

The Village of North Syracuse Zoning Board of Appeals held a meeting on Thursday, August 5th, 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 June 3, 2021 (**Approved**)
- Area Variance: Side Yard Setback-105 Shaver Ave. (**Approved**)

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

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

Personnel Absent: Anthony Irick (Excused).

Chairperson Robinson called the Zoning Board of Appeals Meeting to order at 5:00 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. They are also allowed to watch over Facebook Livestreamed.

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

APPROVAL OF THE ZBA MINUTES FROM 06.03.21

Chairperson Robinson asked if anyone wanted to make a motion to approve the minutes. Mr. St. Germain made a motion to approve the June 3rd, 2021 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 and both the Town of Cicero and Town of Clay were notified. Mr. Robinson announced the legals appear to be in order.

**AREA VARIANCE, JEAN IANNONE
105 SHAVER AVE.**

Chairperson Robinson read before us tonight, we have the Applicant, Jean Iannone. She is here regarding the property located at 105 Shaver Ave., which is currently zoned R-9 Residential. She appeared before the ZBA on 8/7/2003 when she was granted a side yard area variance of 4. 4' to build a deck on the rear of her home. She is here again tonight, to ask for relief with an area variance from Code §240-8D.(2)(b)[1] which requires the side yard setback to be 8' on the west side of her property. She wants to reduce it down to 3.'6"; requiring relief of 4.'6" to modify the approved

existing deck, to build a 3 season room on top of it. She had an engineer inspect the deck for structural stability and will need to add a couple of joists to it to ensure structural stability.

REPRESENTATIVE ADDRESSES THE BOARD

Applicant/Representative: Jean Iannone

Chairperson Robinson invited Ms. Iannone to speak to the Board. Ms. Iannone stated we have a sunset now and just feel like a 3 season room would be better for us at this time. She continued part of the deck will still be there and we are hoping that we can do it.

BOARD QUESTIONS

Chairperson Robinson stated O.K.; one of the things that he noticed was that there is a row of evergreen trees down the side of your house. Ms. Iannone continued those are ours. Chairperson Robinson continued are they going to stay. Ms. Iannone added yes. Mr. St. Germain stated so it will keep it kind of private as well. Chairperson Robinson added yes, it looked pretty secluded to him to the house next to the west of you. Ms. Iannone stated yes, they cannot see us and we cannot see them. Mr. Gaiser stated he can remember back in 2003, he was one of the guys that O.K. the project then and you are still at it. Ms. Iannone continued yes, we got the variance then for the deck, because the house has never been 8' from the property line since we moved in and it was built in 1936.

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 asked if any comments came 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 deterrent 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 side yard area variance request granting a 4.6" side yard setback area variance, going from the required 8' on the west side, reducing it down to a 3.6" side yard setback, to allow a 9' x 12', 3 Season Room to be installed on top of existing rear deck. The motion was seconded by Mr. Gaiser. Roll call vote: Mr. Gaiser- Aye, Mr. St. Germain- Aye, Mr. Bunton-Aye, and Mr. Robinson-Aye, All in Favor.

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

Respectfully submitted,

Pearl Fuller

Pearl Fuller
Secretary