

Organization River Area Council of Governments

Board Cooperative ZBA

Date and Time Wednesday, June 4 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

PRESENT: D. Austin (7:36), R. Blank, L. Haverstock, T. Kight, and B. Shampine

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

Motion by R. Blank, seconded by L. Haverstock to dispense with the reading of the May 7, 2014 minutes and to approve the minutes as presented. Ayes-4, Nays-0. Motion carried.

T. Kight reviewed the application (Log #2014-3) for an area variance for parcel no. 86.51-1-20.1, located at 58-60 Duke Street, Carthage, and submitted by Timothy Mercer. The applicant is requesting an area variance for the purpose of subdividing three (3) townhouses. Previously, each townhouse had had a separate parcel number but the subdivision was abandoned to facilitate financing the purchase of the unit.

Proof of notice having been furnished, the public hearing on an area variance for parcel no. 86.51-1-20.1 was called to order at 7:31pm. No one from the public spoke for or against the proposed action.

The Board reviewed and responded to the environmental impact assessment regarding the proposed action. Motion by L. Haverstock, seconded by B. Shampine to make a declaration of negative environmental impact as a result of the action. Ayes-5, Nays-0. Motion carried.

All persons desiring to be heard, having been heard, the public hearing was closed at 7:39pm.

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

WHEREAS, the RACOG Cooperative ZBA has received an application from Timothy E. Mercer, parcel number 86.51-1-20.1 for a variance of Schedule II: Lot Dimensions of the V/Carthage Zoning Law to permit a variance of the minimum lot area, lot width, and side yard setback for lots identified as Lot 58, Lot 59 and Lot 60; 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 relative to the minimum requirements.
- 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 Timothy E. Mercer, parcel number 86.51-1-20.1, for a variance of Schedule II; Lot Dimensions of the V/Carthage Zoning Law is hereby approved with the following maximum variance to the minimum required dimension:

	LOT AREA	LOT WIDTH	SIDE YARD
LOT 58	3000sf	8.84''	15'
LOT 59	7600sf	58.42'	15'/15'

LOT 60	4000sf	38.96'	15'
--------	--------	--------	-----

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

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

Motion by T. Kight, seconded by R. Blank to adjourn. The meeting adjourned at 7:50pm.

Christina Vargulick
RACOG Cooperative ZBA, Secretary