

**Town of Geneva
Zoning Board
November 26, 2024
DRAFT**

Present: John Robbins, John Wilson, Pat Cardinale

Absent: James Smith, Phillip Ilacqua, Robert Rose

Staff: Floyd Kofahl, Code Enforcement Officer, Kyle Bunce, Amy Naegele, Clerk of the Board, Steve High, Ontario County Planning Board Representative

Others present: 1 member of the public

Chair John Wilson called the meeting to order at 6:00 pm.

Pledge of Allegiance

**Public Hearing – Area Variance
Arthur Property ZB2024-005**

The applicant wishes to extend the decks toward the rear property line by 2 feet. Per Town of Geneva Code 165-10 E (5) Minimum rear yard setback shall be 25 feet, and in the case of lots bordering the lake, the rear yard setback shall be measured from the deeded rear property line. The decks are currently 14 ft from the rear property line and are proposed to be 12 ft from the rear property line. This would be a 52 percent variance request overall, increasing from a 44 percent variance.

John Wilson opened the public hearing and asked the applicant to present. Chris Arthur addressed the Board. He explained that they are remodeling and want to add 2 extra feet to the decks to have more usable space. He explained that their house is set further back than the other houses in the neighborhood. He explained that the house next door extends past where their decks would end. He also confirmed that he had spoken with the owners of the two adjacent lots, and neither were concerned with his plans. John confirmed that there were no questions from the Board and no other members of the public wishing to speak.

Motion made by John Robbins to close the public hearing. 2nd by John Wilson. All in favor, motion carried.

Floyd presented to the Board. He reviewed the overhead view that was provided at the start of the meeting, noting how the shoreline moves in as you head north, making it difficult to easily compare. He also pointed out the neighboring lots and how many of the structures were substantially closer than the applicant's requested setback. He noted that the board members should consider this when discussing whether it would be an undesirable change in the neighborhood. He also explained that the current decks are already in the setback, but that was pre-existing and noted that the code has changed, and the most recent code change makes this a more substantial request. He confirmed that it is a substantial request at over 50 percent but encouraged the board to consider the fact that it was only an additional 2 feet past the existing.

John Wilson asked Steve for comments from the County. Steve confirmed that this referral was exempt and not brought before the County Planning Board for discussion.

John led the board members through the 5 criteria for an area variance. The board agreed that the benefit could not be achieved by another means feasible. The only option he would have would be to not do it. They agreed based on the items they reviewed it would not be an undesirable change to the neighborhood as there are many neighboring structures closer. They confirmed it is a substantial request at 52 percent. The Board agreed the request would not have adverse physical or environmental effects and that the variance would not affect the waterway. The board members agreed the alleged difficulty is self-created because he wants to do it. John asked if the board members wanted to discuss further or take action.

Motion made by John Robbins to grant the 13-foot variance requested in ZB2024-005. 2nd by Pat Cardinale.

Roll Call Vote: John Robbins – Grant John Wilson – Grant Pat Cardinale – Grant
Grant – 3 Deny – 0

Requested area variance granted.

Meeting Minutes from July 23, 2023

Motion made by John Wilson to approve minutes with a 2nd by John Robbins. All in favor. Motion carried.

Other Business

Floyd introduced Kyle Bunce to the Board. He explained that Kyle is in training and will eventually be taking Floyd's position.

Floyd went over updates on projects in the town. Work is moving forward on the new medical facility at 833 Route 5 and 20 and it is planned to be opened on August 1, 2025.

The Lake Room LLC subdivision is currently before the Planning Board and Floyd discussed the plans for the 7 lots.

The proposed Rolling Hill subdivision on Carter Road is for 135 owner occupied lots. Floyd confirmed that the public hearing for the PUD was at the last Town Board meeting and the Town Board will have it on the agenda again in December. He went over some of the concerns that were brought up at the public hearing and there was a discussion on traffic on Carter Road.

Bay View Heights is progressing, and Floyd went over the houses that have sold. There was a discussion about current housing costs.

Floyd confirmed that the dentist office that was going to go into the old Drennan Memorial building is not moving forward and that they have purchased other property. He also provided an update on the abandoned house on the neighboring property, noting that he is in the process of getting it taken care of.

Motion made by John Wilson to close the meeting at 6:32. 2nd by Pat Cardinale. Motion carried.