

**VILLAGE OF GOSHEN  
ZONING BOARD OF APPEALS  
July 14, 2010**

The regular meeting of the Zoning Board of Appeals of the Village of Goshen was called to order at 7:30 pm on Wednesday, July 14, 2010 in the Village Hall by Chair Wayne Stahlmann.

Present: Lynn Cione  
Garfield Clark  
Neal Frishberg  
Wayne Stahlmann, Chair  
John Strobl

Also Present: David Donovan, ZBA Attorney

ZBA Chair Wayne Stahlmann opened the meeting with the Pledge of Allegiance.

**Rebecca Paddock, 8 South Brae Road, Section 112, Block 6, Lot 4**

Relief requested: Area variance to allow construction of an attached covered front porch on a single-family residence. After construction the front yard setback would only provide 25 feet, 8 inches where 30 feet is required.

Present for the applicant: Applicant, Rebecca Paddock and Joe Matta

The applicant submitted the return receipts from the certified mailings.

Mr. Matta showed the ZBA a recent survey pointing out where the proposed attached covered front porch would be located. He said there had been a concrete porch that was removed during renovations when the front entry was removed and relocated.

Mr. Matta said that the Village Code allows for an 8 ft. wide, 6 ft. deep porch. He said the setback requirement is 30 ft. and that they are at 31.32 ft., exclusive of the porch. Mr. Matta said that the Code reads that if the building is 30 ft. you can encroach on the setback by up to 6 ft. and "we would encroach by only 5.5 ft. so in terms of depth it is not an issue, but the issue is width." He said they want to bring the porch over from the edge of the blacktop, for access, to beyond the window and indicated such on the drawing. He said they want to make the ranch house more attractive, have a place to sit in front of the house and add to the accessibility and safety. The entire width of the house is about 68 ft. and the proposed porch would be approximately 26 ft. or about 38% of the width of the house, Mr. Matta said.

Mr. Frishberg asked how it would affect the character of the neighborhood. Ms. Paddock presented photographs of the corner lot (Lot #1) showing a porch similar in depth but running the entire length of the house. "What we are talking about is significantly less than that," Mr. Matta said. Ms. Paddock also presented a photograph of Lot #14 showing a porch exceeding the depth of what the applicant is asking, and running the entire width of the house "which is greater than what we are asking," Mr. Matta said, adding, "I think by and large this conforms with the neighborhood."

Mr. Donovan said that the denial from the Building Inspector referenced the bulk tables requiring a 30 ft. front yard with the applicant showing 25' 8" so the Building Inspector identified a 4'3" area variance. That is not accurate, he said, as the relief that is required was attached to the application referencing Section 5.1.4.2 which would allow the front

porch to encroach into the front yard. Mr. Donovan said he agrees with Mr. Matta in that the issue is the width of the porch, and read from Section 5.1.4.2 (Entries and Porticos) of the Code stating that a roof over an unenclosed portion such as the entry or portico not more than 8 ft. wide and extending not more than 6 ft. out into the front wall of the building shall be exempt from the front yard requirements if the building otherwise complies. So the encroachment is actually permissible, it is the width (more than 8 ft.), he said. The Notice of Public Hearing advertised this as a front yard variance and although it is slightly different, Mr. Donovan said he regards the advertisement as sufficient to cover. Neighbors would know that they proposed to do something to the front of the house, he said, although the variance is a little different that what was described in the disapproval notice of the Building Inspector.

Mr. Stahlmann asked for comment from ZBA members.

Ms. Cione said she thinks it is a good idea to extend the width of the porch as it improves the look and is in line with the character of the neighborhood. Mr. Clark said that the ZBA has granted variances of this nature in the past. Mr. Strobl said he thinks it fits in with the neighborhood and Mr. Frishberg said he believes it is well within the purview of the kind of variances the ZBA has approved in the past.

Mr. Stahlmann asked for public comment. There was none.

Mr. Stahlmann thanked the applicant for the effort that was put into the presentation.

**VOTE BY PROPER MOTION**, made by Mr. Frishberg, seconded by Mr. Strobl, the Zoning Board of Appeals of the Village of Goshen closes the public hearing on the application of Rebecca Paddock. Passed unanimously.

**VOTE BY PROPER MOTION**, made by Mr. Frishberg, seconded by Mr. Strobl, the Zoning Board of Appeals grants the variance as requested for the width of the front porch on the application of Rebecca Paddock. Passed unanimously.

Mr. Stahlmann signed the minutes of the ZBA meeting of May 12, 2010.

**ADJOURNMENT** – The ZBA adjourned at 8:50 p.m.

Wayne Stahlmann, Chair  
Notes prepared by Susan Varden