 2006-094, pursuant to Town of Urbana Code 105.16c. (1) d. (1) which requires a fifteen (15') foot front yard setback. The Brandt's are seeking four (4) foot relief, to construct a balcony on the existing cottage located at the above address.
This variance is recognized as a Type II SEQR.

Mr. Burg declared quorum is present.

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

No opinion from the Steuben County Planning Department was received.

Opinion from the Town of Urbana Planning Board with was received to deny this variance due to "no hardship".

No letters from the neighbors were received.

Plan view map was reviewed and is on file.

The applicant and Board members discussed the application purpose. Mr. Mori explained the proposed project for the variance to the Board members and responded to their questions. Mr. Burg asked Board members and others present if there were additional questions.

The Public Hearing closed at 7:12 p.m.

ZBA-Brandt (1/17/07)

Old Business:
None
New Business:
Mr. Burg opened the Regular Business Meeting of the Zoning Board of Appeals at 7:12 p.m.

Board member Mr. Domras made a motion to approve the minutes of the meeting of May 31, 2006 as submitted. Seconded by Ms. Dresser.

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

Motion carried by unanimous vote.

The application (2006-094), Ms. Brandt was discussed.
A motion was made by Mr. Frey and seconded by Mr. Domras to accept the findings.

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

Mr. Domras made a motion to grant the variance.
Motion seconded by Ms. Dresser.

ROLL CALL VOTE:	Scott Burg	Aye
	Robert Domras	Aye
	Nichole Dresser	Aye
	Richard Frey	Aye
	Richard Watson	Aye

Motion to adjourn at 7:25 p.m. made by Mr. Domras and seconded by Mr. Watson and carried by a unanimous voice vote.

Respectfully submitted,

Chairman, Scott Burg
Town of Urbana
Zoning Board of Appeals
SB:ps

Fee: _____ Application #: 2006-094 Tax Parcel: _____

Town of Urbana

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840
Applicant: Brandt (1/17/07)

VR2

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Variance Findings & Decision

Property Location: **10564 West lake Road, Hammondsport, New York 14840**

Requirement for which Variance is Requested:

Application Section of Town Zoning Code: **105. 16c. (1) d. (1).**

FACTORS CONSIDERED:

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

   Reasons: **No detriment to the character of the neighborhood. Minimum required variance to allow reasonable use. No views impacted.**

2. Whether benefit sought by applicant can be achieved by a ***feasible alternative*** to the variance:

   ___Yes X No

   Reasons: **Granting a four (4) foot variance allows applicant reasonable use of the deck.**

3. Whether the requested variance is ***substantial:*** ___Yes X No

   Reasons: **Minimum required variance to allow reasonable use.**

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

   Reasons: **None – well within the character of the surrounding structures.**

5. Whether the alleged ***difficulty was self-created:*** X Yes ___No

   Reasons:

Variance Findings & Decision----page 2

Applicant: Brandt(1/17/07)

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.***

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

Reasons: **Granting the four (4) foot variance allows the applicant minimum space needed to use the deck. No impact on neighbors or views.**

The ZBA further finds that a variance of **four (4) feet** from section **105. 16c. (1) d (1)** 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: **This variance allows reasonable use of the deck without impeding sight views of the neighbors. No detriment to the character of the neighborhood.**

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: **None**

Adverse impact to be minimized:

Condition No. 2: **None**

Adverse impact to be minimized:

Chairman, Zoning Board of Appeals

1/31/07
Date

RECORD OF VOTE

MEMBER NAME	AYE	NAY
Chair: Scott Burg	X	
Member: Robert Domras	X	
Member: Richard Watson	X	
Member: Nichole Dresser	X	
Member: Richard Frey	X	

Application #: 2006-094 Tax Parcel: _____

Town of Urbana

VR3

41 Lake Street
P.O. Box 186
Hammondsport, NY 14840
(1/17/07)

AREA

Town Clerk (607) 569-3743 Code Department (607) 569-3707

Zoning Board of Appeals—Notice of Action

Applicant	Property Owner
Name: **Tim Ackers**	Name: **Karen T. Brandt**
Address: **10746 Cross Street** **Hammondsport, New York 14840**	Address: **10564 West Lake Road** **Hammondsport, New York 14840**

At a meeting of the Zoning Board of Appeals on **January 17, 2007**, the following matter was considered and the action indicated below was taken on your:

__ Request for an interpretation of the zoning law/ordinance: The Board adopted the following resolution which states its interpretation of the zoning law/ordinance as requested in your appeal:
_____ (attach copy of resolution) _____

X Request for an area variance. By resolution of the board, it was determined that:

__ the Benefit to the Applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community.

X the Benefit to the Applicant **DOES** outweigh the Detriment to the Neighborhood or Community and a variance of **four (4) foot front yard setback** from Section **105.16c. (1)d. (1)** of the Zoning ordinance/law is 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.
The following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community: **No conditions**

BY [signature] 1/31/07
Secretary, Zoning Board of Appeals Date

Town of Urbana 2007