

Agenda
Town of Manlius
Zoning Board of Appeals
June 18, 2020
6:30 PM

1. Pledge Of Allegiance
2. Approval Of Minutes - May 21, 2020

Documents:

[5-21-20 Draft.pdf](#)

3. Brandon Thibado, 8205 Kirkville Rd., Kirkville

Documents:

[8205 Kirkville Rd..pdf](#)

4. Ed Deigert, 122 Turning Leaf Dr., Manlius

Documents:

[122 Turning Leaf Dr..pdf](#)

5. Other Business

6. Adjournment

This meeting is being recorded and live-streamed. The recording will be broadcast live and will be posted the the Town website at www.townofmanlius.org

**TOWN OF MANLIUS
ZONING BOARD OF APPEALS
May 21, 2020
6:30 PM**

The Town of Manlius, Zoning Board of Appeals assembled on ZOOM for a virtual meeting with Chairman K.P. Kelly presiding and the following Board members present:

Member	Jim Campbell
Member	Clare Miller
Member	Judy Salamone
Secretary	Debi Witzel
Attorney	Jamie Sutphen
Codes Director	Randy Capriotti
Town Clerk	Allison Weber

Also, Present: Terri Yackel, Kyle Christensen, Nathaniel Johnson, Frank Vito

The Pledge of Allegiance was recited. The meeting was called to order at 6:30 PM.

Minutes

Member Campbell made a motion, seconded by Member Kelly, to approve the minutes of January 16, 2019 as submitted by Secretary Witzel and it was carried unanimously.

Legal Notices

Member Salamone made a motion, seconded by Member Campbell to waive the reading of the public notices and it was carried unanimously.

Terri Yackel, 7873 Myers Rd., E. Syracuse NY (tax map # 049.-01-11.1) a Public Hearing for an area variance for a plan to build a new house, with existing road frontage of 163' they will need a variance of 37' to meet the required 200' frontage.

Member Kelly made a motion, seconded by Member Campbell to open the public hearing at 6:48 PM and it was carried unanimously.

Ms. Yackel stated the reason for the requested 37' road frontage variance is so she can build a house on the property.

Chairman Kelly proceeded with the applicant through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? Ms. Yackel answered No
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? Ms. Yackel answered No
- 3) Whether the requested Variance is substantial? Ms. Yackel answered Yes
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? Ms. Yackel answered No
- 5) Whether the alleged difficulty was self-created? Ms. Yackel answered Yes

Board Questions

Member Campbell asked if the house would be located near the road or further back? Ms. Yackel answered further back at about 300' off the road. Member Campbell asked if the house will be back further than other houses on the road. Ms. Yackel answered yes, it would be further back. Member Campbell asked if any of her neighbors objected to the house being built. Ms. Yackel answered no.

Attorney Sutphen asked how many acres is the lot? Ms. Yackel answered 32 acres.

Member Kelly made a motion, seconded by Member Campbell to close the public hearing at 6:57 PM and it was carried unanimously.

Chairman Kelly proceeded with the board through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered no.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no, because the other lots on the road do not have the 200' frontage.
- 3) Whether the requested Variance is substantial? The board answered no because it is in keeping with the other houses.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no.
- 5) Whether the alleged difficulty was self-created? The board answered no there is not much else that can be done with frontage there now.

Determination of ZBA Based on the Above Factors:

The ZBA, after taking into consideration the above five factors, finds that:

 X The benefit to the application **DOES** outweigh the Detriment to the Neighborhood or Community.

 The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that a variance for 37' Road frontage is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

The ZBA further **GRANTS** the variance as requested with the following conditions: No

SEQRA Review

Chairman Kelly determined the proposed project and action contemplated is comprised of a Type II Action pursuant to the New York State Environmental Quality Review Act, and as such no further review was required.

Board Action

Based on the answers provided in the application and before the board, the ZBA determined that the benefit to the applicant outweighed any detriment to the neighborhood.

Member Campbell made a motion, seconded by Member Miller, to grant Terri Yackel, 7873 Meyers Rd., E. Syracuse NY an area variance of 37' road frontage to meet the required 200' for the purpose to build a new house on the property.

The Board voted as follows:

Chairman KP Kelly	Aye
Member T. Kelly	Aye
Member Campbell	Aye
Member Miller	Aye
Member Salamone	Aye

The motion was carried.

Kyle Christensen, 201 Cannonball Way, E. Syracuse NY (tax map # 061.-01-35.0) a Public Hearing to construct a 28X32X12 pole structure building, with an existing rear yard setback of 12' they will need a variance of 13' to meet the required 25' rear yard setback. With an existing side yard setback of 6' they will need a variance of 9' to meet the required 15' side yard setback.

Member Salamone made a motion, seconded by Member Kelly to open the public hearing at 7:06 PM and it was carried unanimously.

Mr. Christensen stated he would like to build a pole building in his backyard in one of the corners so as to allow for as much yard space as possible.

Chairman Kelly proceeded with the applicant through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? Mr. Christensen Answered no
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? Mr. Christensen Answered no
- 3) Whether the requested Variance is substantial? Mr. Christensen Answered no
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? no
- 5) Whether the alleged difficulty was self-created? Mr. Christensen Answered yes.

Board Questions

Member Campbell asked what the barn would be used for. Mr. Christensen answered for storage of personal items and so he will not have to pay for storage space anymore. Member Campbell asked if the building would be used for commercial purposes. Mr. Christensen answered no. Member Campbell asked if any neighbors raised any questions. Mr. Christensen answered no.

Chairman Kelly asked if he had considered putting the building in the center of the yard. Mr. Christensen answered he had thought about it but there is a slope in the yard and he wanted to be able to use the yard space. Chairman Kelly asked if the building would match the house. Mr. Christensen answered yes.

Board members discussed the height of the building.

Member Kelly asked if there would be any lighting or noise issues that would concern the neighbors. Mr. Christensen answered no noise or lighting that would be a problem for the neighbors.

Attorney Sutphen asked who owns the fencing around the yard. Mr. Christensen answered different neighbors own different portions.

