

**TOWN OF SWEDEN
Zoning Board of Appeals
Minutes – October 5, 2006**

A regular meeting of the Zoning Board of Appeals of the Town of Sweden was held at the Town Offices, 18 State Street, Brockport, New York on Thursday, October 5, 2006, commencing at 7:00 p.m.

Members present: Frank Fisher, Pauline Johnson, Ken Reid, Mary Ann Thorpe

Absent: Peter Sharpe

Also present: Jennifer Hecker

Chairman Reid called the meeting to order, introduced the Board members and read the notice of public hearing for:

Application of Jennifer Hecker, 580 Holley Street, for an area variance to construct a 24 ft. by 24 ft., attached garage. The side setback will change from the existing 32.26 ft. to 8.26 ft. *Town of Sweden Ordinance Chapter 175-36, Section D-1c, Required setbacks, states the required side setback is ten (10) ft.* The property is owned by Jennifer M. Hecker, tax account number 068.14-1-4.

580 Holley Street

Chairman Reid stated the Board has 62 days to make a decision. The applicant has 30 days to appeal.

Ms. Hecker explained that she has lived at 580 Holley Street for just about sixteen years and has wanted a garage all along. An attached garage proved not to be that simple because of the existing addition that was put on the house by the previous owner. Because the addition has a post foundation, the Building Inspector advised Ms. Hecker to get the advice of a structural engineer. Ms. Hecker asked the designer if there was anyway to layout the garage so that a variance wouldn't be necessary. The designer stated the standard size for a garage is 24 ft. by 24 ft., with little extra room.

Ms. Hecker spoke with several of her neighbors, in particular, the Henshaws, who didn't have any concerns, and a few of the other neighbors had applied for variances as well. Ms. Hecker did consider a detached garage, but the way the property slopes down she would end up shoveling uphill, and there would probably be one big snowdrift by the garage door. An attached garage seemed to make the most sense.

Mrs. Johnson stated that if the existing addition hadn't been built, the location of the garage would have not been an issue. Ms. Hecker stated yes.

Mrs. Johnson stated for the record that Mr. Terry Marksham, neighbor across the street, submitted a letter to Chairman Reid in favor of the variance.

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Mrs. Johnson asked where was the hedgerow located and if it belonged to Ms. Hecker or the neighbor. Ms. Hecker pointed to the location of the hedgerow on the drawing, and stated it belonged to the neighbor who maintains it on both sides. Mrs. Johnson asked if there would be enough room left for maintenance with the proposed garage. Ms. Hecker stated yes, there would still be 8.25 ft.

Chairman Reid stated there is approximately 22 ft. on the other side. Ms. Hecker explained that the Town has a drainage easement located on that side. Chairman Reid explained how that was a benefit especially if large items need to be taken in or out through the backyard.

Mrs. Johnson observed that the proposed location for the garage is the only place it can go because that's where the driveway is, there is a deck in the back, and the land slopes down.

Mrs. Johnson asked if the top of the garage would be used for anything. Ms. Hecker stated the design is more for aesthetics because all the rooflines go the same way and this breaks the look up. Ms. Hecker added it could be built with attic trusses for storage if the finance part of it can be worked out, but it is mostly for aesthetics.

Mrs. Thorpe clarified that the side setback will be 8.26 ft., which is less than 2 ft. of the required 10 ft. side setback.

Mrs. Johnson asked if a 24 ft. by 24 ft. garage was standard. Mr. Fisher stated yes and that still doesn't leave a lot of extra room.

Chairman Reid asked if there were any other questions. There were none.

Chairman Reid closed the public hearing. Ms. Hecker thanked the Board members for their time.

Moved by Mrs. Johnson, seconded by Mrs. Thorpe, that having reviewed Jennifer Hecker's application for an area variance at 580 Holley Street to construct a 24 ft. by 24 ft. attached garage is an unlisted action that will not have a significant impact on the environment.

Mr. Fisher – Aye
Mrs. Johnson – Aye
Mrs. Thorpe – Aye
Chairman Reid – Aye

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Moved by Mr. Fisher, seconded by Mrs. Thorpe, to approve the application of Jennifer Hecker, 580 Holley Street, for an area variance to construct a 24 ft. by 24 ft. attached garage, changing the existing side setback of 32.26 ft. to 8.26 ft., tax account number 068.14-1-4, for the following reasons:

1. An undesirable change will not be produced in the character of the neighborhood.
2. The benefit sought by the applicant cannot be achieved by another method based on the existing structure and the terrain.
3. The proposed variance requested is not substantial.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.
5. No one appeared against the variance.

Mr. Fisher – Aye
Mrs. Johnson – Aye
Mrs. Thorpe – Aye
Chairman Reid – Aye

Moved by Mrs. Johnson, seconded by Mr. Fisher, to approve the June 1 and June 15, 2006 minutes.

Mr. Fisher – Aye
Mrs. Johnson – Aye
Mrs. Thorpe – Abstain
Chairman Reid – Aye

The meeting was adjourned by motion at 7:45 p.m.

Clerk to Zoning Board of Appeals