

**MINUTES OF ZONING BOARD OF APPEALS PUBLIC HEARING
AND MEETING HELD ON OCTOBER 01, 2003**

Present: Donald Mordue, Chairman
Anthony Muscolino
Patrick Beaton
William Henry

Absent: Michael Haley

Others: Mary Ann Malark, Barbara Gardner, Bruce Tarzia

Recording: Rita J. Gurewitch, Deputy Clerk

Chairman Mordue called the public hearing to order at 7:30PM. He stated that this hearing was called to ask the Zoning Board of Appeals to consider granting an area variance due to subdivision of lot for Mr. Bruce Tarzia (Contract vendee of Mary Malark property at 72, 74, and 76 South Main Street), Manchester NY, to appeal provisions set in Schedule I and Schedule II which would require 15' setback from side property lines, 30' rear setback, minimum 100' lot width and a minimum two parking spaces per dwelling unit with a right of way easement. Proposed setbacks show only 4.2' to north property line, 8' to south property line, 20' rear setback, 42.88' lot width and no available parking or street access.

The Legal Notice was read as published in the newspaper, The Daily Messenger.

The property was referred to the Ontario County Planning Board and their summary concurs with the necessary variances needed. The Village of Manchester Planning board recommends granting the variances.

There was no one present to speak against the proposal.

The public hearing was adjourned on motion.

The meeting was called to order at 7:45 PM by Chairman Mordue. After discussing the request, the following resolution was offered by Mr. Henry, seconded by Mr. Beaton and carried:

WHEREAS, Bruce Tarzia and Mary Malark have applied for area variances, due to a two-lot re-subdivision, to allow the proposed setbacks and lot width; and

WHEREAS, it does not appear to create a hardship for any area owners and no one opposed this request; and

WHEREAS, the members of this board are familiar with said location and the conditions and circumstances under which said variance is requested; and that the character of the area would remain unchanged; and

WHEREAS, a strict application of the village zoning law would result in a practical difficulty; and

WHEREAS, there is no adverse affect on the physical or environmental conditions in the neighborhood,

NOW, THEREFORE, BE IT RESOLVED, that this application be **GRANTED** to allow the area variances proposed and needed as previously stated.

BE IT FURTHER RESOLVED, that the new deed and property map will show an easement from 74 South Main Street to two available parking spaces with street access.

The above resolution was put to roll call vote, which resulted as follows;

Patrick Beaton	Voting	“AYE”
William Henry	Voting	“AYE”
Donald Mordue	Voting	“AYE”
Anthony Muscolino	Voting	“AYE”

The resolution was thereupon declared duly adopted.

The meeting was adjourned on motion at 8:00 PM

Respectfully submitted,

Rita J. Gurewitch
Deputy Clerk/Treasurer