Chairman Kelly proceeded with the board through the five (5) criteria questions:

Member Campbell made a motion, seconded by Member Salamone to close the public hearing at 7:44 PM and it was carried unanimously.

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered no
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no there are other structures in the neighbor of size.
- 3) Whether the requested Variance is substantial? The board answered yes.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no.
- 5) Whether the alleged difficulty was self-created? The board answered yes

Determination of ZBA Based on the Above Factors:

The ZBA, after taking into consideration the above five factors, finds that:

 X The benefit to the application **DOES** outweigh the Detriment to the Neighborhood or Community.

 The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that 2 variances for 13' rear yard and 9' side yard is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

The ZBA further **GRANTS** the variance as requested with the following conditions: No

SEQRA Review

Chairman Kelly determined the proposed project and action contemplated is comprised of a Type II Action pursuant to the New York State Environmental Quality Review Act, and as such no further review was required.

Board Action

Based on the answers provided in the application and before the board, the ZBA determined that the benefit to the applicant outweighed any detriment to the neighborhood.

Member Campbell made a motion, seconded by Member Kelly, to grant Kyle Christensen, 201 Cannonball Way, E. Syracuse a rear yard variance of 13' and a side yard variance of 9' for the construction of a 28X32X12 pole structure building.

The Board voted as follows:

Chairman KP Kelly	Aye
Member T. Kelly	Aye
Member Campbell	Aye
Member Miller	Aye
Member Salamone	Aye

The motion was carried

Nathaniel & Tammy Johnson, 4565 S. Eagle Village Rd., Manlius NY (tax map # 117.-25-08.0) a Public Hearing to construct a detached garage for vehicle storage. Applicant is requesting a height variance of 5' to bring the height to 22' instead of the required 17'.

Mr. Johnson stated he would like to build a detached garage with a roof pitch from 17' of 22' so the garage roof pitch will match the house pitch. To keep the architectural style of the garage the same as the house.

Chairman Kelly proceeded with the applicant through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? Mr. Johnson answered no not if he wants to keep the architectural style the same as the house.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? Mr. Johnson answered no it would make it more cohesive.
- 3) Whether the requested Variance is substantial? Mr. Johnson answered no
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? Mr. Johnson answered no
- 5) Whether the alleged difficulty was self-created? Mr. Johnson answered no

Board Questions

Chairman Kelly asked if he could run the truss's at 24' and then the gable would not need to be so high. Mr. Johnson stated that they want the gable end of the garage to match the gable end of the house. Chairman Kelly asked if the garage would match the house. Mr. Johnson answered yes. Chairman Kelly asked if the garage would be used for commercial use. Mr. Johnson answered no.

Member Kelly asked if any of the neighbors had any problems with the project. Mr. Johnson answered no.

Member Salamone made a motion, seconded by Member Kelly to open the public hearing at 7:42 PM and it was carried unanimously.

Member Salamone made a motion, seconded by Member Campbell to close the public hearing at 7:44 PM and it was carried unanimously.

Chairman Kelly proceeded with the board through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered no because it will allow the garage to match the house.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no
- 3) Whether the requested Variance is substantial? The board answered no
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no.
- 5) Whether the alleged difficulty was self-created? The board answered no

Determination of ZBA Based on the Above Factors:

The ZBA, after taking into consideration the above five factors, finds that:

 X The benefit to the application **DOES** outweigh the Detriment to the Neighborhood or Community.

_____ The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that a variance for _____ 5' height _____ is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

The ZBA further **GRANTS** the variance as requested with the following conditions: No

SEQRA Review

Chairman Kelly determined the proposed project and action contemplated is comprised of a Type II Action pursuant to the New York State Environmental Quality Review Act, and as such no further review was required.

Board Action

Based on the answers provided in the application and before the board, the ZBA determined that the benefit to the applicant outweighed any detriment to the neighborhood.

Member Kelly made a motion, seconded by Member Miller, to grant Nathaniel & Tammy Johnson, 4565 S. Eagle Village Rd. Manlius a height variance of 5' on the new garage to bring the height to 22' instead of the required 17'.

The Board voted as follows:

Chairman KP Kelly	Aye
Member T. Kelly	Aye
Member Campbell	Aye
Member Miller	Aye
Member Salamone	Aye

The motion was carried.

Frank Vito, 5120 Muirfield Dr., Fayetteville NY (tax map #096.-04-39.0) a public hearing to construct a 24' X 28' freestanding workshop. Applicant has an side yard setback of existing 11', requesting a 9' variance to meet the required 20' side yard setback

Member Campbell made a motion, seconded by Member Miller to open the public hearing at 7:50 PM and it was carried unanimously.

Mr. Vito stated he is asking for a 9' variance 24' X 28' pre-fab garage in the back yard.

Chairman Kelly proceeded with the applicant through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? Mr. Vito answered no Given the existing layout of the property.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? Mr. Vito answered no it should improve the character of the neighborhood.
- 3) Whether the requested Variance is substantial? Mr. Vito answered no, only asking for 9'.

- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? Mr. Vito answered no it will be a positive addition and painted and trimmed to match the house and very little visual impact.
- 5) Whether the alleged difficulty was self-created? Mr. Vito answered no

Board Questions

Member Miller asked if there would be a paved driveway back to the structure. Mr. Vito answered no because it will be more of a workshop than a garage with a narrow gravel drive to the structure. Member Miller asked if there would be any large lighting on the structure. Mr. Vito answered no, maybe some sidewalk lights on the ground.

Attorney Sutphen asked how close a driveway could be to the property line if he wanted to install one. Code Office Capriotti answered codes does not regulate the driveway. Attorney Sutphen suggested the board discuss if the driveway should be a condition of the variance.

Chairman Kelly had Town Clerk Weber read a letter from Mr. Vito's Neighbor Mr. Dickey asked that a 6' fence be installed between the properties and to make sure the building would not be used from commercial use. Discussion continued concerning a fence.

Member Campbell made a motion, seconded by Member Miller to close the public hearing at 8:02 PM and it was carried unanimously.

