

Village of Skaneateles
Zoning Board of Appeals Hearing
December 28, 2010

In the matter of the application submitted by Marty Hubbard to vary the strict application of Section 225-A5, density Control Schedule, for left side yard set-back, both side yards combined, percentage of open area, percentage of structure width, rear yard set-back and Section 225-69d, Non-conforming buildings structures and uses, extension or expansion to add a 12ft. by 20ft. carport and connector add a 6ft. 6 inch by 11ft. 8 inch addition to the second floor and modify the existing patio on the premises located at 52 Jordan Street in the Village of Skaneateles.

Present: Lisa Banuski, Chairman
John Crompt, Member
Larry Pardee, Member
Craig Phinney, Member
Lee Buttolph, Member

Jorge Battle, Clerk to the Zoning Board of Appeals
Riccardo Galbato, Attorney for the Zoning Board of Appeals

Martin Hubbard, Applicant
Robert Eggleston, Architect for the applicant

Andrew Peterson, Academy Street
Andrew Ramsgard, East Genesee Street
Gary Robinson, Skaneateles

Chairman Banuski opened the public hearing at 7:48pm announcing the application of Marty Hubbard for 52 Jordan Street.

Robert Eggleston, Architect for the applicant made the presentation. He said, "this property is a corner lot and as such it ends up with a very small net area so everything looks like it larger than it actually is. It is a 4800 square foot lot. The existing property is non-conforming in that it is 56% open area, has 13 foot left side yard set-back, a 13.7 foot right side yard set-back. Combined side yards are 26 feet and the rear yard is 1.7 feet. In the past there was a variance to put a second floor addition over the one story wing, which was built. Marty has since bought the property.

What he'd like to accomplish in that it is a small lot – he would like to create a carport so he has the ability to keep one car under cover and out of the snow and rain. Then by making that connection to the side entrance – altering the side entrance for a little easier access. Instead of coming in at street level, at driveway level and coming upstairs and in, the stairs would be outside under cover, then coming in straight just for a little easier access. This is to accommodate one car. A second car would be parked behind it as they currently do. This would actually bring

the side of the carport to .7 feet off the side property line at the very tip. What we've done is designed it maintaining the Italianate character to the frieze and cornice, setting on posts and then the posts would set on masonry piers, again trying to help keep the proportions reasonable. One of the reasons is to keep it high so that one could come up the steps and into the porch without changing the roof. But more important is, the Tiedemann's house directly behind it and they have a kitchen window that actually look between the 2 houses out toward Jordan Street and they kind of see the traffic and activity on Jordan. So, we've kept it up so that they can maintain their view underneath the carport down toward the street. So we really worked very closely with the Tiedemanns on that to make this an acceptable solution for them.

The second item – one of the concerns we have is we currently have this long pitched roof on the back and it accumulates snow and then it will slide off. The ice will slide off - because we are only a couple of feet off from the property line t that point, it kind of dumps the snow into the Tiedemann's driveway. It's fairly tight there."

Chairman Banuski asked, "can you show me that on the photograph?" Eggleston offered apologies on the photographs. He said, "it's this roof right here. It's just one big ski slope. This is the Tiedemann's house. So it just comes right off. What we'd like to do is extend the second floor addition and pull that out so we break up the roof, and this is a lower pitch roof up on top – so that we don't have that long ski slope kind of effect. You only have like a 4 foot roof coming down onto Tiedemann's instead of a 16 foot roof, like we currently. The addition will look just like and blend in with the second floor addition that was done several years ago. That should help to break up and prevent that from happening.

We do have a number of variances for this. The open space area does decrease slightly to 55.8 from 56.1 percent. So, it's really only less than 1% change. Primarily it's the left side yard turns to 0.1 feet set-back off of the property line. Otherwise we aren't decreasing the set-backs at all on that."

The Chairman said, "I have a couple of questions. Did the Tiedemanns give you a letter because I know they were very opposed to the last series of additions?" Eggleston said, "we do have a letter from 54 Jordan which is the person over here that I'll submit to you. Then I'll have Marty tell you." Applicant Marty Hubbard said, "Debbie and I get along very well with the Tiedemanns. Bob advised me of the concerns from the previous application where they wanted to try to what I'll refer to as a full-fledged garage, which would have cut off the sight that Bob talked about, looking onto Jordan. So, we tried to be amenable to their concerns and what we felt would be the concerns for that. I met with Doug 2 weeks ago Saturday at his house and with the holidays, they assured me that they were going to get something back. I called today and they are both on the road all the time. It seems like a lot on the road. I just didn't get it signed. I have every reason to think there's not an objection."

The Chairman said, "that kind of leads into a second thing. The carport as opposed to an enclosed garage is – I noticed in the application the Planning Board minutes, it says well, it's just going over something that's already paved. So that doesn't really count. It's kind of a slippery slope then to well, there's already a roof there so putting walls on there all they would need would be a building permit. Not you necessarily you Marty, but some future owner to then say

well, there's already a carport and I just want to put a wall on it." Eggleston said, "I also just want to further clarify – when Barbara Smith, the person who had – we had come in representing with a one car garage also had a second floor addition on it. I was a full 2 story massive addition, which this is considerably less. We have no objection to making a condition that it remain a carport with out further review or variance." Chairman Banuski said, "the second part of that then, it looks like on these drawings that if you put the second floor here that they may be able to now see through the carport, to have some opening yet. But from their second floor windows that will be blocked by the addition."

Member Phinney said, "no, there's another part of the house that's already there." Eggleston said, "the second floor addition is still behind the 2 story portion of the house. That in no way effects their view. They've already lost it to the house."

The Chairman asked, "what is the time frame on starting construction? The reason I'm asking is just because – this is a lot of coverage on a little lot. We are already looking at almost half coverage on this lot. It's a unique lot as is the Tiedemann's lot. So, they are pretty unique in that way. But if we were going to break ground until February or March or April – to tell you the truth, I'd just as soon wait until we hear from the Tiedemanns. I think it's pretty sensitive. If it could wait." Hubbard said, "I have no problem with that. No problem at all." Eggleston said, "also remember that they have received proper notice." The Chairman said, "yes and I haven't had any objection or a phone call or anything else. I just think that if it's not a real time sensitive construction starting date, that that would be the right thing to do." Hubbard said, "no problem."

The Chairman opened the floor to anyone wishing to speak in favor of the application. No one spoke. The Chairman opened the floor to anyone wishing to speak in opposition to the application. No one spoke. Attorney Galbato said, "maybe you want to leave it open in case Mr. Hubbard come up with the response." Eggleston submitted the letter for 54 Jordan Street. Member Phinney reads *We the undersigned are aware that Marty and Deborah Hubbard are proposing to add a 12 by 20 carport with connector and a second floor addition to their property at 52 Jordan Street. We are aware that this requires a variance. We have reviewed the drawings of Robert O. Eggleston Architect dated 11-19-2010, and have no objections to this application. This is from the resident at 54 Jordan Street, Eleanore Phillipe Doran. (also attached) To whom it may concern: I am most fortunate to have such lovely neighbors as Deborah and Marty Hubbard. I am delighted that they are taking such lovely care of their homestead. Being an elderly lady it is a joy to have lovely vibrant neighbors and I wish them well in all of their endeavors, Sincerely Eleanore Phillipe Doran.*

The Chairman said, "**I will move that we continue this hearing until our January 25, 2011 meeting.**" Seconded by Member Crompt. The vote was 5-0 in favor of the motion. Meeting closed at 7:58pm.

email to: ZBA, Hubbard, Galbato, Eggleston