

**Town of Geneseo
Zoning Board of Appeals
Dan and Karen Miller
4915 West Lake Road
Tax Map #91.44-1-11
8:00 PM Tuesday, July 12, 2022**

An Appeal by **Dan and Karen Miller** for an area variance to construct a year round home which fails to meet the required minimum property side line setbacks of 15' as per the Town of Geneseo Zoning code.

Board Members Present:, **John Maxwell, chair, Ken Book, Don Kearney, Mike DaBramo, and Carolyn Meisel.**

Public Present: Jared Radesi, Code Enforcement Officer, **Dan and Karen Miller**, applicants, 4915 West Lake Rd.

Chair John Maxwell opened the tabled meeting at 8:10 PM. and invited **Jared Radesi**, Code Enforcement Officer, **Dan and Karen Miller** to the table. Jared was to answer the questions the Board had put to him regarding this property: lot coverage; height of construction; and the distance from the pin to the flag to confirm the side lot line is 15' and would not need a variance.

The property is .11 acres as shown on the survey. The lake edge is 41'. This lot is 4,791 sq. ft. The house, deck and garage use 1,532'. This is 32% of lot coverage. The limit is 40%. There is 8% left for sidewalks, etc. Not enough for a black top driveway.

The construction height is to be 33'. The legal limit is 35'.

The garage is with unheated storage above. The house will have no crawl space or basement. It is to be built on a slab.

Discussion centered on the driveway and impervious surfaces. Runoff into the lake is a concern. Options are available today to avoid using blacktop. No code now exists barring black top. The only deterrent would be too much lot coverage. It will be a deterrent here.

Chairman John Maxwell directed the Board to go through the 5 questions necessary for a north side area variance of 7.5' to allow construction of the proposed house and garage when the required side lot is 15' in this district as per the Town of Geneseo Zoning Code. The driveway is to be pervious and both decks shall remain unclosed.

1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by granting the variance?

John Maxwell	No
Ken Book	No
Mike DaBramo	No
Don Kearney	No
Carolyn Meisel	No

2. Can the benefit sought by the applicant be achieved by some feasible method other than the variance?

John Maxwell	Yes Use same foot print
Ken Book	Yes Same foot print
Mike DaBramo	Yes Build on same footprint
Don Kearney	No
Carolyn Meisel	No

3. Is the requested variance substantial?

John Maxwell	Yes 50%
Ken Book	Yes
Mike DaBramo	Yes
Don Kearney	Yes
Carolyn Meisel	Yes 50%

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

John Maxwell	No
Ken Book	No
Mike DaBramo	No
Don Kearney	No
Carolyn Meisel	No

5. Is the alleged difficulty self created?

John Maxwell	Yes wants a new house and garage
Ken Book	Yes
Mike DaBramo	Yes
Don Kearney	Yes
Carolyn Meisel	Yes

Carolyn Meisel moved to grant a north side lot variance of 7.5' to allow construction of the proposed house and garage when the required side lot is 15' in this district as per the Town of Geneseo Zoning Code. The driveway is to be pervious and both decks shall remain unclosed.

Ken Book seconded. Carried unanimously.

Mike DaBramo moved to close the hearing at 8.39. **Don Kearney** seconded. Carried,

The meeting continued to another hearing. Respectfully submitted by **Carolyn Meisel**, Secretary, Geneseo Town Zoning Board of Appeals.