

June 21, 2023 ROTTERDAM ZONING BOARD MEETING

1. **Thomas Tarantelli – 44 Merritt Drive, Rotterdam, NY**, Tax Map #58.16-8-14 located in the Single Family Residential (R-1) Zoning District. Petitioners respectfully request that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-15 entitled "Accessory uses, buildings, and structures." Chapter 270-15(C) states that no detached accessory building shall be located less than five feet from any rear or side lot line. The applicant is proposing to locate two (2) feet from the property line which will require a variance of three (3) feet.

-> construction of a shed.

- A Applicant Presentation
- B Open Public Hearing.
- C Close Public Hearing
- D SEQR SEQR:6 CRR-NY 617.5(12) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;

"Upon reviewing the facts and circumstances surrounding this application we declare this a Type II action and it is therefore exempt from SEQR"

- E **County Review: EXEMPT**
- F Call for a Motion on the Project: In your motion please recite the factors:

Variance: Chapter 270-15(C) states that no detached accessory building shall be located less than five feet from any rear or side lot line. The applicant is proposing to locate two (2) feet from the property line which will require a variance of three (3) feet.

1. Why the variance request will/ or will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties?
2. Can the benefit be achieved by some other means other than the granting of this variances?
3. Is this a substantial request?
4. Will the variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?
5. Was the difficulty self created?

Note: A survey is highly recommended. Applicant has letters of support from neighbors.

2. **Alice L. Crapser – 1301 Trinity Avenue**, Rotterdam, NY, Tax Map #58.7-12-35; 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 270-143 entitled "Fences." 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. The property is a corner lot.

A. Applicant Presentation

B. Open Public Hearing.

C. Close Public Hearing

D. SEQR SEQR:6 CRR-NY 617.5(12) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;

"Upon reviewing the facts and circumstances surrounding this application we declare this a Type II action and it is therefore exempt from SEQR

E. County Review: EXEMPT

F. Call for a Motion on the Project: In your motion please recite the factors:

Variance: 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. The property is a corner lot.

1. Why the variance request will/ or will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties?
2. Can the benefit be achieved by some other means other than the granting of this variances?
3. Is this a substantial request?
4. Will the variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?
5. Was the difficulty self created?

Note: existing trees being removed? Survey recommended.

3. **Michael DeMarco – 353 Melrose Street**, Rotterdam, NY, Tax Map #48.19-1-4 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-143 entitled "Fences." 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. The property is a corner lot.

A. Applicant Presentation

B. Open Public Hearing.

C. Close Public Hearing

D. SEQR SEQR:6 CRR-NY 617.5(12) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;

"Upon reviewing the facts and circumstances surrounding this application we declare this a Type II action and it is therefore exempt from SEQR"

E. County Review: Exempt.

F. Call for a Motion on the Project: In your motion please recite the factors:

Variance: **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. The property is a corner lot.

1. Why the variance request will/ or will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties?
2. Can the benefit be achieved by some other means other than the granting of this variances?
3. Is this a substantial request?
4. Will the variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?
5. Was the difficulty self created?

Note: Survey recommended.

4. **Gary DiCocco (contract vendee) – 210 Chism Street**, Rotterdam, NY, Tax Map #49.19-7-6 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-31 entitled "Lot Area" and Chapter 270-33 entitled "Yard Requirements." The applicant is requesting permission to demolish an existing single-family dwelling and replace it with a new 3-bedroom single-family dwelling. Chapter 270-31(A) states that the required minimum lot area shall be not less than 15,000 square feet, with a lot width of not less than 100 feet. The existing lot is 7,760 square feet with a lot width of 40 feet. This would require a variance of 7,240 square feet for lot area and 60 feet for lot width. Chapter 270-33(B) states that the side yard width shall be not less than 10 feet. The applicant would like to construct the residence within 5 feet of the side property line on both the east and west side of the proposed residence.

