

The Village of North Syracuse Zoning Board of Appeals held a meeting on Thursday, June 3<sup>rd</sup>, 2021 at 5:00 p.m. in the North Syracuse Community Center at 700 South Bay Road, North Syracuse, New York 13212.

**Agenda:**

- Approval of the ZBA minutes from May 6, 2021 (**Approved**)
- Area Variance: Front Yard Setback-428 Church St. (**Approved**)

**Board Members Present:** David Robinson, Chairperson, Jack Gaiser, Jake Bunton, Jeff St. Germain, and Anthony Irick.

**Others Present:** Neil St. Germain, Attorney, Pat Gustafson, Liaison, Brian Johnstone, CEO, and Pearl Fuller, Secretary.

Chairperson Robinson called the Zoning Board of Appeals Meeting to order at 5:02 PM.

**Chairperson Robinson announced due to the emergency circumstances caused by the Covid-19 pandemic and the Mayor of the Village of North Syracuse, the public shall be allowed to attend following the Covid guidelines. Also, they are allowed to watch over Facebook Livestreamed.**

Chairperson Robinson did attendance, and noted all members were present.

**APPROVAL OF THE ZBA MINUTES FROM 05.06.21**

Chairperson Robinson asked if anyone wanted to make a motion to approve the minutes. Mr. Irick made a motion to approve the May 6<sup>th</sup>, 2021 ZBA minutes as written. Mr. St. Germain seconded the motion. The motion was approved unanimously.

**LEGALS**

Chairperson Robinson stated we need to verify the legals. He verified the Legal Notice was put in the newspaper, Agenda was sent to the newspaper, and surrounding neighbors and Town of Cicero were notified. Mr. Robinson announced the legals appear to be in order.

**AREA VARIANCE, LANCE DECKER  
428 CHURCH ST.**

Chairperson Robinson read before us tonight, we have the Applicant, Lance Decker. He is here regarding the property located at 428 Church St., which is currently zoned R-9 Residential. He is looking for a front yard setback of 2'1" from Code §240-8D. (2)(a) which requires 30' front yard setback; his existing front yard setback is 33'4". He is proposing to add a 5.5' x 20' open front porch with a roof overhang and stairs coming off to the side which will bring his front yard setback down to 27'11".

**REPRESENTATIVE ADDRESSES THE BOARD**

Applicant/Representative: Lance Decker

Chairperson Robinson invited Mr. Decker to speak to the Board. Mr. Decker stated he really did not know where to begin. Chairperson Robinson stated his question is what you are proposing to do. He continued do you recognize this photo from one of your neighbors, the house, and asked if you are going to build that storm shed on the front of your house. Mr. Decker continued no. Chairperson Robinson added what you are going to do, and what you are proposing to do. Mr. Decker added he wanted to build an open porch with a roof on it and a railing, so he can set out there. He explained if you go by our house, it is always decorated; his wife decorates all the time. Chairperson Robinson stated he thought he provided us a picture. Mr. Decker stated that is nothing, she has the lights out and everything. He continued basically my is still set back farther than my neighbors porch, it is very similar to what he has; except for mine will have the railing around it. Chairperson Robinson continued 5'.5" is what the porch you are proposing to build is, if you made it less than 5'.5", you would require less of a variance; why did you choose 5'.5." Mr. Decker added it gives us enough room to set chairs on; you would have enough room to walk by the chairs. He stated the decking composite boards would layout even, so he does not have to cut them down and stuff. Mr. Robinson spoke of the cost of those boards now. Mr. Decker continued they are probably cheaper than deck boards now.

#### **BOARD QUESTIONS**

Chairperson Robinson asked if the Board Members had any questions. Mr. Irick asked how big that deck/porch is that you have. Mr. Decker stated 4'. Mr. Irick stated how far the deck extends out from wall. Mr. Decker continued maybe 3'. Mr. Irick continued so you are only asking for about an additional 2', right. Mr. Decker added yes, basically. Mr. Gaiser asked if this was the latest survey. Mr. Decker continued it is old, but is getting one done this year. Mr. Gaiser stated he wondered if the measurements have changed. CEO Johnstone stated he and Mr. Decker measured it last year, right after the paving was completed and we figured roughly about 3'. He continued and he did his own measurements and made it to the 2'.1" that he is at today, so my measurement could have been a little off as we were just roughing it, what it would have been.

#### **PUBLIC HEARING**

Chairperson Robinson stated that due to the Covid-19 pandemic guidelines, and the Mayor of the Village of North Syracuse, the public was allowed to attend following guidelines, but could also view via Facebook. He stated we have contacted all the adjacent neighbors and we have not received any negative comments.

#### **COUNTY RESOLUTION**

Chairperson Robinson stated we do not have a county resolution, because it is not required, due to a Municipal Agreement between the Village and the county dated December 12<sup>th</sup>, 1993.

#### **SEQR**

Chairman Robinson stated no action is required.

**Review Village Law Criteria for Area Variances with the Board**

The Board reviewed the New York State Village Law Criteria for Area Variances with reference to §7-712-b titled: 3. Area Variances and the following are their responses as marked:

	Yes	No
1. Whether an undesirable change will be produced in character of neighborhood or a detriment to nearby properties will be created by granting of the area variance		✓
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance		✓
3. Whether the requested area variance is substantial		✓
4. Whether the proposed variance will have adverse effect or impact on physical/environmental conditions in neighborhood or district		✓
5. Whether the alleged difficulty was self-created; which consideration shall be relevant to the decision of the board of appeals, but not necessarily preclude the granting of the area variance.	✓	

**MOTION**

Mr. Irick made a motion to grant the front yard area variance request granting a 2'1" front yard setback area variance, going from the required 30' and reducing it down to a 27'11" front yard setback, to allow a 5.5' x 20' open front porch with roof overhang and stairs to the side to be installed. The motion was seconded by Mr. St. Germain. Roll call vote: Mr. Gaiser- Aye, Mr. St. Germain- Aye, Mr. Irick-Aye, Mr. Bunton-Aye, and Mr. Robinson-Aye, All in Favor.

Mr. St. Germain made a motion to adjourn at 5:13 PM. and seconded by Mr. Irick. All in Favor.

Respectfully submitted,



Pearl Fuller  
Secretary