Chairman Kelly proceeded with the board through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered yes, the garage could be moved into the center of the yard but it would ruin the rest of the yard.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no.
- 3) Whether the requested Variance is substantial? The board answered yes.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no.
- 5) Whether the alleged difficulty was self-created? The board answered yes

Determination of ZBA Based on the Above Factors:

The ZBA, after taking into consideration the above five factors, finds that:

 X The benefit to the application **DOES** outweigh the Detriment to the Neighborhood or Community.

 The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that a variance for 9' side yard is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

The ZBA further **GRANTS** the variance as requested with the following conditions: Must add a 6' high fence starting at the rear corner of the house to the rear corner of the garage/workshop. If Mr. Vito and his neighbor Mr. Dickey decide to put in trees or something else to block the garage, they will need to let the town know so the variance can be modified.

SEQRA Review

Chairman Kelly determined the proposed project and action contemplated is comprised of a Type II Action pursuant to the New York State Environmental Quality Review Act, and as such no further review was required.

Board Action

Based on the answers provided in the application and before the board, the ZBA determined that the benefit to the applicant outweighed any detriment to the neighborhood.

Member Campbell made a motion, seconded by Member Miller, to grant Frank Vito, 5120 Muirfield Dr., Fayetteville NY a side yard variance of 9' to meet the required 20'. With a condition that Mr. Vito place a 6' fence between 5124 & 5120 Muirfield Dr. properties with the fence to cover the garage (workshop) from the rear of the house to the rear of the garage.

The Board voted as follows:

Chairman KP Kelly	Aye
Member T. Kelly	Aye
Member Campbell	Aye
Member Miller	Aye
Member Salamone	Aye

The motion was carried.

Adjournment

With there being no other business, Member Campbell made a motion, seconded by Member Miller, and carried unanimously, to end the meeting at 8:22PM

Respectfully submitted,
Debi Witzel, Secretary
Zoning Board of Appeals

TOWN OF MANLIUS – ZONING BOARD OF APPEALS

APPLICANT / PROPERTY INFORMATION

Date: 05/22/2020

1. Property Address: 8205 Kirkville Rd Kirkville NY 13082

Property Tax Map # 052-01-09.7

The Applicants Purpose (new construction, alteration, extension, restoration, modification or other action) with respect to the subject property: New Construction Pole Barn

2. Owner of Property: Brandon Thibault

Owner's Address: 8205 Kirkville Rd Kirkville NY 13082

Owner's E-Mail: tlbrando@syrc.edu

Owner's Phone #: (315) 706-9451

Does Owners reside at property: Yes

Signature of Property Owner: [Signature]

3. Applicant / Representative / Attorney:

Name: Brandon Thibault

Company: _____

Address: 8205 Kirkville Rd Kirkville NY 13082

Phone: (315) 706-9451

E-Mail: tlbrando@syrc.edu

4. The Town of Manlius ZBA Board requires that owners of neighboring properties be contacted by the applicant with respect to the proposed variance application. Please see attached instructions and form.

Below this line - For Office Use Only

Application Received by: _____ Date: _____

Payment Receipt #: _____

Date of Denial of Building Permit Application: _____ Current Property Zoning: _____

The subject property will be in conformity with all zoning use as outlined in Chapter 155 of the Town of Manlius Municipal Code, except as stated here by the Code Officer: _____

APPLICATION FOR BUILDING PERMIT

Department of Planning and Development

301 Brooklea Dr., Fayetteville, NY 13066
(315) 637-8619 Fax: (315) 637-0713

TOWN OF MANLIUS

Application is hereby made for the issuance of a Building Permit pursuant to the New York State Uniform Fire Prevention and Building Code for work herein described. The applicant agrees to comply with all laws, ordinances, regulations and revisions of the municipality in which the Permit is requested.

LOCATION OF PROPOSED WORK (Street Address) Tax Map Number 52 01 09.7

8205 Kirkville Rd Kirkville NY 13082 Lot # 4

CONTRACTOR/AGENT-ADDRESS (Worker's Compensation Form Required) ☐

Phone # _____

OWNER/APPLICANT-NAME-ADDRESS (Home Owner's Form BP-1 Required) ☐

Brandon Tribado 8205 Kirkville Rd Kirkville NY 13082 Phone # (315) 706-9451

PROPOSED WORK, USE OR OCCUPANCY

☐ addition ☐ alteration ☐ demolition ☐ garage ☐ new construction ☐ deck ☐ pool ☐ renewal ☐ sign
☐ storage/shed ☐ fireplace/wood stove ☒ other Pole Barn Construction Cost \$ 19,622.74

RESIDENTIAL-NEW STRUCTURE

of Bedrooms _____ # of Bathrooms _____ # of Fireplaces _____

Total Sq. Ft. w/o garage _____ Sq. Ft. of garage 1792

RESIDENTIAL-EXISTING STRUCTURE

of rooms added: _____ ☐ Bedroom ☐ Family Room ☐ Bath ☐ Living Space

Other _____ Total Sq. Ft. added: _____

COMMERCIAL:

Name of Business: _____ Total Sq. Ft. of Project _____

All plumbing and sanitary systems to be inspected by Onondaga County Department of Health.

I hereby agree that no building is to be occupied or used in whole or in part for any purpose what so ever until a certificate of Occupancy or Compliance has been issued by the Code Enforcement Officer.

I hereby certify that the above information is true to the best of my knowledge. Permission is hereby granted to the Code Enforcement Officer or authorized representative upon showing proper credentials, to enter the above premises or buildings during reasonable working hours to discharge their duties.

Date: _____ By: _____

☐ Owner Authorization

☐ Owner

☐ Authorized Agent

CODE ENFORCEMENT USE ONLY			
Occupancy Classification <u>4040 20</u>	Planning Board _____	Rec'd by <u>CC</u>	Receipt No. <u>6061</u>
Zoning <u>R1</u>	Plans Review _____	Building Permit No. _____	
Flood Plains _____ Wetlands _____	Date Application Rec'd _____	Set Backs _____	
Contractors W/C Ins. _____	ZBA <u>Needs a 9' Variance</u>	Fee <u>\$1411</u>	Date Paid <u>5-13-20</u>
☐ Duplicate Set of Plans	☐ Survey and/or Site Plan		
☐ APPROVED	☒ DISAPPROVED	Date <u>5-19-20</u>	
Remarks <u>- Applicant has 11', needs 20 per Code. Needs 9' relief.</u>			
<u>- Also Applicant need 1' Height Relief from</u>			
<u>the 17' requirement. Want Height to be</u>			
<u>18'</u>			
Signature of Codes Enforcement Officer <u>Randy Capriotti</u>			

III. That no Town of Manlius officer, employee or a relative of either, as defined in Section 809 General Municipal Law has any interest in this application.

