

CHILI ZONING BOARD OF APPEALS  
January 22, 2013

A meeting of the Chili Zoning Board was held on January 22, 2013 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Chairperson Paul Bloser.

PRESENT: Adam Cummings, Robert Mulcahy, Michael Nyhan, Robert Springer, Fred Trott, James Wiesner and Chairperson Paul Bloser.

ALSO PRESENT: Michael Jones, Assistant Town Counsel; Ed Shero, Building & Plumbing Inspector

Chairperson Paul Bloser declared this to be a legally constituted meeting of the Chili Zoning Board. He explained the meeting's procedures and introduced the Board and front table. He announced the fire safety exits.

PAUL BLOSER: Signs I don't have a problem. I went by twice. It was up.

1. Application of Mr. and Mrs. Wayne Honsberger, owner; 32 Daunton Drive, Rochester, New York 14624 for variance to erect a 24' by 8' open porch (currently under construction) to be 50' from front lot line (60' required) at property located at 32 Daunton Drive in R-1-15 zone.

Mr. and Mrs. Wayne Honsberger were present to represent the application.

MR. HONSBERGER: Wayne Honsberger, 32 Daunton Drive.

MRS. HONSBERGER: Kathy Honsberger, 32 Daunton Drive.

PAUL BLOSER: Thank you.

So it looks like you're well under way on construction on this thing?

MRS. HONSBERGER: Correct.

PAUL BLOSER: I don't have a lot of questions on it right now. I -- I see you guys' records, it was started without the proper paperwork in place and that's why you're here.

The setback itself, I mean basically the porch, what it looks like right now from the road, from both profiles being the corner lot, um, I -- I don't really have many questions. I think I will open it up to the Board.

JAMES WIESNER: Who is actually doing the construction on the porch?

MR. HONSBERGER: I am, with the help of a friend.

JAMES WIESNER: What is left to complete on it?

MR. HONSBERGER: Just the shingles, the gutters and some paint.

JAMES WIESNER: That's all I have.

FRED TROTT: No questions. So it -- no, I do.

It's the same footprint as the cement slab that you had?

MR. HONSBERGER: Yes. It doesn't extend any further out than the edge of the existing sidewalk that used to be there.

FRED TROTT: Well, the cement slab that you had in the front?

MR. HONSBERGER: I didn't have a cement slab.

FRED TROTT: Just the sidewalk.

MR. HONSBERGER: Just had a sidewalk.

FRED TROTT: You had a sidewalk that came out 8 feet?

MR. HONSBERGER: It was 8 feet out from the house. It wasn't solid concrete from the house. There was a garden in between.

PAUL BLOSER: So it's -- so it's new structure, basically, is what we're looking at. Because the sidewalk is not part of the structure.

FRED TROTT: Yeah.

PAUL BLOSER: So it is coming out 8 foot -- well --

MICHAEL NYHAN: Footer is 8 foot from the house.

PAUL BLOSER: Well, whatever it is, it extends out 8 foot.

MICHAEL NYHAN: The footers were approximately 50 foot back from the setback.

PAUL BLOSER: Correct. Just want to be clear on the -- there was a sidewalk and a garden, is my understanding, for this.

MRS. HONSBERGER: Yes.

PAUL BLOSER: This is just you're filling in that spot.

MR. HONSBERGER: Just filling in the exact footprint that was there.

PAUL BLOSER: The shingles will match what you're putting up there right now?

MR. HONSBERGER: Yes.

PAUL BLOSER: It looks like a fairly new roof.

MR. HONSBERGER: It has been up since August.

MRS. HONSBERGER: The roof.

PAUL BLOSER: It shingles.

MR. HONSBERGER: Shingles themselves. The roof is probably two years old.

PAUL BLOSER: So you should still be able to get that color and blend it in.

MR. HONSBERGER: That's what I plan on.

MICHAEL JONES: I don't have anything specific to add beyond what Mr. Shero shared in his comments.

PAUL BLOSER: I will open it officially to the public forum. Is there anybody here?

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Fred Trott made a motion to close the Public Hearing portion of this application and Adam Cummings seconded the motion. All Board members were in favor of the motion to close the Public Hearing.

The Public Hearing portion of this application was closed at this time.

PAUL BLOSER: Board conversation?

A couple of things I want to address to start out with. You have a shed on the property?

MR. HONSBERGER: Yep.

PAUL BLOSER: That doesn't appear on your lot map as I am looking at it here, the one that is on file.

MR. HONSBERGER: No. Probably doesn't. That lot map is very old.

PAUL BLOSER: Do you know what size that shed is?

MR. HONSBERGER: I don't remember offhand, but it was just under the size of needing a permit.

If I may ask something, why are we even worrying about the shed when we're here for the variance for the front porch?

PAUL BLOSER: Because I see a shed when we did the drive-by, and it's not on the map.

I'm just curious if it is yours, the neighbor's?

MR. HONSBERGER: It's mine.

PAUL BLOSER: Because structures are supposed to be identified on lot maps by Town Code also to -- if you were to sell the house, it has to be located and shown on there for bank purposes, for insurance purposes, everything. It is just a law of the land. So as part of a condition of approval, on your existing lot map, I'm going to ask you to plot the shed, the size and the location from your -- where it is at on the lot for the record and have that submitted with your final paperwork just so it is on file.

MR. HONSBERGER: Okay.

PAUL BLOSER: So just where it is located on the map, as close as you can get to your dimensions, front, side setbacks and then size of the shed, if you would please.

MR. HONSBERGER: Okay.

PAUL BLOSER: That will be a condition of approval.

MR. HONSBERGER: Okay.

PAUL BLOSER: Second condition of approval is any required permits and building inspections will be completed.

Now, you have a building permit for this now?

