



REGULAR MEETING OF THE VILLAGE OF WATKINS GLEN
ZONING BOARD OF APPEALS
HELD THURSDAY, OCTOBER 15, 2020 *via ZOOM*

OPEN MEETING

The public session of the meeting was called to order at 6:03pm by Stacy Gray. Present were Board Members Stacy Gray, Colleen Chavchavadze, Roger Hugo and Sue Olevnik, Code Enforcement Officer Darrin Stocum and Deputy Clerk/Treasurer Barbara Peterson. David Hertel was absent.

APPROVAL OF MINUTES

Colleen Chavchavadze made the motion to approve the minutes for the July 16, 2020 meeting of the Zoning Board of Appeals. Roger Hugo seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

AREA VARIANCE – JOHN SIMS (301 S GLEN) ADDITION SETBACKS

John Sims and wife were present. Mr. Sims is requesting relief from the R-1 requirement of a 75-foot front setback for a 24x16 feet addition that will be a seasonal sunroom. The house was built by Mr. Sims' father before zoning was adopted. The garage already juts out creating a 16-foot side setback. There are no sidewalks on the property. Across the street is an R-2 zone with a required 25-foot setback. The addition would comply with the R-2 requirement as the front setback would be at 27-feet.

Board reviewed the findings: No, an undesirable change would be produced in the character of neighborhood. No, the benefit may not be achieved in another manner. Yes, the variance is substantial in size, but should not hold the applicant back from building. No, there would not be an adverse impact physical or environmental conditions of the neighborhood. A concern regarding drainage was alleviated as there is plenty of yard for the additional runoff for absorption. No, the alleged difficulty was not self-created as parents built the home before zoning was adopted.

Colleen Chavchavadze moved to approve the variance as presented. Sue Olevnik seconded and the motion passed unanimously.

AREA VARIANCE – CATHERINE POWELL (330 S FRANKLIN) BED AND BREAKFAST LOT SIZE

Catherine Powell was present. Code Enforcement Officer (CEO) The Bed and Breakfast (BnB) on the front parcel requires a width of 75-feet; but only has 50-feet currently. Darrin Stocum noted this parcel was 2 lots, consolidated in approximately 2014. Ms. Powell stated she purchased the 2 lots in 2012, and opened the BnB. In 2013, the BnB was put up for sale without the back portion. The intent was always to maintain the back lot. The property could be re-subdivided as long as no non-conforming lots are created. There is no impetus to sell either parcel at this time. The house is currently being used as a BnB, even though Ms. Powell does

not live there full-time. A property manager takes care of the facility. There are 5 bedrooms in operation, with the possibility of 8. Colleen Chavchavadze voiced concerns regarding the number of variables for the variance considering the BnB is already out of compliance. Chairperson Gray suggested that the applicant come back when there is a buyer and a solid plan for the future of the property. CEO Stocum to work with Ms. Powell to identify the type of business that best suits the property (Inn vs. BnB vs. Short-Term Rental).

Sue Olevnik moved to table this agenda item. Roger Hugo seconded and the motion passed unanimously.

BOARD CONCERNS

Board discussed partially completed applications. People are submitting the 1-page form without any of the other required materials to get on the agenda, and then not following up in a timely manner. CEO Stocum is going to put the deadline on the forms. Board concurred that the policy deadline is in effect and enforceable.

Chairperson Gray reported coming into the office to sign off on determinations. Because the Village is in a dispute with Wojcik regarding the second principle structure on Orchard Street, Chairperson Gray wished to check the Board's recollection on one of the determinations. Chairperson Gray then read the minutes from February's meeting and asked the Board to write on a piece of paper, to the very best of their recollection of the meeting, if the hardship was self-created, or not. Board members wrote their responses and then she had them show the responses all at once. Unanimously, the Board recollected that they had determined that the hardship *was* self-created. Chairperson Gray to make a note on the determination paper and have sent to the attorney.

CEO Stocum advised the Board on upcoming applications.

ADJOURNMENT

Colleen Chavchavadze moved to adjourn the meeting. Sue Olevnik seconded and the motion passed unanimously.

7:28 pm Meeting adjourned.

Respectively Submitted,

Barbara J Peterson
Deputy Clerk/Treasurer