-OR-

If a Town of Manlius officer, employee or relative of either as defined in Section 809 General Municipal law has any interest in this application, the full particulars are provided on an attached sheet.

Date: 5/22/, 20 20

Brandon Thibado
(Print Name of 1st Applicant)

[Signature]
(Signature of 1st Applicant)

(Entity Name)

By (Officer) _____ (Title)

8205 Kirkville Rd
(Mailing Address of 1st Applicant)

Kirkville NY 13082

(315) 706-9451
(Telephone Number)

Date: May 22, 20 20

Sierra Thibado
(Print Name of 2nd Applicant)

[Signature]
(Signature of 2nd Applicant)

(Entity Name)

By (Officer) _____ (Title)

Same
(Mailing Address of 2nd Applicant)

(315) 706-9451
(Telephone Number)

ACKNOWLEDGEMENTS

STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

On this 22 day of May in the year 20 20, before me, the undersigned, a notary public in and for said state, personally appeared Brandon Thibado

, and Sierra Thibado (1st Applicants Name)
(2nd Applicants Name) personally known to me or proved to me on the basis

of satisfactory evidence to be the individual whose name is subscribed to the within Petition and acknowledged to me the he/she/they executed the same in his/her/their capacity, and that by his/her/their signature(s) on the Petition, the individual or the persons upon behalf of which the individual acted executed the instrument.

Julianne M. Hughes
Notary Public

SEAL

JULIANNE M. HUGHES
NOTARY PUBLIC IN THE STATE OF NEW YORK
QUALIFIED IN ONONDAGA COUNTY
NO. 4908998
MY COMMISSION EXPIRES ON OCTOBER 18, 2021

**Town of Manlius
Zoning Board of Appeals
Neighbor Notification Sheet
315-637-3521**

This sheet is for the applicant to document that all landowners adjacent to the applicant's property boundaries have been notified of the proposed variance and the public meeting. Please return the completed sheet to: Zoning Board of Appeals, 301 Brooklea Dr., Fayetteville NY 13066.

Property Address 8205 Kirkville Rd Kirkville NY 13082

Date	Neighbors Name	Neighbors Address	Neighbors Signature When possible
5/21/2020	Kenneth Katzenstein	7427 Bolivar Rd Chittenango NY 13037	
5/22/2020	Dennis Zielinski	8203 Kirkville Rd Kirkville NY 13082	
5/22/2020	Linda Galuski	8153 Kirkville Rd Kirkville NY 13082	

212.97'

US ELEC.
CN. POST

192.88'

192.88'

212.97'

608.95' TO EASTERLY
TRACT BOUNDARY

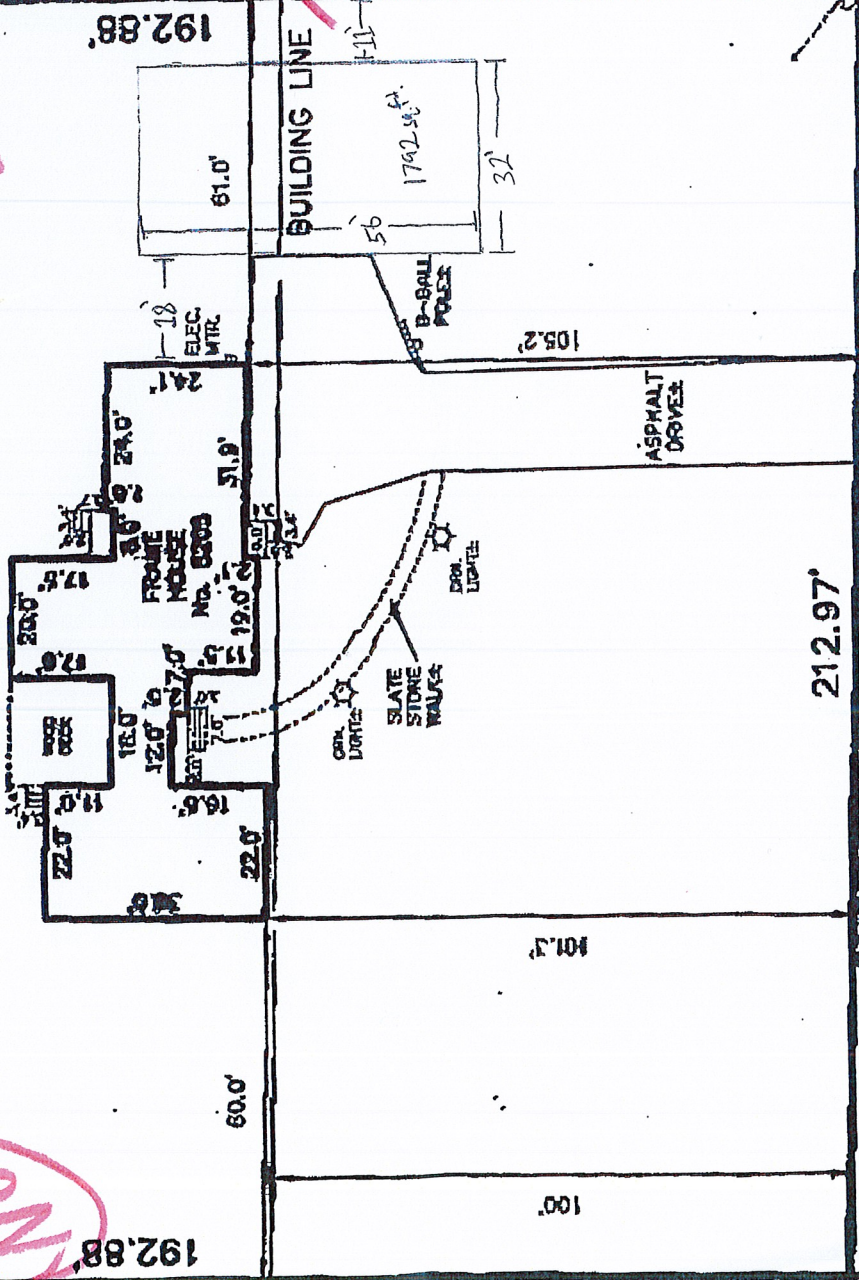
ROAD BOUNDARY

ROAD BOUNDARY

EDGE OF PAVEMENT±

KIRKVILLE ROAD

EDGE OF PAVEMENT±



has 11' and be 20' needs A 9' setback
Relief

needs 9' minimum

5' x 20' 0"
2' x 20' 0"
2' x 20' 0"

