

DEPT

BOARD ZONING OF APPEALS

TOWN OF CANADICE

Canadice Town Hall

August 10, 2016

Present: Linda Moorhouse, Chairperson
Diane Horning
Marty Gascon
Ed Rott
Bob Best, CEO

Guest: Patrick Rogers
Steve Engard

New Business

An application for an area variance was presented by Patrick Rogers. The address for the area variance application is 5401 Rainbow Lane, Honeoye, NY. The application is for a 28ft. X 24ft. two story garage. The minimum setbacks from the property line is 50ft. to County Rd. 36 - only have 22 ft. at the Northwest corner and 25 ft. at the Southwest corner of the proposed garage.

Chairperson Linda Moorhouse called the meeting to order at 7:30pm. She introduced the board members and asked Patrick Rogers to come and sit before the board

L. Moorhouse - I have one question. Why can't you move this closer to the lake?

P. Rogers - It's quite a drop off from the road at that point.

D. Horning - To do this, you would have to fill in quite a bit.

P. Rogers - Yes, to do this, I will have to go back 20-22 ft. and start digging. † falls off real quick, so it won't be much.

D. Horning - I have been down there and looking at the pictures, they did not put stakes in for the set-back from the road. He didn't put flags up so you can see them

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P. Rogers - He put flags up on the South property line, so I would know how far off that property line I could put the garage. There is a pink ribbon 6-8 ft. in the woods. If you go down the driveway, by the telephone pole, there is an iron pin.

D. Horning - Is the gas meter up by the road going to interfere with the driveway for the garage?

P. Rogers - It shouldn't, because the garage will be 1-1 ½ ft. higher than the road.

D. Horning - What about the driveway itself?

P. Rogers - The driveway will be higher than the shoulder of the road. It will be raised up, so it shouldn't be a concern.

The Board Members and Mr. Rogers discussed where the gas meter was located on the map.

B. Best - I know the gas line ends right near that area.

L. Moorhouse - So, the gas ends there?

D. Horning - Yes, they do want to extend it, but haven't yet.

E. Bott - So, the gas is running along the edge of 36 and stops there? That will be right in front of the proposed garage.

L. Moorhouse - Is the entrance to the garage off West Lake Rd.?

P. Rogers - Yes.

L. Moorhouse - So, you are going to be coming in where the gas meter is? Who did your survey?

P. Rogers - Doug Magde, Land Surveyor.

E. Bott - This meter is right in front of where the proposed garage is going?

P. Rogers showed the Board Members a picture of a garage that is about four cottages North of his. He says there are 3-4 that are just like that in the immediate area

L. Moorhouse - Were they built before the gas line was put in?

P. Rogers - I don't know that.

E. Bott - Looking at the hand drawing. What is the distance from the proposed garage to the sideline and the right of way? Is that a 20 ft. right of way?

B. Best - That's the roadway.

D. Horning - Do you know what your sidelines are?

P. Rogers - Yes, I think from that South property line to the road is about 45 ft. If it is 45 ft. and the garage is 28 ft. that is about 17 ft. extra. So, there would be about 8 ft. on each side.

F. Bott - We need to know the exact distances.

P. Rogers - If you split the difference, it would be 8 ½ ft. on each side.

L. Moorhouse - We need to know what they are. You need 10 ft. on either side.

B. Best - The North side isn't an issue, because his property line is on the other side of the right of way. Pat. I thought you told me it was 10 ft. on the South side.

P. Rogers - Does it have to be 10 ft.?

B. Best - Yes, that or you go for another variance.

P. Rogers - It would be nice if it was 8 ft. If it has to be 10 ft., then it will be 10 ft.

B. Best - You can still apply for the other variance for the side, to get away from that gas line.

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L. Moorhouse - We need to know exactly where this gas meter is in relation to the driveway.

E. Bott - We need the side distances measured out exactly. If it is under 10 ft. then you will have to get another variance. If it is 10 ft., then you won't need the other variance.

L. Moorhouse - So, at this time, we are just looking at the one variance?

B. Best - Yes, it's just the 50 ft. set back.

The Board Members discuss the pictures and drawings with Mr. Rogers.

E. Bott - I have one problem with where the water will go when it rains. If you build this up on either side, there is no place for the run off to go. It will end up in your neighbors property.

P. Rogers - There is a big gully on the side.

There was discussion with the Board Members on how to pitch the grade to avoid the problem of the run off.

E. Bott - These are the questions that we need answers too. Where is the gas meter in relation to the driveway and where is the water going?

L. Moorhouse - We need the distance from the side lines

E. Bott - For this process here, we need it all documented.

L. Moorhouse - Ok, we need three things. The gas line in relation to the proposed building. The distance from the South line to the proposed building and where the run off will go.

P. Rogers - Ok. I will get the dimensions.

The Board Members and Mr. Rogers discussed the five requirements that are considered when making their final decision for the variance.

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M. Gascon - There isn't any other place to put the garage?

P. Rogers - My property is only 75 ft. wide, so I am pretty restricted. There is a 20 ft. culvert and a 10 ft. driveway. It doesn't leave much room.

When I get the information that you are asking for, do I just give it to Bob?

E. Bott - Yes, we will need it before the Public Hearing.

L. Moorhouse - We will have the Public Hearing on September 14, 2016 at 7:30 pm.

B. Best - Signs will go up on September 7, 2016. There will be one posted on 36 and one down on your property, near the vacant lot.

The Preliminary Hearing concluded at 8:00 pm.

The application was not approved at the meeting. More information is needed.

Old Business

Minutes were read and approved for the May 11, 2016 Public Hearing. L. Moorhouse made a motion to accept the minutes, seconded by D. Horning, all in favor.

L. Moorhouse made a motion to adjourn the meeting, seconded by D. Horning, all in favor.

Meeting adjourned at 8:05 pm.

Respectfully,

Stephanie Seeley, Secretary