

The Village of North Syracuse Zoning Board of Appeals held a meeting on Thursday, July 6th, 2023 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 January 6, 2022 (**Approved**)
- Area Variance: Front Yard Setback: Deck-412 Melrose Dr. (**Approved**)

Board Members Present: David Robinson, Chairperson, Jake Bunton, and Jeff St. Germain.

Others Present: Neil Germain, Attorney, Pat Gustafson, Liaison, Pearl Fuller, Secretary and Interim Codes Officer Pam Di Carlo (late).

Personnel Absent: Jack Gaiser, (Excused), Anthony Irick (Resigned), John Coleman, Alternate (Excused).

Chairperson Robinson called the Zoning Board of Appeals Meeting to order at 5:00 PM.

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

APPROVAL OF THE ZBA MINUTES FROM 01.06.22

Chairperson Robinson asked if anyone wanted to make a motion to approve the minutes. Mr. St. Germain made a motion to approve the January 6th, 2022 ZBA minutes as written. Mr. Bunton 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 we notified; and the Town of Clay were notified. Mrs. Fuller stated they were. Chairperson Robinson announced the legals appear to be in order.

**AREA VARIANCE, SHIRLEY & RICHARD AGLEY
412 MELROSE DR.**

INTRODUCTION

Chairperson Robinson stated before us tonight, we have the Applicants, Richard & Shirley Agley. They are here regarding the property located at 412 Melrose Dr., which is currently zoned R-9 Residential. They are looking for a front yard setback from 5' from Code §240-8D. (3)(a)[1] which requires for Accessory Structures: Front Yard setback for attached of 30'; their existing front yard setback is 25'. They are proposing to replace an existing deck due to age over time that needs to be rebuilt, and want to replace with a new deck that is 8' across the front, 5' deep with the stairs and rails going toward the

driveway. They are requesting an Area Variance of 5' from the 30' required front yard setback, reducing it down to 25' to make this legal.

REPRESENTATIVE ADDRESSES THE BOARD

Applicants/Owners: Shirley & Richard Agley

Chairperson Robinson invited Shirley & Richard Agley to address the Board. Mr. Agley stated he is trying to improve the stairs that was there, by replacing the old one. Chairperson Robinson stated the survey that we saw had steps in 1986. Mr. Agley continued yes. Chairperson Robinson continued they stuck out about 5'. Mr. Agley added yes. Chairperson Robinson asked then what happened. Mr. Agley explained he changed it. Mrs. Agley stated they changed the steps so they are on the side now. Chairperson Robinson clarified you took steps off and put a platform; that was how long ago. Mr. Agley stated yes, about 35 yrs. ago. Chairperson Robinson stated and now what do you need to do. Mr. Agley continued he needed to replace the whole top. Chairperson Robinson asked if it was going to be the same size. Mr. Agley added yes, it is the same footprint. Mrs. Agley explained it is just an upgrade it with new materials.

PUBLIC HEARING

Chairperson Robinson stated asked if any public comments had come in. Mrs. Fuller stated there were not any comments that came in for this project.

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 12th, 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. St. Germain made a motion to approve the Area Variance, granting relief of 5' from the front yard setback, reducing it down from the required 30', to a front yard setback of 25'. The motion was seconded by Mr. Bunton. All in Favor.

Mr. Bunton made a motion to adjourn at 5:07 PM. and seconded by Mr. St. Germain. All in Favor.

Respectfully submitted,



Pearl Fuller
Secretary

