

**Village of Skaneateles
Zoning Board of Appeals Public Hearing
May 28, 2013**

In the matter of the application by Bill & Valerie Hanbury to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, Left and Both side yards combined; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to enclose an existing deck to create a screen room. Work includes extending an existing roof and installing additional posts for support of the floor system at the property addressed as 49 Academy Street in the Village of Skaneateles.

Present: Lisa Banuski, Chairman
 Craig Phinney, Member
 John Cromp, Member
 Larry Pardee, Member
 Stephen Hartnett, Member

 Riccardo Galbato, Attorney for the ZBA
 Dennis Dundon, Clerk to the ZBA

 Janice Miller, architect, on behalf of the applicants

 Mary Sennett, Skaneateles Village Trustee
 Russell Burkhardt, student

Chairman Banuski opened the Public Hearing at 7:30 pm announcing the application of Bill & Valerie Hanbury for 49 Academy Street. Ms. Miller introduced herself and said, "It is a deck – I don't know how much you all know about this; I'm assuming quite a bit. The deck is here. We got a building permit, it was started and then we were told we needed a variance. It has not increased in size or anything like that. It is an unheated space which I believe the Code Officer took as not fully habitable as a heated room. We are just enclosing it with a roof and the screen. I do have a letter from the closest neighbor whose property line is right about here." Chairman Banuski said, "He's the one who is most affected by it – the Dwyers." Ms. Miller said, "He is in favor." Chairman Banuski said, "This actually was not to extend an existing roof, because there was no roof over that before, it is a completely open deck. So now it is not just putting a screen on it, it has walls on it now, or it will have." Ms. Miller, "Half walls." Chairman Banuski, "Half walls. So it really is a room now as opposed to a screened in porch. Is there egress?" Ms. Miller, "Yes. There's an existing door that went out to the deck originally. So it is an existing non-conforming that is still an existing non-conforming." Chairman Banuski, "Except it is an expansion. There was no roof. And this is actually not the first one we have seen like this, that has needed a variance."

Chairman Banuski asked that the letter be read into the record. Member Phinney said, "To the Skaneateles Zoning Board. As neighbors, Renee and I could not be more pleased with the work on Bill & Valerie Hanbury's home. The previous owner removed multiple arborvitae trees that left us feeling quite exposed. We feel that closing in the side of the porch will provide a level of privacy to both of our homes. We appreciate the work effort and investments Valerie and Bill have made on their home, and hope that you will allow them to go forward with their upgrades. Sincerely, Bill Dwyer, 47 Academy Street."

Chairman Banuski asked if there were any questions. Hearing none, she opened the public comment portion of the hearing. She asked, "Is there anyone here who would like to speak in favor of this?" Hearing no one desiring to be heard, she asked, "Is there anyone who would like to speak in opposition?" Again, there was no one. Chairman Banuski said, "There being no comment other than the neighbors' letter that has been read into the record, I move that we close the Public Hearing." Member Pardee seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the Public Hearing was closed.

Member Phinney said, "I move that we accept the application by Bill & Valerie Hanbury to vary the strict application of Section 225-A5, Density Control Schedule for Side yard setback, Left and Both side yards combined; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to enclose an existing deck to create a screen room. Work includes extending an existing roof and installing additional posts for support of the floor system at the property addressed as 49 Academy Street in the Village of Skaneateles. This is a Type 2 action under SEQRA, and is based on one page of drawings dated 9/18/2012. The applicant will have one year to complete construction." Member Pardee seconded the motion.

Upon the unanimous vote of the members present in favor of the motion, Chairman Banuski declared the motion passed. Ms. Miller thanked the Board. The meeting was adjourned by acclamation at 7:35 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards