Zoning Board of Appeals
Minutes
May 15, 2014

Present **Absent**

Chairman John Dole
Michael Flavin
Mark Unvericht
Dale Kellerson
Diana Powell Keery

Others Present

Village Attorney Eric Stowe
Building Inspector Patrick Smith
Zoning Board Secretary Donna Stassen
Village Board Liaison Carol Nellis Ewell
Joan Quigley
Mrs. Polito
Mr. and Mrs. Puffer

At this time Chairman Dole led the Pledge of Allegiance.

Public Hearing

The application of Anthony Polito, 103 Village Hill Drive, Spencerport NY for a special permit for an existing 6' high fence on property located at same. Whereas, a special permit from the Zoning Board of Appeals shall be required for a privacy fence pursuant to Chapter 340-32.A (4) (a) in a residential district.

Mrs. Polito stated to the board that they had a pool and fence installed the contractor got the permit for the pool but not the fence.

Patrick Smith stated that when he went to do the inspection on the pool he saw that the fence was installed and there wasn't a permit issued. The fence has only been up 2 weeks. It is on the corner of the property and hardly visible to the neighbors.

Public hearing was closed there were no comments.

At this time the board made the following resolution.

Resolution No 242 **Introduced by Diana Powell Keery**
May 15, 2014 **Seconded by Mark Unvericht**

Resolved, that the application of Anthony Polito of 103 Village Hill Drive, Spencerport NY for a special permit for an existing 6' high privacy fence 22ft in length on property at same be approved.
Ayes: Dole, Flavin, Unvericht, Kellerson, Powell Keery
Nays: none

Next on the agenda is the application of Kris Oakes 147 S Union Street, Spencerport NY for a variance to permit off street parking for property located at same. Whereas, a variance from the Zoning Board of Appeals shall be required for off street parking pursuant to Chapters 340-29-A(15) and 340-29 B in a B District.

Kris Oaks stated to the board that he had come in front of this board last month for a special permit and was given approvals contingent on site plan approval from the Planning Board. His application went in front of the board last week and was given site plan approval. He is asking for a variance for off street parking for his property at 147 S Union Street as proposed last month.

Public hearing was closed there were no comments.

At this time the board made the following resolution.

Resolution No 243 **Introduced by Diana Powell Keery**
May 15, 2014 **Seconded by Mark Unvericht**

Resolved that the Zoning Board of Appeals has determined that the application of Kris Oaks 147 S Union for a variance to permit off street parking spaces for property located at same is a Type 2 action and no further review is required.

Ayes: Dole, Flavin, Unvericht, Kellerson, Powell Keery
Nays: none

Resolution No 244 **Introduced by Diana Powell Keery**
May 15, 2014 **Seconded by Mark Unvericht**

Resolved, that the Zoning Board of Appeals has determined that the application of Kris Oaks 147 S Union Street, Spencerport NY for a variance to permit off street parking spaces for property located at same be approved. Such approval granted conditional upon tenant's compliance with all parking ordinance for the Village of Spencerport Code.

Ayes: Dole, Flavin, Unvericht, Kellerson, Powell Keery
Nays: none

Unfinished Business

Attorney Stowe stated to the board that after reviewing a correct instrument survey map for property at 89 S Union the property line does not encroach the village right of way at all. It is his determination that there is no longer a need for a letter of indemnification. Attorney Stowe asked the board's approval to send a letter to Matt Brooks owner of the property rescinding such request.

The board agreed with Attorney Stowe and approved his request to send the letter.

Approval of Minutes

Motion made by Michael Flavin seconded by Mark Unvericht and carried unanimously to approve the April 17, 2014 minutes as written.

Adjournment

Motion made by Chairman Dole seconded by Mark Unvericht to adjourn the meeting at 7: 12 p.m.