



REGULAR MEETING OF THE VILLAGE OF WATKINS GLEN
ZONING BOARD OF APPEALS
HELD THURSDAY, NOVEMBER 19, 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, David Hertel, Roger Hugo and Sue Olevnik, Code Enforcement Officer (CEO) Darrin Stocum and Deputy Clerk/Treasurer Barbara Peterson.

APPROVAL OF MINUTES

Corrections submitted before the meeting were incorporated. Correction noted regarding the sending of the determination paper to the attorney. Chairperson Gray requested that she no longer be referred to as “Chairman”, but to use either “Chairwoman” or “Chairperson”. David Hertel moved to table this agenda item until a draft copy of the corrected minutes could be distributed. Colleen Chavchavadze seconded and the motion passed unanimously.

AREA VARIANCE – PATRICK SPIRAWK (805 N DECATUR) BED AND BREAKFAST LOT WIDTH

Patrick Spirawk was not present. A bed and breakfast (BnB) is required to have at least a 7500 square foot lot, 75 feet wide. Mr. Spirawk’s lot measures 5625 square feet that is 50 feet wide. The rear setback is generally 29 feet except for one small corner that is approximately 3 feet wide. Proportionally, the lot coverage is the same as regulation at about 46%. CEO Stocum noted this property only has 2 guest rooms, less than a usual BnB. The Planning Board sent a letter of recommendation. Other properties in the immediate vicinity include seasonal rentals and a cottage industry. Board went through the findings. 1) No, does not change character of neighborhood due to other seasonal rentals and cottage industry; 2) No, applicant can not change the lot size; 3) Yes, even though percentages are proportional, actual square footage is considerable; 4) No, everything is existing; 5) No, property not purchased with intent to have a BnB and there will be no changes to the building or the lot. Colleen Chavchavadze moved to approve the area variance for the dimensional relief setbacks. Roger Hugo seconded. During discussion, Colleen Chavchavadze amended the motion to include “based on the owner/application statement there are 2 bedrooms in the BnB.” Roger Hugo reaffirmed his second. Motion was brought to a vote and passed unanimously.

AREA VARIANCE – GREG COON (126 LAKEVIEW) DECK AREA

Greg Coon was not present. CEO Stocum indicated the applicant is requesting to be able to add a deck to access the back of the house. The house is on a hill, is a corner lot, and already close to the road. The deck would jut out 7 feet, making the setbacks 16 feet, rather than the required 20 feet. Board went through the findings. 1) No, fits, and is on a corner lot; 2) No, is accessibility issue, nothing else will work; 3) No; 4) No, no drainage issues; 5) No, had nothing to work with. David Hertel moved to approve the area variance dimension relief setbacks for 126 Lakeview. Sue Olevnik seconded and the motion passed unanimously.

AREA VARIANCE – CATHERINE POWELL (330 S FRANKLIN) BNB 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, however, the property is in compliance at present. Ms. Powell has a buyer for the front lot and will add 5 feet across the width of the lot to the front parcel. The Village does not have any subdivision regulations, leaving the process in CEO Stocum's purview. Discussion regarding the history of the property ensued. Chairperson Gray indicated that any existing, non-conforming may stay.

7:47 pm CEO Stocum left the meeting.

Colleen Chavchavadze noted that with the additional square footage being added, the lot coverage percentages are proportionate to regulations. Board went through the findings. 1) No, nothing is changing; 2) Yes, could still sell both lots as is; 3) No, removing 5,000 for lot size still proportional.

8:09 pm Break

8:11 pm Reconvene

4) No, not changing; 5) Yes, because of the subdivision. Colleen Chavchavadze moved to approve the area variance as applied with the dimensions in the application with the condition the lots are subdivided within 180 days. If the lots are not subdivided in that time, then the variance is negated. David Hertel seconded and the motion passed unanimously.

BOARD CONCERNS

Board discussed accuracy of minutes and forms. Chairperson Gray reminded members of training opportunities. David Hertel put forth the idea of monetary compensation and this should submit for next year's budget.

ADJOURNMENT

Colleen Chavchavadze moved to adjourn the meeting. David Hertel seconded and the motion passed unanimously.

8:46 pm Meeting adjourned.

Respectively Submitted,

Barbara J Peterson
Deputy Clerk/Treasurer