



**ZONING BOARD OF APPEALS
TOWN OF CONESUS**

**JUNE 26, 2023
7:00 PM**

A Regular Meeting/Public Hearing of the Zoning Board of Appeals of the Town of Conesus, County of Livingston and the State of New York was held at the Town Hall, 6210 South Livonia Road, Conesus, New York 14435 on the 26th day of June 2023.

PRESENT:	Mark Hopkins	-----	Chairperson
	Brian McCarty	-----	Member
	Mike Vogt	-----	Member
	Ken Wilkinson	-----	Member
	Reinhard Gsellmeier	-----	Alternate
	Carol Crane	-----	Secretary

ABSENT:	Alissa de Wit-Paul	-----	Vice Chairwoman
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OTHERS PRESENT: Rich Corrigan, Mark & Tamara Seaman and other members of the community

CALL TO ORDER: Chairman Hopkins called the meeting to order at 7:00 PM.
Chairman Hopkins led the Pledge of Allegiance

ANNOUNCEMENTS AND COMMUNICATIONS

1. Copy of June 26, 2023 Agenda
2. Copy of May 22, 2023 Meeting Minutes

APPROVAL OF MINUTES July 25, 2022
Not Available yet

RESOLUTION #17-2023

APPROVAL OF MINUTES May 22, 2023

On motion of Brian McCarty and seconded by Ken Wilkinson, the following resolution was

ADOPTED Ayes 3 Hopkins, McCarty, Wilkinson
 Nays 0
 Absent from May meeting 1 Vogt
 Absent from this meeting 1 de Wit-Paul

Resolved the Zoning Board of Appeals approve the May 22, 2023 meeting minutes as written.

OLD BUSINESS

1. Tax Map #101.70-1-13.11
 Mark Seaman
 5706 East Lake Road
 Conesus, New York 14435
 (585) 303-4021



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Mr. Seaman is requesting an Area Variance to construct a new ranch 20' x 27'. This does not meet zoning code 155-43 E: Single-wide replacement may only take place in pre-existing parks; all others have to be double-wide. Mr. Seaman will require three (3) variances, one for lot coverage, another for lake setback and road setback. The existing footprint is 8' x 27' for the trailer and an addition of 12' x 16'.

Mr. Seaman has downsized from his original plan of 20' x 27' to 18' x 26' adding a second story making the lot coverage 35%.

RESOLUTION #18-2023

APPROVED THAT NO VARIANCE IS NEEDED (BUILDING IN THE SAME FOOTPRINT OF 18 FEET BY 26 FEET FOR TAX MAP #101.70-1-13.11

On a motion of Mike Vogt and seconded by Ken Wilkinson, the following resolution was

ADOPTED Ayes 4 Hopkins, McCarty, Vogt, Wilkinson
 Nays 0
 Absent from this meeting 1 de Wit-Paul

Resolved the Zoning Board of Appeals determine that no variance is needed because Mr. Seaman is building in the same footprint of 18 feet x 26 feet but adding a second story and staying within 35 % of lot coverage.

RESOLUTION #19-2023

OPEN PUBLIC HEARING FOR A 12 FOOT VARIANCE FOR TAX MAP #110.39-1-35

On a motion of Mike Vogt and seconded by Brian McCarty, the following resolution was

ADOPTED Ayes 3 Hopkins, McCarty, Vogt
 Nays 0
 Abstain 1 Wilkinson
 Absent from this meeting 1 de Wit-Paul

Resolved that Chairman Hopkins declare the Public Hearing was duly published in the Livingston County News on June 15, 2023 and opened tonight at 7:43 PM.

1. Tax Map #110.39-1-35
Ken Wilkinson
5935 East Lake Road
Conesus, New York 14435
Phone: 717-357-6295

Ken Wilkinson is requesting an Area Variance of 12 feet front yard because he fails to meet Section 155-39C (area, width and yard requirements), #4 (front yard requirement of 50 feet setback) in order to build an attached garage (24' x 26') on the north side of the house in the Upland District. Note: The house is 17 feet closer to the front than the proposed garage.

RESOLUTION #19-2023



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CLOSE PUBLIC HEARING OF AREA VARIANCES FOR TAX MAP #110.391-35

With no one wishing to speak either for or against, on a motion of Mike Vogt and seconded by Mark Hopkins, Chairman Hopkins declared the Public Hearing closed at 7:53 PM. Motion was carried unanimously.

The Zoning Board of Appeals makes the following finding of fact:

- No undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created.
- No, the applicant cannot achieve his goals via a reasonable alternative which does not involve the necessity of an area variance.
- No, the variance is substantial. The garage will still sit back farther from the road than the existing house.
- No, the variance will not have an adverse impact on physical or environmental conditions in the neighborhood or district (i.e., noise, drainage, traffic).
- Yes, there has been a self-created difficulty but there is no real choice/place for this garage is property owner is to build.

RESOLUTION #20-2023

APPROVAL OF A 12 FOOT AREA VARIANCE (ROADSIDE SETBACK FOR TAX MAP #110.-39-1-35

On s motion of Mike Vogt and seconded by Brian McCarty, the following resolution was

ADOPTED	Ayes	3	Hopkins, McCarty, Vogt
	Nays	0	
	Abstain	1	Wilkinson
	Absent from this meeting		1 de Wit-Paul

Resolved the Zoning Board of Appeals approve the 12' front (roadside setback for Tax Map #110.39-1-35 located at 5935 East Lake Road currently owned by Ken Wilkinson in the Upland District.

This application was determined to be a Type II action, and SEQR was not required per #12 of the New York Codes, Rules and Regulations 617.5 Type II Actions.

NEW BUSINESS

None scheduled

GENERAL DISCUSSION

With no further business, on a motion of Ken Wilkinson and seconded by Mike Vogt, the meeting was adjourned at 7:58 PM. Motion was carried unanimously.

Respectfully submitted,

Carol Crane, Zoning Board of Appeals Secretary