

Village of Bloomfield ZBA meeting of June 4, 2015

The meeting was called to order by Chairperson Ron Newell at 7:20 p.m. Present were Ron Newell, Joe Ostrowski, Terry Hall, and applicant Kris Dimeno. Roslyn Duncan and EJ Warden were excused.

The public hearing was opened for the area variance application of Kris Dimeno for relief of 10 ft. in the front yard setback to allow construction of a front porch at 14 Howard Ave.

1. Ron read the legal notice which appeared in the Daily Messenger
2. There was no one present from the public and no written or verbal comments were received in the village office concerning this application.
3. The applicant submitted proof of notification of the public hearing to the adjacent neighbors.

Mrs. Dimeno discussed her need for the variance:

1. The paved street is at a higher elevation than her house so the storm water flows back towards the front entrance of the house
2. In the winter, icicles fall directly down in front of the doorway into the house.
3. The children's bedrooms face the front of the house – if a porch was constructed, it would provide a safer egress in case of an emergency.
4. The houses on either side of the applicant extend further into the front yard setback than the applicant. The homes were built prior to the zoning law's adoption making them pre-existing non-conforming.

The public portion of the meeting was closed at 7:30 p.m.

The ZBA discussed the following:

1. Undesirable change: the houses on either side of the applicant extend further into the front yard setback than the requested 10 ft. variance so the request will not negatively affect the neighborhood character.
2. Alternative methods: there are no alternative methods to the porch construction.
3. Minimum relief: the dimensions of the porch (10ft by 36ft) are a modest size for a porch. The house is 65 ft. from the centerline of the road and will still have 55 ft. from the pavement after the construction of the porch.
4. Self- creation: the homes in that neighborhood were constructed prior to the zoning code and the street elevation is also not self-created.

The board discussed the setback from the centerline of the roadway and front yard lines in relation to the shoulder of the road to determine the need for the 10 ft. variance.

Joe Ostrowski motioned, Terry Hall seconded and it was unanimously carried to approve the area variance for Kris Dimeno ,14 Howard Ave., (tax map#67.20-1-31.000) for relief of 10 foot in the front yard setback to allow construction of a porch onto the front of the house as it will not have an undesirable effect on the character of the neighborhood, there are no alternative methods, it is the minimum relief to accomplish the goal, and the hardship was not self-created.

The board discussed the criteria for members to declare a conflict of interest when voting on applications. The Village of Bloomfield is a small community and it is inevitable that board members may know the applicants personally. As long as the board member is not directly affected by the application, such as by location proximity, business relationship related to the use, etc. there is no conflict. It is expected that a board member will be able to review applications pursuant to the law, fairly, and objectively regardless of their personal relationships with applicants.

Terry motioned, Joe seconded and it was unanimously carried to adjourn the meeting at 7:45 p.m.

Respectfully submitted,

Kathleen Conradt
Clerk