

ZONING BOARD OF APPEALS MEETING, December 9th, 2014

Minutes of the Zoning Board of Appeals Meeting held by the LaFayette Zoning Board of Appeals on December 9th, 2014 in the Meeting Room of the LaFayette Commons Office Building at 2577 US Route 11 in the Town of LaFayette at 7:00 p.m.

Present: Christine Keenan, Member & Acting Chair
James Nash, Member
Karl Field, Member

Absent: Steven Beggs, Chairman

Recording Secretary: Jacqueline Roorda

Others Present: Kevin Gilligan, Attorney
Ralph Lamson, Bldg. & Code Enforcement Officer
Richard Dausman, Applicant

At 7:00 PM Acting Chair Keenan called the meeting to order, welcomed everyone and requested attendees introduce themselves. She then asked if there were any additions or corrections to the Zoning Board of Appeals November 12th, 2014 meeting minutes. There were none.

Member Marzo moved and Nash seconded motion to accept the Minutes of the November 12th, 2014 Zoning Board of Appeals meeting minutes. Motion carried 4-0.

Acting Chair Keenan read the Application of Richard E. Dausman for Area Variance to place a 12' x 16' shed 6' off rear property line at 6025 Meeker Hill Road, LaFayette, NY in an Ag/Residential zoned area. Tax Map 014.-03-34.0

Keenan asked the Applicant had to present his case. Mr. Dausman advised that where he desires to put the storage shed in his back yard is in a location that is not visible to others. He explained he needs a variance as the best spot for the shed due to the creek on his property, the septic in the backyard and well.

Acting Chair Keenan opened the Public Hearing and asked if there were anyone who would like to speak in favor of the case presented. No comments were made. Keenan then asked if there was anyone who wanted to speak against the case presented. No comments were made. Therefore Keenan closed the Public Hearing.

Discussion that the allowance of the variance will not change the character of the neighborhood; there is no alternative spot to place the shed due to the septic system, etc. and there will not be substantial physical or environment effects presented if this variance is approved.

Attorney Gilligan advised that this is a Type II SEQR, no further environmental issues need to be addressed and there will not be any drainage on neighbor's property.

**RESOLUTION OF THE ZONING BOARD OF APPEALS
OF THE TOWN OF LAFAYETTE
RICHARD DAUSMAN (Owner) -- Appeal for approval of a
rear yard variance for placement of a 12' x 16' shed on
premises located at 6025 Meeker Hill Road in an
Agricultural/Residential (AR) District - GRANTED**

December 9, 2014

Mr. Nash moved and Mr. Marzo seconded the following Resolution:

WHEREAS, Richard Dausman (the "Owner"), as owner of property located at 6025 Meeker Hill Road, LaFayette, New York in the Town of LaFayette (the "Property"), appealed to the LaFayette Zoning Board of Appeals (the "Board") in November 2014 for a 22' rear yard variance to allow for placement of a 12' x 16' shed 8' from the most easterly line at the Property in an Agricultural/Residential District pursuant to Article VI of the 1970 Town of LaFayette Zoning Ordinance, as amended (the "Ordinance"); and

WHEREAS, the Board has the power to grant such a rear yard variance upon the findings set forth in said Article VI of the Ordinance; and

WHEREAS, a public hearing on the application was held by the Board at its regular meeting on December 9, 2014 and after due notice by publication in the Syracuse Post Standard and due notice to the Petitioner, neighboring landowners and Board members, in accordance with the law and the Ordinance; and

WHEREAS, the Board, in accordance with the State Environmental Quality Review Act, as lead agency, has found that the proposed area variance is a Type II action and will not result in any significant adverse environmental impact; and

WHEREAS, the Owner's application was considered fully by the Zoning Board of Appeals and upon such consideration the Board found among other things that:

1. The requested rear yard variance is otherwise in conformance with the Ordinance;
2. The Owner has demonstrated that there will be no detriment to health, safety and welfare of the community since construction and erection of the structure at the proposed location does not present any threat to the neighboring community; and
3. The Owner has demonstrated a hardship in that any other location would be impaired by a septic system, existing trees, existing driveway and the location of the creek on other portions of the Property.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby allows and grants the Owner's request for a rear yard variance of 22' to allow for the placement of a 12' x 16' shed as requested in the Owner's application such that said structure will have a rear yard setback of no closer than 8' from the rear boundary of the Property and being more particularly situated as described in the drawings and explanation materials submitted by said Owner; and

IT IS FURTHER RESOLVED, that the Owner shall comply in all other respects with the Ordinance; and

IT IS FURTHER RESOLVED, that the Zoning Officer is hereby authorized and directed upon payment of any required fees to issue such permits and certificates and to take such other action as may be required to effectuate and enforce this Resolution; and

IT IS FURTHER RESOLVED, that this Resolution shall be effective as of the date of its filing with the Town Clerk.

Upon a canvass of the Board, the votes of its members upon the Resolution were as follows:

Mr. Nash, Member	Voting	Aye
Ms. Keenan, Acting Chair	Voting	Aye
Mr. Field, Member	Voting	Aye
Mr. Marzo, Member	Voting	Aye
Mr. Beggs, Chairman	Excused	----

The Acting Chair, Ms. Keenan, then declared the Resolution to be duly adopted.

CHRISTINE KEENAN, Acting Chair of the Zoning Board of Appeals of the Town of LaFayette, hereby certifies that the foregoing Resolution was duly adopted at a meeting of the Board duly convened and held on December 9, 2014, a quorum being present.

CHRISTINE KEENAN, ACTING CHAIR
Town of LaFayette Zoning Board of Appeals

JACQUELINE ROORDA, Town Clerk of the Town of LaFayette hereby certifies that the foregoing Resolution was duly filed in her office on December ____, 2014.

JACQUELINE ROORDA, Town Clerk

Mr. Dausman added that he has lost interest in the shed since it's taken so long to get through this process. He may not even put the shed up and definitely will not order the shed until next year due to winter weather, if he decides he wants one then.

Member Nash moved and Marzo seconded the motion to adjourn the Meeting of the Zoning Board of Appeals. Motion carried.

Chairperson Keenan adjourned the Meeting of the LaFayette Zoning Board of Appeals at 7:20 p.m.

Respectfully Submitted,

Jacqueline G. Roorda
Zoning Board Secretary