8205 Kirkville Rd.

Write a description for your map.

052.-01-09.1 Kirkville Rd.

Legend

 8205 Kirkville Rd

 Feature 1

 Rd.

8203 Kirkville Rd.

8205 Kirkville Rd

8209 Kirkville Rd.

Google Earth

© 2020 Earthstar Technologies

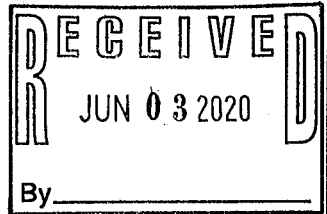
© 2020 Google

200 ft



TOWN OF MANLIUS - ZONING BOARD OF APPEALS

APPLICANT / PROPERTY INFORMATION



Date: 6-3-20

1. Property Address: 122 Turning Leaf Drive, Manlius NY
Property Tax Map # 13104

The Applicants Purpose (new construction, alteration, extension, restoration, modification or other action) with respect to the subject property; _____

New Construction Shed

2. Owner of Property: Edward & Annette Deigert

Owner's Address: 122 Turning Leaf Drive, Manlius, NY 13104

Owner's E-Mail: horsechick2203@verizon.net

Owner's Phone #: 3152009881 Does Owners reside at property: Yes

Signature of Property Owner: Annette Deigert

3. Applicant / Representative / Attorney: Ed Deigert

Name: Annette Deigert Company: _____

Address: 122 Turning Leaf Dr. Manlius NY 13104

Phone: 347852-0212 E-Mail: horsechick2203@verizon.net

4. The Town of Manlius ZBA Board requires that owners of neighboring properties be contacted by the applicant with respect to the proposed variance application. Please see attached instructions and form.

Below this line - For Office Use Only

Application Received by: _____ Date: _____

Payment Receipt #: _____

Date of Denial of Building Permit Application: _____ Current Property Zoning: _____

The subject property will be in conformity with all zoning use as outlined in Chapter 155 of the Town of Manlius Municipal Code, except as stated here by the Code Officer: _____

[Print](#)**Building Permit Application - Everything but Single Family Homes and Commercial Projects - Submission #585****Date Submitted: 5/11/2020**

Instructions After you submit the building permit application, you have three (3) business days to bring in the following: 1- Two (2) complete sets of plans 2- Building permit fee (which is based on the cost of the project or if it is a new single-family home, based on the square footage. Refer to the fee schedule on our webpage. 3- Survey of the property 4- Workers compensation form or BP-1 waiver form (either form can be e-mailed to lbeeman@townofmanlius.org) Failure to deliver the above paperwork to the Planning and Development Department within the three (3) business day deadline will make your application null and void. All paperwork must be submitted at one time, not separately. The application will not be reviewed until all necessary documents are received.

Application is hereby made for the issuance of a building permit pursuant to the New York State Uniform Fire Prevention and Building Code for work herein described. I hereby agree to comply with all laws, ordinances, regulations and revisions of the municipality in which the permit is requested. **

☒ I agree**Owner/Applicant - Name and Phone Number***

Ed and Annette Deigert 315 200-9881

Address of Proposed Work*

122 Turning Leaf Drive, Manlius, NY 13104

Contractor Name, Address and Phone Number*

None

Proposed Work Type*

Shed ▼

Description of Project*

Shed

Construction Costs*

\$2,100

Size of Project*

10' x 12'

I hereby certify that no building is to be occupied or used in whole or part for any purpose whatsoever until a Certificate of Occupancy or Compliance has been issued by the Code Enforcement Officer*

☒ I agree

I hereby certify that the above information is true to the best of my knowledge. Permission is hereby granted to the Code Enforcement Officer or authorized representative upon showing proper credentials to enter the above premises or buildings during reasonable working hours to discharge their duties.*

☒ I agree

CODE ENFORCEMENT USE ONLY

Zoning: R3 (F) 30 (R) 25 (S) 15 Flood Plain Wetlands

Received By: JB Receipt No.: 6232 Fee: \$ 75 Date: 5-27-20

Check #: 394 Cash: Credit Card:

Tax Map # 11702-03-2900

Building Permit Number:

Approved: Disapproved: X Date: 6.3.20

Remarks:

- Rear setback for R-3 is 25'. Applicant wants shed 5'
from property line. Needs 20' relief.

Randy Capriotti

Signature of Code Enforcement Officer

Town of Manlius
Zoning Board of Appeals
Neighbor Notification Sheet
 315-637-3521

This sheet is for the applicant to document that all landowners adjacent to the applicant's property boundaries have been notified of the proposed variance and the public meeting. Please return the completed sheet to: Zoning Board of Appeals, 301 Brooklea Dr., Fayetteville NY 13066.

Property Address 122 Turning Leaf Drive Manlius NY 13104

Date	Neighbors Name	Neighbors Address	Neighbors Signature When possible
6-3-20	Pallavi Goel	120 Turning Leaf Drive	
6-3-20	Ashley Lothes	124 Turning Leaf Drive	

TOWN OF MANLIUS
DISCLOSURE AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a *site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit.*

STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

I Kelly Fletcher, being duly sworn, deposes and says that (s) he is:
 (Notary)
Annette Deigert (applicant)
 (applicant, petitioner, corporation officer, property owner, etc.)

