

Village of Geneseo Zoning Board of Appeals

Allyn Stelljes

Public Hearing

Property Address: 11 Woodbine Park

Tax Map#: 81.9-2-39.91

June 7, 2023 @ 4:30pm

Members Present:

Carolyn Meisel, Chair

Tom Wilson, Member

Gretchen Crane, Member

Robert Meyers, Member

Paul Schmied, Member

Other Village Representatives Present:

Shawn Forrester, Deputy Clerk/Treasurer

Craig Wadsworth, Code Enforcement Officer

Applicant(s) Representative(s) Present:

James Kier

4:30pm Chair Meisel called the Board to order. The May 03, 2023, minutes were reviewed. Member Crane moved to approve the minutes as presented. Member Wilson seconded. With no further discussion, corrections, or additions, the minutes were approved with ayes from Chair Meisel, Member Wilson, Member Crane, Member Schmied and Member Meyers.

The Public Hearing was opened at 4:31pm. Followed by the Board introducing themselves. It was noted that all proper notices were sent via US Mail, return receipt, as well as published in the Livingston County Newspaper, as follows; notice is hereby given, that a public hearing will be held by the Village of Geneseo Zoning Board of Appeals on June 7, 2023, at 4:35pm, in the Geneseo Village Building Board Room, 119 Main Street, Geneseo NY pursuant to Chapter 130 Zoning, Sections 130-12, 130-17, 130-55, and any other sections of Village Code which may apply. On the application of Allyn Stelljes, 11 Woodbine Park, Tax Map ID# 81.9-2-39.91, in the Village of Geneseo. The applicant is seeking an area variance to erect a fence 6 foot tall with a 3-foot variance when per Village Code; fencing erected or maintained between the facade of a building, excluding porches, and a public right-of-way shall be no more than three feet in height.

James Keir was present to explain the application. He stated that they wished to replace the existing part of their fence that was 3 feet tall with a 6-foot fence, 4.05 feet into the front yard.

Mr. Keir continued with they would like to completely close in the backyard. There is discussion regarding the existing fence and the code regulations.

At this time the Board continues with the five-area variance questions.

(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 area variance?

Chair Meisel: No.

Member Crane: No. Fencing exists, this will improve what they look at on their neighboring side.

Member Wilson: No. Other fences like it in the area & Village.

Member Meyers: No. Request is minor.

Member Schmied: No. Intent is to fence backyard, no effect on the front yard.

(2) Can the benefit sought by the applicant be achieved by some other method, feasible for the applicant to pursue, other than an area variance?

Chair Meisel: No. Can't put bushes up either.

Member Crane: No.

Member Wilson: No.

Member Meyers: No.

Member Schmied: No. Unique situation.

(3) Is the requested area variance substantial?

Chair Meisel: No. 4.05'

Member Crane: No. 4.05 feet only in the front.

Member Wilson: No. Only 4'

Member Meyers: No. Minor ask.

Member Schmied: No. 4' of 80 < 10%

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

Chair Meisel: No. Will improve

Member Crane: No.

Member Wilson: No.

Member Meyers: No. Request is minor and it would be an improvement.

Member Schmied: No. It would be an improvement.

(5) Is the alleged difficulty self-created? (Which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.)

Chair Meisel: Yes.

Member Crane: Yes. Always is.

Member Wilson: Yes.

Member Meyers: Yes. Always is.

Member Schmied: Yes.

Member Schmied moved to approve the request for an area variance for a 6-foot fence for 11 Woodbine Park. Member Crane seconded. With no further discussion the motion passed with ayes from Chair Meisel, Member Wilson, Member Crane, Member Schmied and Member Meyers.

With no other business Member Wilson moved to close public hearing/meeting. Member Crane seconded. With no further discussion the public hearing/meeting closed at 4:50pm with ayes from Chair Meisel, Member Wilson, Member Crane, Member Schmied and Member Meyers.

*Shawn Forrester
Deputy Clerk/Treasurer*