

**CITY OF CANANDAIGUA  
ZONING BOARD OF APPEALS  
COURT ROOM, CITY HALL  
August 17, 2016**

PRESENT:           Michelle Albrecht, Vice Chair           Joseph Bader  
                          James Hitchcock                       Lloyd Peterson  
                          Dwight Symonds                        Andrew Cotter

ABSENT:            Ryan Akin, Chair

ALSO PRESENT:   Richard E. Brown, Zoning Officer

**CALL TO ORDER:**

Vice Chair Albrecht called to order the regular meeting of the Zoning Board of Appeals at 7:00 P.M.

**APPROVAL OF MINUTES:**

Vice Chair Albrecht asked if anyone had any corrections or additions to the Regular Meeting Minutes of July 20, 2016. Mr. Bader moved to approve the minutes as written. Mr. Cotter seconded the motion, which carried by voice vote (6-0).

**REVIEW OF APPLICATIONS:**

**ITEM 1     Application #16-226: 124 Fort Hill, JULIE HOFFMAN, requesting an Area Variance necessary to install a 240 SF storage building. In accordance with 850-30.B. of the Municipal Code of the City of Canandaigua, storage buildings shall not exceed 165 SF. Therefore the applicant seeks a variance of 75 SF.**

Julie Hoffman presented the application. She said she has recently purchased the home and is very happy with it. However, it does not have a garage and the existing shed is not large enough to store her lawn equipment and lawn furniture. She doesn't want to construct a garage, so therefore proposes to replace the existing shed with a larger shed.

Vice Chair Albrecht opened the public hearing. There were no speakers present and the hearing was closed.

The board proceeded with questions to the applicant. Vice Chair Albrecht reminded the Board to keep in mind that this is a request for an Area Variance and the board will be weighing the benefit of the variance to the applicant against the detriment of the variance to the neighborhood.

Beginning with question #1: *Show that the granting of the variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.*

Mr. Bader said the shed was only slightly larger than what is there and that a newer shed would probably be an improvement to the neighborhood.

Mr. Cotter noted that the neighbors had not appeared to oppose the project.

Regarding question #2: *Show that the benefit sought by the applicant cannot be achieved by some other feasible method that would not require a variance.*

Mr. Bader said that a garage could achieve the benefit, but due to the constraints of the lot, that might not be practical.

Regarding question #3: *Show that the requested variance is not substantial.*

Mr. Cotter said that the request did not seem substantial.

Mr. Bader agreed saying that while 50% might be mathematically significant, the requested shed does not appear overly large for the circumstances.

Regarding question #4: *Show that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.*

Mr. Symonds said that the shed would allow equipment to be stored which would be positive aesthetically and environmentally.

Regarding question #5: *Show that the alleged hardship is not self-created.*

Mr. Bader noted that while the applicant did purchase the property with full knowledge of the circumstances, they did not themselves create the hardship.

Vice Chair Albrecht asked if there were any other comments. Hearing none, she called for a motion.

Mr. Bader moved to Approve the variance, finding that the benefit of the variances to the applicant outweigh the detriment of the variance to the neighborhood for the following reasons;

- #1 The granting of the variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
- #2 The benefit sought by the applicant cannot be achieved by other feasible means that do not require a variance;
- #3 The variance is not substantial, based on the conditions of the site.
- #4 The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.
- #5 The alleged hardship is not self-created.

Mr. Cotter seconded the motion, which *carried* with a roll call vote of 6-0:

Joseph Bader	Voting	YES
Lloyd Peterson	Voting	YES
Andrew Cotter	Voting	YES
James Hitchcock	Voting	YES
Dwight Symonds	Voting	YES
Ryan Akin	Absent	
Michele Albrecht	Voting	YES

**ADJOURNMENT:**

Mr. Symonds moved to adjourn the meeting at 7:20 P.M., seconded by Mr. Hitchcock and carried with a voice vote (6-0).

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Richard E. Brown, Secretary

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Michele Albrecht, Vice Chair