

**TOWN OF ROTTERDAM
ZONING BOARD OF APPEALS
July 19, 2023**

PLEASE TAKE NOTICE, that a public hearing will be held by the Rotterdam Zoning Board of Appeals on Wednesday, July 19, 2023 at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York in the V. Dalton Bambury Hearing Room. The Board will hold a workshop of these applications starting at 7:00 pm and the Public Hearings of the following application(s) will commence at 7:30 p.m.:

- 1) **Geoffrey and Helen Manganaro – 437 East Lucille Lane, Rotterdam, NY**, Tax Map #58.20-4-13 located in the Single Family Residential (R-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory Structures and Uses,” and Chapter 270-33 entitled “Yard Requirements.” The applicant wishes to place a 12’ x 20’ detached shed on the property and a 14’ by 24’ attached carport to the side of the residence. The variance request(s) are as follows: **Chapter 270-138(c)** “Lot Coverage” states that the floor area of any accessory structure shall not exceed 15% of the total habitable floor area of an existing or proposed principal structure. The existing residential structure is 1209 square feet which would allow an accessory structure of 181 square feet. The proposed accessory structure is 240 square feet, which will require a variance of 59 square feet. **Chapter 270-33(b)** states that the side yard width shall be not less than ten feet. The applicants are proposing to construct this carport within 1.8 feet of the side yard which would require a variance of 8.2 feet.

SEQR Requirement: Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

County 239-m Requirement: County review is not required and is exempt pursuant to the 2011 MOU between Schenectady County Economic Development and Planning and the Town of Rotterdam.

- 2) **Jeffrey and Kenyona Davis – 1986 Marlette Street, Rotterdam, NY**, Tax Map #59.9-11-12 located in the Single Family Residential (R-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-15 entitled “Accessory uses, buildings, and structures.” The applicant wishes to place a 10’ x 10’ detached shed in the front yard of the property. **Chapter 270-15 (a) Location.** States that no permitted accessory use or building shall be located in the front yard in a residential district, except parking and landscaping.

SEQR Requirement: Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

County 239-m Requirement: County review is not required and is exempt pursuant to the 2011 MOU between Schenectady County Economic Development and Planning and the Town of Rotterdam.

- 3) **Sarah L. Carciobolo – 113 Stacey Crest Drive, Rotterdam, NY**, Tax Map #58.20-2-78 located in the Residential Agricultural (R-A) Zoning District. Petitioner respectfully requests that she be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-216 entitled “Yard and Property Line Requirements.” **Chapter 270-216(D)** “Corner lots” states that “the placement of a swimming pool on a corner lot shall be permitted; a swimming pool is allowed to encroach 10 feet into the front yard but must maintain all other required setbacks.” Due to the location of the existing residence, the applicant wishes to place the 24’ round above-ground pool with associated decking beyond the 10-foot encroachment limit. **Chapter 270-216(c)(2)** states that ‘Above ground and in-ground pools shall be situated a minimum of 10 feet from the leach field and/or dry well. The applicant would like to locate the above ground pool within 2 feet of the leach field which would require a variance of 8 feet. The subject property is a corner lot.

SEQR Requirement: Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

County 239-m Requirement: County review is not required and is exempt pursuant to the 2011 MOU between Schenectady County Economic Development and Planning and the Town of Rotterdam.

- 4) **Tanya Viveiros – 1156 Eugene Drive, Rotterdam, NY**, Tax Map #71.7-2-15 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that she be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-216 entitled “Yard and Property Line Requirements, Chapter 270-143 entitled “Fences,” and Chapter 270-15 entitled “Accessory uses, buildings, and structures.” **Chapter 270-216(D)** “Corner lots” states that “the placement of a swimming pool on a corner lot shall be permitted; a swimming pool is allowed to encroach 10 feet into the front yard but must maintain all other required setbacks.” Due to the location of the existing residence, the applicant wishes to place the 24’ round above-ground pool with associated decking beyond the 10-foot encroachment limit. **Chapter 270-143(A)(1)** sets a front yard height limit at four (4) feet. The applicant would like to install a six (6) foot high fence, which would require a variance of two (2) feet. **Chapter 270-143(A)(4)** states that front yard fences should be less than fifty percent (50%) solid or opaque. The applicant would like to install a six (6) foot high fence that is one hundred percent (100%) solid. **Chapter 270-15 (a) Location.** States that no permitted accessory use or building shall be located in the front yard in a residential district, except parking and landscaping. The applicant wishes to locate a 10’ x 14’ gazebo and a 14’ x 24’ deck in the front yard. The subject property is a corner lot.

SEQR Requirement: Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

County 239-m Requirement: County review is not required and is exempt pursuant to the 2011 MOU between Schenectady County Economic Development and Planning and the Town of Rotterdam.