A. Applicant Presentation

B. Open Public Hearing.

C. Close Public Hearing

D. SEQR SEQR:6 CRR-NY (11) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system or both, and conveyances of land in connection therewith;

"Upon reviewing the facts and circumstances surrounding this application we declare this a Type II action and it is therefore exempt from SEQR

E. County Review: EXEMPT

F. Call for a Motion on the Project: In your motion please recite the factors:

Variance: Chapter 270-31(A) states that the required minimum lot area shall be not less than 15,000 square feet, with a lot width of not less than 100 feet. The existing lot is 7,760 square feet with a lot width of 40 feet. This would require a variance of 7,240 square feet for lot area and 60 feet for lot width. Chapter 270-33(B) states that the side yard width shall be not less than 10 feet. The applicant would like to construct the residence within 5 feet of the side property line on both the east and west side of the proposed residence.

1. Why the variance request will/ or will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties?

2. Can the benefit be achieved by some other means other than the granting of this variances?

3. Is this a substantial request?

4. Will the variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

5. Was the difficulty self created?

Note: proposed house is smaller than existing.

5. **My 3 Sons Home Building, LLC – 102 Old Mill Road**, Rotterdam, NY Tax Map #48.13-2-29 located in the Light Industrial (I-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-79 entitled "Yard Requirements." The applicants are requesting permission to construct a 2,450 square foot addition onto an existing 3,840 square foot former car wash building converted into a garage structure. Chapter 270-79 states that the setbacks are not less than 25 feet from any property line. The applicant is requesting to construct the addition within 7.5 feet of the side yard, which would require a variance of 17.5 feet.

A. Applicant Presentation

B. Open Public Hearing.

C. Close Public Hearing

D. **SEQR UNLISTED ACTION- NEED TO REVIEW SHORT FORM SEQR AND FINALIZE PART 3**

E. **County Review: Defer to local consideration no significant or county wide impact**

F. Call for a Motion on the Project: In your motion please recite the factors:

Variance: The applicants are requesting permission to construct a 2,450 square foot addition onto an existing 3,840 square foot former car wash building converted into a garage structure. Chapter 270-79 states that the setbacks are not less than 25 feet from any property line. The applicant is requesting to construct the addition within 7.5 feet of the side yard, which would require a variance of 17.5 feet.

1. Why the variance request will/ or will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties?
2. Can the benefit be achieved by some other means other than the granting of this variances?
3. Is this a substantial request?
4. Will the variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?
5. Was the difficulty self created?

Note: What is the building used for?

6. **Alexandria and Brian Cremo – 398 Giffords Church Road**, Rotterdam, NY, Tax Map #70.6-1-15 located in the Agriculture (A-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-143 entitled "Fences." 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. The property is a corner lot.

A. Applicant Presentation

B. Open Public Hearing.

C. Close Public Hearing

D. SEQR:6 CRR-NY 617.5(12) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;

"Upon reviewing the facts and circumstances surrounding this application we declare this a Type II action and it is therefore exempt from SEQR

E. **County Review: exempt**

F. Call for a Motion on the Project: In your motion please recite the factors:

Variance: 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. The property is a corner lot.

1. Why the variance request will/ or will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties?
2. Can the benefit be achieved by some other means other than the granting of this variances?
3. Is this a substantial request?
4. Will the variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?
5. Was the difficulty self created?

Note: neighbor support/ survey recommended.

7. **Louis Schenck – 1372 Evergreen Avenue, Rotterdam, NY, Tax Map #58.11-5-11** located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled "Accessory Structures and Uses." The applicant wishes to place a 12' x 20' pool house on the property. 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 1172 square feet which would allow an accessory structure of 175 square feet. The proposed accessory structure is 240 square feet, which will require a variance of 65 square feet.

- A. Applicant Presentation
- B. Open Public Hearing.
- C. Close Public Hearing
- D. SEQR:6 CRR-NY 617.5(12) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;

"Upon reviewing the facts and circumstances surrounding this application we declare this a Type II action and it is therefore exempt from SEQR

E. County Review: exempt

F. Call for a Motion on the Project: In your motion please recite the factors:

Variance: 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 1172 square feet which would allow an accessory structure of 175 square feet. The proposed accessory structure is 240 square feet, which will require a variance of 65 square feet.

- 1. Why the variance request will/ or will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties?
- 2. Can the benefit be achieved by some other means other than the granting of this variances?
- 3. Is this a substantial request?
- 4. Will the variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?
- 5. Was the difficulty self created?

Note: survey recommended.