

APPROVED
ZONING BOARD OF APPEALS
MINUTES OF MEETING
February 10, 2014

The regular meeting of the Zoning Board of Appeals of the Town of Clay, County of Onondaga, State of New York was held at the Town Hall of Clay, 4401 State Route 31, New York on February 10, 2014.

Deputy Chairman Smith called the meeting to order at 7:30 P.M. and upon the roll being called the following were:

PRESENT:	Charles V. Mangan	Chairman
	Mark Smith	Deputy Chairman
	Karen Liebi	Member
	Brian Hall	Member
	Anne Stenham	Member
	Vivian Mason	Secretary
	Robert Germain	Attorney
	Mark Territo	Commissioner of Planning

ABSENT: None

MOTION made by Ms. Liebi that the Minutes of the meeting of January 13, 2014 be accepted as submitted. Motion was seconded by Ms. Stenham. *Unanimously carried.*

MOTION made by Deputy Chairman Smith for the purpose of the New York State Environmental Quality Review (SEQR) all new actions tonight will be determined to be Type II actions, and will be given a negative declaration, unless otherwise advised by our attorney. Motion was seconded by Ms. Liebi. *Unanimously carried.*

OLD BUSINESS:

Case #1498 – AREA VARIANCE - Donald Wehrung, (5346 Guy Young Road), Lot 4, Ethel Road, Tax Map #038.-01-04.0:

The applicant is requesting Area Variance pursuant to Sections 230-13 A.(4) to allow for a reduction in the front yard setback from 75 feet to 60 feet to allow for the construction of a single family house and garage. The property is located in the RA-100 Residential Agricultural zoning district.

(The secretary read the proof of publication at the September 9, 2013 meeting.)

Deputy Chairman Smith announced that this hearing is being adjourned to the March 10, 2014 at the applicant's request.

NEW BUSINESS:

Case #1513 – AREA VARIANCE – Andrew Ramsgard for Robert and Sarah Dussing, 7515 Plum Hollow Circle, Tax Map #083.1-02-16.0:

The applicant is requesting an Area Variance pursuant to Section 230-13 D.(4)(b)[2], to reduce the side yard setback from 10.5 feet to 8.5 feet to construct a 13 foot by 22 foot deep garage addition to the existing residence. The property is located in the R-10 One-Family Residential district.

The secretary read the proof of publication.

Andrew Ramsgard, Architect, 181 East Genesee Street, Skaneateles, NY, represented the applicants. He explained that they have a two car garage, but would like to add a single one on the east side. The additional garage bay will match the architectural texture of the existing house.

Mr. Ramsgard addressed the Standards of Proof:

1. They don't believe there will be any detriment to the character of the neighborhood. The proposed addition will maintain the character of the existing Dussing residence, and they feel it will improve the overall look for the neighborhood.
2. They don't believe there is any other feasible method than to obtain an Area Variance. Since the proposed addition is a garage bay, the owner cannot feasibly reduce the width and still have it function as a garage bay for a vehicle. If the residence was situated 2.5 feet further to the west of the lot the owner would not need a variance.
3. They do not believe the variance request is substantial, as the setback request is only 2.5 feet.
4. They believe there will be no physical or environmental impact to the neighborhood.
5. Though they initially believed the need for the variance was not self-created, after questioned by the Deputy Chairman Smith, they agreed that it is self-created.

Deputy Chairman Smith asked if there were any further comments or questions and there were none.

There was no audience in attendance to ask for those in favor and those opposed to granting the variances.

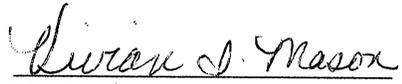
Deputy Chairman Smith closed the hearing.

MOTION made by Ms. Stenham in Case #1513 to **grant** the Area Variance request as requested, with the condition that it be in substantial compliance with Exhibit "A", dated March 11, 2001. Motion was seconded by Mr. Hall.

Roll call:	Chairman Mangan	- in favor	
	Deputy Chairman Smith	- in favor	
	Mrs. Liebi	- in favor	
	Mr. Hall	- in favor	
	Ms. Stenham	- in favor	<i>Unanimously carried.</i>

The Area Variance request for Case #1513 is granted.

There being no further business, Deputy Chairman Smith adjourned the meeting at 7:45 P.M.



Vivian I. Mason, Secretary
Zoning Board of Appeals
Town of Clay