

Village of Hilton Zoning Board
Meeting Minutes of July 10, 2018
Approved

Member's Present: Richard Bjornholm, Richard LaForce, Pat Holenbeck, Shelly Kordish and Murray Weaver

Administration Present: Code Enforcement Officer Mike Lissow, Mayor Joe Lee, and Recording Secretary Debbie Jones

Administration Absent: Village Board Liaison Jim Gates

Guests: James Sage, Jeffrey Green, Kathy Green, Dave Smith, Linda LaGorio, Bonnie Park

Chairman Richard Bjornholm called the meeting to order at 6:33 p.m. with the Pledge of Allegiance to the flag.

Chairman Richard Bjornholm explained the functions and responsibilities of the Zoning Board.

ZONING SEGMENT – 42 PEACH BLOSSOM ROAD SOUTH – AREA VARIANCE

Application of Jeffery H. Green as potential owner, for the property located at 42 Peach Blossom Road South, for an Area Variance to construct a single family home without a basement. Per Section 275-13 D (7) basements shall be required for all single family homes. This property is zoned Residential District.

Mr. Green was present to represent this application. Mr. Green stated they would like to build a one (1) story home without a basement at 42 Peach Blossom Road South. The house that sat on this lot prior was demolished; the foundation (concrete, etc.) was used as back fill. The Green's would like to avoid the extra cost of having that back fill dug out, removed and just build the new home on a slab. They are also trying to avoid stairs, keeping everything on one floor.

Member Holenbeck entered the meeting at 6:36 p.m.

PUBLIC COMMENT opened at 6:37 p.m.

Dave Smith, 30 Peach Blossom Road South, asked the Board why the Village has this zoning requirement if they allow contractors to use this material as back fill. He feels the job should be done right the first time so this extra cost and burden isn't put on the perspective buyer. Mr. Smith also had concerns with his assessment going down if a house without a basement was put in and how big of house was going to be constructed.

Bonnie Park, 39 Peach Blossom Road South, stated the house that was there before had a ½ basement, ½ crawl space.

Recording Secretary, Debbie Jones read a letter submitted from Larry Gurslin, 165 West Avenue opposing the Area Variance due to the Village regulations for an improved quality of the housing stock in the Village and by not having a basement, can lead to cold floors. Mr. Gurslin did offer a couple of possible considerations. 1. A four (4') crawl space to the entire structure which would allow for some utilities such as water heater, furnace, etc. 2. A partial ½ full basement and ½ 2-4 ft. crawl space.

Mr. Gurslin's letter will be kept on file with the meeting minutes.

PUBLIC COMMENT CLOSED 6:49 p.m.

Code Enforcement Officer Mike Lissow entered the meeting at 6:50 p.m.

BOARD COMMENTS:

Member LaForce stated he feels the Zoning requirement should be upheld.

Member Holenbeck apologized for being late to the meeting. Member Holenbeck asked the Green's about the square footage of the proposed new home. There was no direct answer to her question.

Member Kordish asked what the history of the foundation was. Mr. Lissow stated the house was demolished due to water damage; they used the concrete, etc. as fill.

Member Weaver feels some of these laws/ordinances could use updating. He feels sorry for the Green's because this issue wasn't created by them.

Chairman Bjornholm's concern is the long term ramifications (resale of the home without a basement, storage.) Chairman Bjornholm wanted it noted that this application is at the potential owner's request, not at the request of an engineer.

After much discussion, **Member LaForce** made the motion to deny the application of Jeffrey H. Green as the potential owner of 42 Peach Blossom Road South for an Area Variance to construct a single family home without a basement; as it would set precedence for future applications and it would be detrimental to the surrounding neighbors. Per Section 275-13 D (7) basements shall be required for all single family homes. This property is zoned Residential District. There was negative feedback from the public. **Member Kordish** seconded and approved 4-0-1. **Member Weaver** abstained.

Member Holenbeck excused herself from the meeting at 7:18 p.m.

REPORTS:

Code Enforcement Officer
Mayor's Report

Mike Lissow gave his report
Joe Lee gave his report.

MINUTES

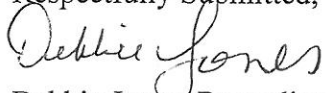
Member Weaver made the motion to accept the Zoning Board of Appeals June 12, 2018 meeting minutes; seconded by **Member LaForce**, and approved 4-0.

DATES

Next Scheduled Meeting	Tuesday, August 14, 2018
Public Agenda Deadline	Tuesday, July 31, 2018

There being no further business, **Member LaForce** made the motion to adjourn the meeting at 7:30 p.m., seconded by **Member Weaver**, and approved 4-0.

Respectfully Submitted,



Debbie Jones, Recording Secretary

July 10, 2018

To Hilton ZBA Chair
Hilton CEO Mike Lissow

Subject: Area Variance Request
Peach Blossom South.

(Richard and Mike, I have a conflict tonight (Golf) and cannot attend the meeting. I would appreciate you allowing my letter below to be read as part of public input.)

My name is Larry Gousslin, I live at 165 West Ave and as a village resident, I'm opposed to the area variance being sought. My reasons are as follows: Over the years, the Hilton Village Board has updated our subdivision regulations to make for improved quality of the housing stock in the village. Making mandatory garages, basements, poured in place outside steps etc, all contribute to their ideal.

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Not having a basement, leads to a furnace (gas) distribution from the ceiling which is unadvised. In the winter months, one has to deal with cold floors. While I'm opposed to the entire variance, I would offer the following for possible consideration:

- 1) A four (4) ft crawl space to the entire structure. This would allow for some utilities such as a water heater, furnace.
- 2) A partial $\frac{1}{2}$ full basement ^{or} and a $\frac{1}{2}$ 2-4 ft crawl space.

Respectfully submitted

Larry Gustin