II. That deponent has read and is familiar with the provisions of the General Municipal Law, Section 809 which states:

- A. Every application, petition or request submitted for a site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions or any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
- B. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when (s)he, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
- 1) is the applicant, or
 - 2) is an officer, director, partner or employee of the applicant, or
 - 3) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - 4) is a party to an agreement with such an applicant, express or implied, whereby (s) he may receive any payment or other benefit, whether or not for services rendered, or contingent upon the favorable approval of such application, petition or request.
- C. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
- D. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

III. That no Town of Manlius officer, employee or a relative of either, as defined in Section 809 General Municipal Law has any interest in this application.

-OR-

If a Town of Manlius officer, employee or relative of either as defined in Section 809 General Municipal law has any interest in this application, the full particulars are provided on an attached sheet.

Date: 6-3, 2020

Annette Deigert
(Print Name of 1st Applicant)

Annette Deigert
(Signature of 1st Applicant)

(Entity Name)

By (Officer) _____ (Title)

122 Turningleaf Dr.
(Mailing Address of 1st Applicant)

Manlius, NY 13104

347-852-0212
(Telephone Number)

Date: _____, 20____

(Print Name of 2nd Applicant)

(Signature of 2nd Applicant)

(Entity Name)

By (Officer) _____ (Title)

(Mailing Address of 2nd Applicant)

(Telephone Number)

ACKNOWLEDGEMENTS

STATE OF NEW YORK)

) SS:

COUNTY OF ONONDAGA)

On this 3rd day of June in the year 2020, before me, the undersigned, a notary public in and for said state, personally appeared Annette Deigert

(1st Applicant's Name)

, and _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Petition and acknowledged to me the he/she/they executed the same in his/her/their capacity, and that by his/her/their signature(s) on the Petition, the individual or the persons upon behalf of which the individual acted executed the instrument.

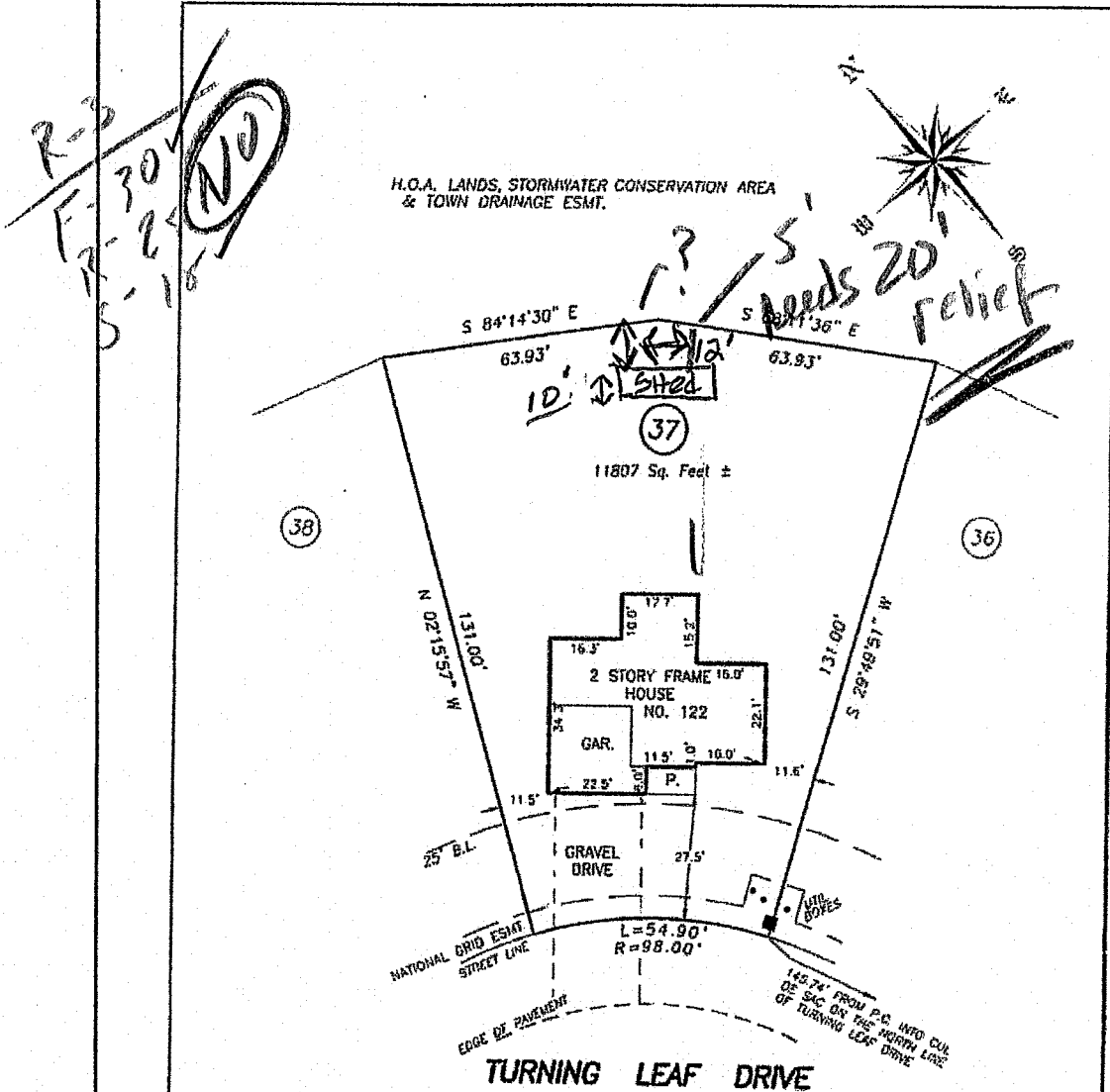
Kelly J. Fletcher
Notary Public

SEAL

KELLY FLETCHER
Notary Public in the State of New York
Qual. in Onondaga Co. No. 01FL6251735
My Commission Expires 11/21/2023

SITE PLAN

Borrower or Owner **Edward & Annette Deigert**
Property Address **122 Turning Leaf Drive**
City **Manlius** County **Onondaga** State **NY** Zip Code **13104**
Client **Community Bank, N.A.**



Only survey maps with the surveyor's embossed seal are genuine, true and correct copies of the surveyor's original work and opinion.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of sect. 7200, subsection 2, of the New York State Education Law.

