

Nayes: 0

All in Favor.

Motion Carries

Scot Garland – 7688 Myers Rd, Kirkville, NY 13082 (Tax Map #049.-02-14.0)

Scot Garland was present to discuss the project with the board.

Member Kelly made a motion, seconded by Member Linhart, to close the public hearing at 6:40 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Kelly, Member Linhart, Member Miller

Nayes: 0

All in Favor.

Motion Carries

Board Questions

Chairperson Catalino 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 – Standard Size for a garage.
- 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 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 applicant **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 side yard setback variance of **6-feet and a height variance of 3-feet for the construction of a 30'x50' garage** 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 plumbing to be added to the garage

SEQRA Review

Chairperson Catalino determined the proposed project and action contemplated is comprised of a

Board Questions

Chairperson Catalino 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.
- 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 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 applicant **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 side yard setback variance of **6-feet 10-inches for the construction of a 603 square foot addition including a substructure of 456 square feet** 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 plumbing to be added

SEQRA Review

Chairperson Catalino 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

Member Linhart made a motion seconded by Member Miller that the Zoning Board of Appeals to grant a side yard setback variance of 3-feet 10-Inches to Jillian and Christopher McGuire for the property located at 5850 Durham Ln, East Syracuse, NY 13057 (Tax Map #075.-05-25.0). This variance is being granted for the construction of a one story 603 Sqft addition including a substructure of 456 Sqft with the condition that there will be no plumbing added.

Ayes: Chairperson Catalino, Member Kelly, Member Linhart, Member Miller, Member Christensen

Nayes: 0

All in Favor.

Motion Carries

Chairperson Catalino reviewed the application for 201 Kenny St, Fayetteville, NY.

Legal Notice

Member Christensen made a motion, seconded by Member Linhart, to waive the reading of the public notice and it was carried unanimously.

Ayes: Chairperson Catalino, Member Kelly, Member Linhart, Member Miller, Member Christensen

Nayes: 0

All in Favor.

Motion Carries

Member Linhart made a motion, seconded by Member Kelly, to open the public hearing at 7:02 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Kelly, Member Linhart, Member Miller, Member Christensen

Nayes: 0

All in Favor.

Motion Carries

Christopher & Susan Jones – 201 Kenny St, Fayetteville, NY 13066 (Tax Map #087.-04-07.0)

Christopher Jones was virtual to discuss the project with the board.

Member Kelly made a motion, seconded by Member Linhart, to close the public hearing at 7:08 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Kelly, Member Linhart, Member Miller, Member Christensen

Nayes: 0

All in Favor.

Motion Carries

Board Questions

Chairperson Catalino 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.
- 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. It was created by the previous owner.

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 applicant **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 side yard setback variance of **6-feet for the construction of a 12-foot by 16-foot deck** 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: None

SEQRA Review

Chairperson Catalino 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

Member Miller made a motion seconded by Member Linhart that the Zoning Board of Appeals to grant a side yard setback variance of 6-feet to Christopher and Susan Jones for the property located at 201 Kenny St, Fayetteville, NY 13066 (Tax Map #087.-04-07.0). This variance is being granted for the construction of a 12-foot by 16-foot deck.

Ayes: Chairperson Catalino, Member Kelly, Member Linhart, Member Miller, Member Christensen

Nays: 0

All in Favor.

Motion Carries

Other Business:

None

Adjournment

With there being no other business, Member Christensen made a motion, seconded by Member Linhart, and carried unanimously to end the meeting at 7:14 PM.

Respectfully submitted,
Carrie Grevelding
Zoning Board of Appeals