

**TOWN OF MANLIUS
ZONING BOARD OF APPEALS
February 20, 2014**

The minutes of the Town of Manlius Zoning Board of Appeals Meeting held on February 20, 2014 in the Town Hall, 301 Brooklea Drive, Fayetteville, New York. Those present were:

Chairman	Henry McIntosh	
Member	KP Kelly	
Member	T.R. Schepp	
Member	Al Ruthig	
Member	Jim Campbell	
Secretary	Lisa Baleno	
Code Enforcement Officer	Michael Jones	Absent

Also Present: Brian Scanlon

The Pledge of Allegiance was recited.

Chairman McIntosh read into the record the resignation letter from Marilyn Urciuoli.

Chairman McIntosh introduced to the Board Jim Campbell; he will take over the position vacated by Marilyn Urciuoli.

Organizational Meeting 2013

The Town Board appointed Henry McIntosh for Chairman of the Zoning Board of Appeals for a period of 1 year to expire 12/31/14.

The Town Board also appointed KP Kelly as a member of the Zoning Board of Appeals for a period of 5 years to expire on 12/31/18.

The Town Board has appointed James Campbell to fill the term vacated by Marilyn Urciuoli as a member of the Zoning Board of Appeals for a period of 1 year to expire on 12/31/15.

The Zoning Board of Appeals 2014 Meeting Schedule to be held on the 3rd Thursday of every month will meet at 7:00pm at the Manlius Town Hall.

Chairman McIntosh appointed Al Ruthig to Deputy Chairman of the Zoning Board of Appeals for a period of one year to expire 12/31/14.

MINUTES AND LEGAL NOTICES

Member Campbell made a motion, seconded by Member Kelly to approve the minutes of December 19, 2013, and it was carried unanimously.

Chairman McIntosh stated that he has confirmed that the legal notice had been published for the application on the agenda. Member Schepp made a motion, seconded by Member Ruthig to waive the reading of the publication for the items on the agenda and it was carried unanimously.

DANIEL JEFFERY & PATRICIA OOT, 7668 STONEHEDGE LANE, MANLIUS, NY 13104
CONTINUED PUBLIC HEARING AREA VARIANCE– CONSTRUCT A 10X12 SHED-
REQUESTING A REAR YARD SETBACK OF 5’ INSTEAD OF THE REQUIRED 40’.

Brian Scanlon, a neighbor of Dan Jeffery, was there to represent him.

Mr. Scanlon said that Mr. Jeffery would like to put the shed in a certain location and needs a variance. All the neighbors are fine with the location of the shed.

1) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties?

- Mr. Scanlon answered – No.

2) Whether the benefit sought by the Applicant can be achieved by some other feasible method?

- Mr. Scanlon answered – No.

3) Whether the requested Variance is substantial?

- Mr. Scanlon answered - No

4) Whether the Variance will have an adverse effect on physical or environmental conditions?

- Mr. Scanlon answered – No. There will not be any water or chemicals stored in the shed.

5) Whether the alleged difficulty was self-created?

- Mr. Scanlon answered – No.

Member Kelly asked if the shed was already in place. Mr. Scanlon said he doesn't think so. Member Ruthig said that he thinks the shed was to the left of the driveway, it was not placed in its intended location..

Member Ruthig asked if the shed was going to be finished or stay in its natural form. Mr. Scanlon said he will probably leave as is.

Member Schepp asked if any of the neighbors had issues with it and Mr. Scanlon said no.

BOARD DISCUSSION

PUBLIC COMMENT

There were no comments from the Public.

SEQR

Chairman McIntosh indicated that this is a Type II action and no further SEQR action is necessary.

CONDITIONAL APPROVAL OF VARIANCE

A summary of the Board's findings based on the discussion above is as follows: that no undesirable change in the character of the adjoining residential neighborhood or detriment to neighboring properties will be created by the variance because the shed will have little if any effect on the neighboring properties and will not be visible by the applicants'

neighbors; it is substantial because the variance will be 5 ' instead of the required 40', but it will not have an adverse effect on environmental conditions in the neighborhood; and the variance is self-created, but the benefit to the applicant outweighs the detriment to the community.

Member Ruthig made a motion to allow an area variance for the real property located at 7668 Stonehedge Lane, Manlius, New York for an Area Variance for the purpose of a 10' x 12' Shed requiring a Variance of 5' rear yard setback instead of the required 40'. The motion was seconded by Member Schepp.

Based on the foregoing the Board voted to approve the variance for 10'x12' shed in accordance with the exhibits submitted with the no conditions

Chairman McIntosh	aye
Member Kelly	aye
Member Schepp	aye
Member Ruthig	aye
Member Campbell	aye

The motion was carried unanimously.

OTHER BUSINESS

Chairman McIntosh reminded the Board about the upcoming Onondaga County Planning Federation Symposium in March.

ADJOURNMENT

With there being no other business, Member Kelly made a motion, seconded by Member Campbell, and carried unanimously, to end the meeting at 7:22pm.

Respectfully submitted,
Lisa Baleno, Secretary
Town of Manlius Zoning Board of Appeals