The certification is limited to the persons for whom the survey map is prepared and on the behalf to the title company, governmental agency, and the lending institution listed herein. Certifications are not transferable to additional institutions or subsequent owners.

The location of underground improvements, structures, and utilities are not covered by this certificate.

The undersigned surveyor hereby certifies that this map was made from an actual field survey completed on August 12, 2015, using the references and evidence shown hereon.

Forrest L. SeGuin

Forrest L. SeGuin, PLS - N.Y.S. LIC. NO. 050384



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SURVEY MAP

LOT 37 ~ PHASE 2 ~ AUSTIN MEADOWS NORTH
RYAN HOMES BRINAN FIELDS COMMUNITY
TOWN OF MANLIUS
ONONDAGA COUNTY, NEW YORK

SURVEY AND MAP PREPARED BY:

SeGUIN LAND SURVEYING, P.L.L.C
Forrest L. SeGuin, L.S.

6197 DYKE ROAD, CHITTENANGO, N.Y. 13037
PHONE: (315) 263-1642 FAX: (315) 687-0002

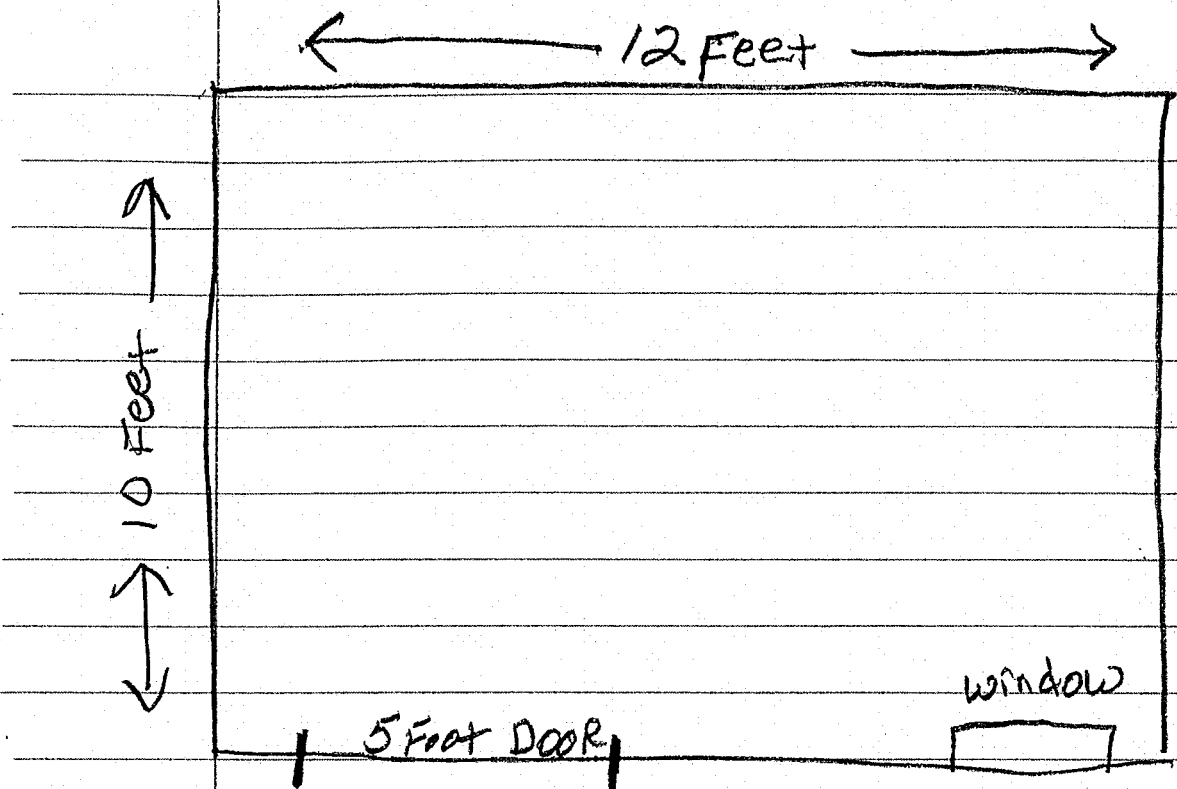
SCALE: 1" = 30'