MR. HONSBERGER: Not yet.

ADAM CUMMINGS: Not yet.

PAUL BLOSER: I wasn't sure if it was just the variance we were looking for and -- okay. The permit, you got to have that then, okay.

Part of the inspection on these is the Building Department, when they do inspections, a footing inspection is required. It's a pain in the neck, but it's a required process. This is for your security as far as it's built properly. It's a code. Part of the New York State requirements. It has to be done. So under -- I don't know how many or which ones -- they will tell you what you have to do if they haven't already and that will be required. They also look at your tie-ins, so if you already have an under roof and there -- you know, whatever it might be, that would have to be opened up so they can see any tie-ins to the main structure, that it is bolted securely to code just for structural purposes. That's part of the inspection that they do.

Is it cedar or is it pressure-treated? Kind of hard to tell from the road in.

MR. HONSBERGER: Pressure-treated.

PAUL BLOSER: Will you paint it or stain it?

MR. HONSBERGER: The only thing that will be painted, there is pine trim that was put around the upright posts. That will be painted eventually.

PAUL BLOSER: You will leave it just natural then?

MR. HONSBERGER: The railing and the deck flooring itself.

PAUL BLOSER: It goes good with the brick. It's a nice looking addition to the house. It adds a lot.

MR. HONSBERGER: Thank you.

MRS. HONSBERGER: Thank you.

PAUL BLOSER: Especially you have two profiles on the corner, so it is really prominent.

MRS. HONSBERGER: Thank you.

PAUL BLOSER: Is the pad already poured, wood floor or concrete?

MRS. HONSBERGER: It's a wood floor.

MR. HONSBERGER: It's wood.

PAUL BLOSER: I have four right now. The first one, the shed on the lot to be identified by size and placement and submitted to the Town Building Office prior to C of O.

Any required permits and inspections will be completed.

Footer inspections and structural tie-in inspections and any others as necessary will be performed by the Building Office.

Roofing shingles to match color and style as the rest of the house.

MICHAEL NYHAN: Good.

PAUL BLOSER: I think with the brick, the house is brick, so, I mean -- not expecting him to do a brick porch. Natural with the brick goes nice. I'm satisfied with that for aesthetics. Other than that, the -- the setback itself, based on the location of the lot, um, it -- it does come out quite a bit to the front. It doesn't look bad. It really doesn't. It is kind of set-up on a hill. It looks good from -- from my standpoint, so I don't have any problem with the setback.

Any other comments?

FRED TROTT: Will we require stamped drawings?

MICHAEL NYHAN: Do we normally require that?

PAUL BLOSER: When -- it is when we do structural and they're tying into the main structure on the size like that and a roof is concerned, because you're tying the whole thing in. If it is an open porch, no, we don't require it for a deck. But once we start with the roof line, yes, because then, you know, at some point if they decide to close it in, you know, the -- structurally it is capable of handling it. So that did -- so that does require it.

MICHAEL NYHAN: Okay.

PAUL BLOSER: So that is pretty standard.

So with those five conditions of approval.

Paul Bloser made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be a Type II action with no significant environmental impact, and Robert Mulcahy seconded the motion. The Board all voted yes on the motion.

Paul Bloser made a motion to approve the application with the following conditions, and Robert Mulcahy seconded the motion. All Board members were in favor of the motion.

DECISION: Unanimously approved by a vote of 7 yes with the following conditions:

1. All required permits and inspections must be filed for in the Chili Building Department.
2. Existing shed on the lot needs to be identified on survey map by size of shed (length x width) and setback placement located from south and west property lines.
3. Footing inspections, structural tie-ins, and any other inspections as necessary to be performed by the Chili Building Department as per code.
4. Roofing shingles will match in style and color as the rest of the structure.
5. Stamped drawings (by licensed architect) are required and must be submitted prior to permit issuance.

The following finding of fact was cited:

1. The requested variance is not significant in nature nor does it have any negative impact on neighboring properties or the environment. As structure is located on a corner lot, property has two frontages. Proposed porch does add character and value to the neighborhood.

PAUL BLOSER: You're approved on this. We'll have a letter probably in a week or so.

MR. HONSBERGER: We just apply for a permit after we get that?

PAUL BLOSER: We have to have the drawings in, because that is one of the things they look at to issue the permit so that they know that everything drawing wise is satisfactory, it's stamped by an engineer, architect.

MR. HONSBERGER: I already have that.

PAUL BLOSER: Then that needs to be submitted before they can issue a permit.

MR. HONSBERGER: Then you want the survey map updated with the shed on it?

PAUL BLOSER: Yes. Take your map, measure it out where you are.

MR. HONSBERGER: Can I draw it right on a copy of one of the maps?

PAUL BLOSER: Get it as accurate as you can.

ADAM CUMMINGS: If you can draw it on there and write some dimensioning lines to the corners.

PAUL BLOSER: If it is to the west side and the south side, the back corner where it is,

just where it is located, how far in from your lot lines?

MR. HONSBERGER: The back lot line, the trees are pretty thick back there as far as -- I'm not sure exactly.

PAUL BLOSER: I don't need it to the inch, but you know, approximately. Get it as close as you can.

MR. HONSBERGER: All right.

PAUL BLOSER: You know, without -- without survey equipment, it's going to be kind of a guess. We're -- we're just needing to see -- approximately where it is placed, the length and the width, how big it is. So that is all we're looking for, just to have it properly recorded.

MR. HONSBERGER: Okay.

PAUL BLOSER: If there is a problem with it, certainly they will let you know. If it is under the size, like I say, it's not a problem. It is just a matter of paperwork maintenance more than anything else. All right?

MR. HONSBERGER: All right.

The 12/18/12 Zoning Board meeting minutes were approved.

The meeting ended at 7:19 p.m.