

Organization River Area Council of Governments

Board Cooperative ZBA

Date and Time Wednesday, April 2 2014 at 7:30 PM

Place Town of Champion Offices Board Room (rear of building) 10 N Broad St, West Carthage NY

Contact [Chris Vargulick](#) Town Clerk Phone (315) 493-3240 Fax(315) 493-2900

Minutes

RACOG
Cooperative Zoning Board of Appeals

TO: Members of the Co-op ZBA, T/Champion Board, T/Wilna Board, V/Carthage Board, Town/Village Clerks, Zoning Enforcement Officers, Timothy Farley, T/Champion Attorney, Mark Gebo, T/Wilna & V/Carthage Attorney and Planning Board Chairmen

FROM: Christina Vargulick, Cooperative ZBA Secretary

DATE: April 3, 2014

RE: Minutes from April 2, 2014

PRESENT: R. Blank, T. Kight, and B. Shampine

ABSENT: D. Austin and L. Haverstock

Chairperson Kight called the meeting to order at 7:30pm. The roll was called.

Motion by B. Shampine, seconded by R. Blank to dispense with the reading of the March 5, 2014 minutes and to approve the minutes as presented. Ayes-3, Nays-0. Motion carried.

T. Kight reviewed an application (Log #2014-1) for an area variance for parcel no. 76.06-1-16 submitted by City of Refuge Church. The applicant is requesting a 4700 sq ft variance of Article 4; Section 411A – Hamlet Zone Supplementary Regulations that states “structures shall not exceed 5,000 square feet of ground coverage for the purpose of constructing a multicultural Christian church.

Proof of notice having been furnished, the public hearing on an area variance for parcel no. 76.06-1-16 was called to order at 7:31pm by Chairperson Kight. No one from the public spoke for or against the proposed action. Motion by R. Blank, seconded by T. Kight to close the public hearing. Ayes-3, Nays-0. Motion carried. The hearing was closed at 7:40pm.

The Board reviewed and responded to the environmental impact assessment regarding the proposed action. Motion by R. Blank, seconded by B. Shampine to make a declaration of negative environmental impact as a result of the action. Ayes-3, Nays-0. Motion carried.

The following resolution was offered by R. Blank, who moved its adoption, and seconded by B. Shampine, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from City of Refuge Church , parcel number 76.06-1-16, for a variance of Article 4; Section 411 of the T/Champion Zoning Law to permit a variance of the maximum allowable ground coverage, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

- A. The Board concluded that the proposed construction would not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.
- B. The Board concluded that the benefit sought by the applicant could not be achieved by a feasible alternative to the variance.
- C. The Board concluded that the requested variance is substantial.
- D. The Board concluded that the variance would not have an adverse impact on the physical conditions of the

neighborhood.

E. The Board concluded that the alleged difficulty is self created.

NOW, THEREFORE BE IT RESOLVED that the application from City of Refuge Church, parcel number 76.06-1-16, for a variance of Article 4; Section 411 of the T/Champion Zoning Law is hereby granted with condition:

- 1. The variance shall not be greater than 9,700sq ft of additional ground coverage on the parcel.

The foregoing resolution was duly put to a vote as follows:

- D. Austin.....absent
- R. Blank.....aye
- L. Haverstock.....absent
- T. Kight.....aye
- B. Shampine.....aye

T. Kight reviewed an application (Log #2014-2) for an area variance for parcel no. 86.24-1-33.1 submitted by the Carthage Industrial Development Corporation. The applicant is requesting a 14' variance of the minimum lot width for one of six proposed lots for the purpose of subdividing the former Braman site.

Proof of notice having been furnished, the public hearing on an area variance for parcel no. 86.24-1-33.1 was called to order at 7:46pm by Chairperson Kight. No one from the public spoke for or against the proposed action. Members questioned if the decreased lot width created a hazard by putting homes in closer proximity. John McHugh responded that the property width will be in character with surrounding properties. Motion by R. Blank, seconded by B. Shampine to close the public hearing. Ayes-3, Nays-0. Motion carried. The hearing was closed at 7:54pm.

The Board reviewed and responded to the environmental impact assessment regarding the proposed action. Motion by B. Shampine, seconded by R. Blank to make a declaration of negative environmental impact as a result of the action. Ayes-3, Nays-0. Motion carried.

The following resolution was offered by R. Blank, who moved its adoption, and seconded by B. Shampine, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from Carthage Industrial Development Corporation, parcel number 86.24-1-33.1, for a variance of Schedule II; Lot Dimensions of the V/Carthage Zoning Law to permit a variance of the minimum lot width, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

- A. The Board concluded that the proposed subdivision would not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.
- B. The Board concluded that the benefit sought by the applicant could not be achieved by a feasible alternative to a variance.
- C. The Board concluded that the requested variance is substantial.
- D. The Board concluded that the variance would not have an adverse impact on the physical conditions of the neighborhood.
- E. The Board concluded that the alleged difficulty is not self created.

NOW, THEREFORE BE IT RESOLVED that the application from Carthage Industrial Development Corporation, parcel number 86.24-1-33.1, for a variance of Schedule II; Lot Dimensions of the V/Carthage Zoning Law is hereby granted with condition:

- 1. The variance to the lot width shall not be greater than 14'.

The foregoing resolution was duly put to a vote as follows:

- D. Austin.....absent
- R. Blank.....aye
- L. Haverstock.....absent
- T. Kight.....aye
- B. Shampine.....aye

Motion by R. Blank, seconded by B. Shampine to adjourn. The meeting adjourned at 8:08pm.