DATE: 8/12/2015

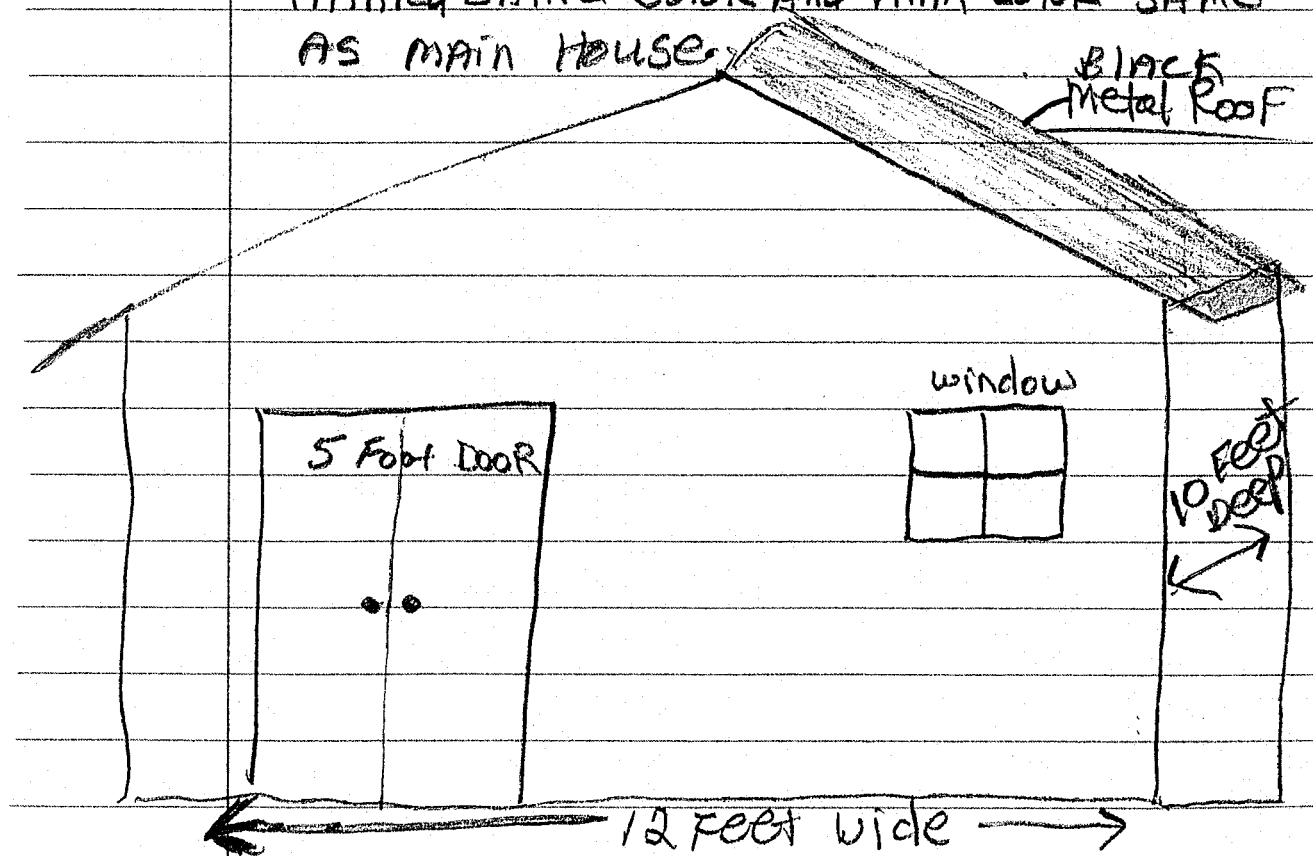
PROJECT NO 15037

TAX MAP NO 117 02 -03-29

DWG. BE LOT 37



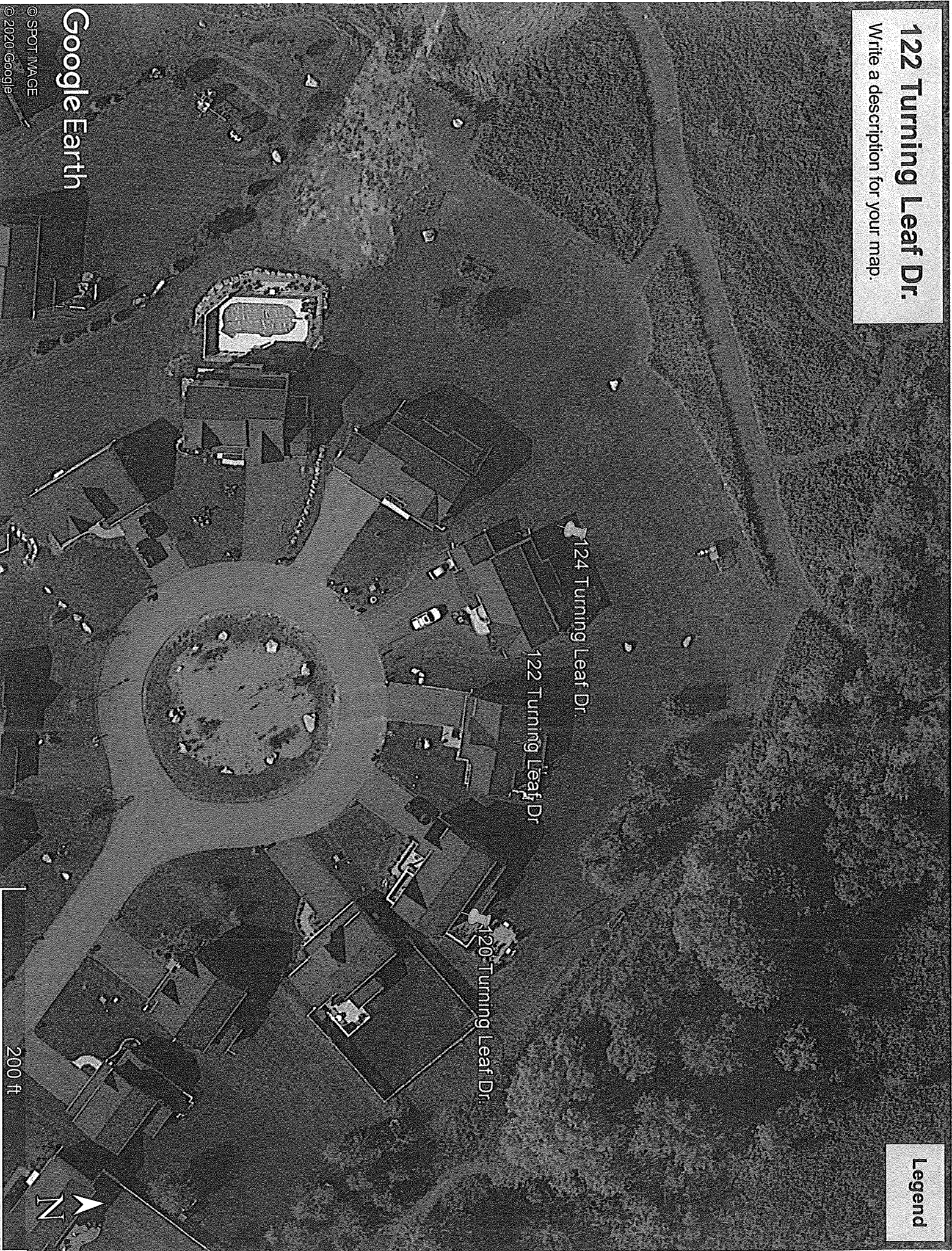
— Painted Same Color and TRIM color same AS MAIN HOUSE.



122 Turning Leaf Dr.

Write a description for your map.

Legend



Google Earth

© SPOT IMAGE

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