

Organization Town of Champion

Board ZBA

Date and Time Wednesday, October 6 2004 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

The Town of Champion Zoning Board of Appeals met in regular session on October 6, 2004 at 7:30pm. Present were R. Doremus, J. Barnes, L. Peck, L. Leddy, W. Nier, Zoning Officer Phelps and Attorney Farley.

Mr. Doremus called the meeting to order. Proof of notice having been furnished, the public hearing on the application from Betty Jean Wilton for an area variance for parcel #85-07-1-33 was called to order at 7:31pm. Mrs. Wilton was represented James Wilton. Mr. Wilton reviewed the dimensions and layout of the parcel relative to the application.

No one from the public spoke in favor of or against the proposed variance.

All persons desiring to be heard, having been heard, the hearing was closed at 7:32pm.

The Board reviewed the area variance criteria and by consensus found no significant impacts. Motion by Mr. Leddy, seconded by Mr. Nier to approve the area variance as presented. Ayes-5, Nays-0. Motion carried.

Old Business

Motion by Mr. Nier, seconded by Mr. Leddy to reopen the public hearing for the area variance application for parcel #93.00-1-60. Ayes-5, Nays-0. A letter, dated October 5, 2004 from Terry and Donna Getman, was read for the record. Attorney Meade, representing Yvonne Sullivan, responding to the correspondence stated that the proposed building would be built in the style illustrated in sketch #2.

The Board discussed the height of the proposed structure as determined by the sidewalls and roof pitch.

Attorney Meade submitted, for the record, a copy of the road maintenance agreement between the property owners in Section 7 of Pleasant Lake and a statement of support signed by twenty four residents.

All persons desiring to be heard, having been heard, the hearing was closed at 7:50pm by Chairman Doremus.

The Board reviewed the area variance criteria and weighed the benefit to the applicant against the detriment to the health, safety and welfare of the neighborhood. Mr. Barnes and Mr. Nier both stated that the benefit could be achieved by another means although Mr. Nier stated that he felt the requested variance was not substantial. Members Doremus, Leddy and Barnes agreed that the alleged difficulty was self created. Attorney Meade disagreed with that determination and reminded the Board that self creation should not necessarily preclude granting the variance. Mr. Phelps commented that the size of the proposed structure was a significant aspect of the need for a variance. The applicant commented that the proposed structure is similar to others buildings in the neighborhood.

Motion by Mr. Peck, seconded by Mr. Nier to grant a rear yard variance of not more than five (5) feet. Roll call vote: Mr. Leddy-aye, Mr. Nier-aye, Mr. Doremus-nay, Mr. Barnes-nay, and Mr. Peck-aye. Motion carried.

The minutes of September 1, 2004 were read for reference only. Motion by Mr. Doremus, seconded by Mr. Barnes to approve the minutes as presented. Ayes-5, Nays-0. Motion carried.

Motion by Mr. Doremus, seconded by Mr. Nier to adjourn. The meeting adjourned at 8:32pm.

Christina Vargulick
ZBA Secretary