

**Village of Bloomfield
Zoning Board of Appeals Minutes December 12, 2019**

Zoning Board of Appeals Members: Terry Hall (Chair), Roslyn Duncan, Emery J. Warden & Kimberly Gebo

Absent:

Others Present: Kimberly Rayburn (Secretary), Jim Kier (Building & Zoning) David Lane (Applicant).

Hall opened the meeting at 7:00 pm. He introduced himself as the new Chair person and also introduced Kimberly Gebo the newest member of the ZBA.

I. Area Variance Review BV5-19 Owner David Lane property located at 114-118 Main Street has applied for an Area Variance for size on a Special Use Permit for a residential conversion. The space is 375 sq ft which is undersized to the Special Use requirement of 500 sq ft, (125 sq ft variance) but it does meet the ICC Building codes for allowable space for a studio Apartment.

Rayburn asked the applicant for the neighbor notification letters or receipts of mailing; Lane gave Rayburn the receipts. Hall reviewed the documents and then opened the public hearing.

Hall asked Lane to explain his proposal, Lane stated that that he purchased the existing building back in 2017. The building had two apartments 114 & 116, 118 was used for a beauty salon, and prior to that it was a post office. Shortly after he purchased the building the salon closed. Since then he has advertised the space in multiple publications for twelve months with no interest. recently he did drop the rent way down and had a couple that opened a healing center on a month to month basis. They decided after six months not to continue. Since then it's been vacant again. Lane has other apartment's and receives multiple calls requesting a studio apartment, he thought this space would be perfect as there are only more apartments and single family living around and in the building. The only issue is that the space does not meet the minimum 500 sq ft restriction in the Special Use Permit under local code. However, it does meet the ICC building code for size for a studio apartment. He will make the bathroom larger to install a shower, kitchenette and new heating and cooling.

Hall read the Ontario County Planning Boards comments, they feel a formal parking easement on the adjacent property should be executed to ensure permanent access to parking in the event property ownership is transferred. Warden asked who owns the parking lot in the rear of the building, Lane stated he does, but he would be happy to put that easement in place. There are also approximately twelve public parking spaces in front of the buildings that can be used and are also used by his neighbor.

Hall asked for any comments from the public, there were none. Hall asked for comments or questions from the Board. Gebo stated that Lane has no opportunity to expand on the piece of property. Duncan asked about ventilation and lighting, Kier stated that Lane would not be able to obtain a building permit unless the space meets building code. The ICC building code does state he has enough square footage for an efficiency living unit, the rest will be looked at once a permit is applied for.

Hall then asked for a motion on SEQR, Warden made a motion Duncan seconded the motion and it was carried to declare SEQR a type II action with no further action required.

The Board then reviewed the state mandated criteria, Duncan stated that its not an undesirable change in the neighborhood, and have no adverse physical or environmental effects. Lane has tried to rent the property as a business with no luck. The Board agreed.

Hall closed the public hearing.

ZBA Decision:

Gebo made a motion and Duncan seconded the motion to approve the Area Variance BV5-19 as presented. Owner David Lane property located at 114-118 Main Street. Area Variance for size on a Special Use Permit for a residential conversion. The space is 375 sq ft which is undersized to the Special Use requirement of 500 sq ft, a 125 sq ft variance is approved.

Whereas:

1. It does meet the ICC Building codes for a efficiency living unit.
2. The maximum number of occupants is three

Roll call vote: Hall Aye, Duncan Aye, Warden Aye , Gebo Aye.

II. Minutes:

Minutes of June 27, 2019

Duncan made a motion and Warden seconded the motion to approve the minutes 6/27/2019

All board members present at the 6/27/19 meeting voted Aye, Vote was carried unanimously.

III. Discussion:

Hall stated that the Board meeting time needs to be set for 2020, a brief discussion was held and it was determined that the meeting time would remain at 7 pm.

Hall reviewed the training hours needed by the Board members.

IV. Meeting Adjourned: Duncan motioned and Hall seconded and it was carried to adjourn the meeting at 7:26 pm.

Respectfully submitted,

Kimberly Rayburn

Town of East Bloomfield & Village of Bloomfield
Planning Board Secretary
Zoning Board of Appeals Secretary &
Code Enforcement Administrative Assistant