

**VILLAGE OF SCOTIA
ZONING BOARD OF APPEALS
MEETING MINUTES
OCTOBER 26, 2015 - 7:00 P.M.**

ATTENDANCE: Bradley Coryer, Terry Jackson, Adrienne Levinthal, Building Inspector Luis Aguero Village Attorney Lydia Marola and Catherine Busher.
Absent: Emily Kohout, Tom Tiberio, Harold Bryant, Eric Buskirk, Board Liaison John Lockwood

Adrienne Levinthal made a motion for Bradley Coryer to serve as the Acting Chairman tonight. It was voting on and unanimously approved by the Board. Voting members for tonight's meeting are Bradley Coryer, Terry Jackson, and Adrienne Levinthal.

MOTION: There was a September 22, 2014 meeting and Terry Jackson made a motion and Adrienne Levinthal seconded to accept the Minutes of the meeting as submitted.

Motion: Terry Jackson **Seconded:** Adrienne Levinthal
Ayes: Terry Jackson, Bradley Coryer, Adrienne Levinthal
Nays: None **Abstentions:** None
Motion Carries.

MOTION: There was an August 24, 2015 meeting and Terry Jackson made a motion and Adrienne Levinthal seconded to accept the Minutes of the meeting as submitted.

Motion: Terry Jackson **Seconded:** Adrienne Levinthal
Ayes: Terry Jackson, Bradley Coryer, Adrienne Levinthal
Nays: None **Abstentions:** None
Motion Carries.

CASE #1: LAURA STANTON - 1 WASHINGTON ROAD - SCOTIA, NY 12302

The applicant, Laura Stanton of 1 Washington Road is interested in building a carport over her existing driveway. All sides of the carport are open and will not inhibit vision when entering or exiting the driveway. This application requires Zoning Board of Appeal's approval in accordance with Village Code Section 250-12. (C), yards required. It is in a SR-5 District and each lot shall have front, side and rear yards as follows: the minimum dimensions for a front yard depth is 20 feet, side yard width for each side is 8 feet and rear yard depth is 20 feet. The applicant is requesting approximately 1 foot for the front, 4 feet for the rear/side and 4.5 feet for the side/rear.

Also, Village Code Section 250-13. (C). Accessory Buildings shall observe front and side yard requirements but on the rear half of the lot may be placed not less than four feet from the lot line.

Acting Chairman Bradley Coryer briefly explained the 5 criteria for area variances: In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the 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 an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
 5. Whether the alleged difficulty was self-created; which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

The board of appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

The carport will be going over the existing driveway which has enough room for three cars. It will not be as far as the retaining wall. The legs on the carport are 7 feet high and the pitch is sufficient for rain and snow run off. They already use the existing area for a driveway but would like the carport for coverage of their vehicles.

Adjacent neighbors were notified of the proposed carport and none responded.

Building Inspector Luis Aguero stated that visibility entering and exiting the carport is sufficient and he does not have any issues with it.

The applicants do not have a gate in the back of their property and therefore, they have to walk around. They have been parking in that area since moving into the property.

The public hearing portion of the meeting closed at 7:10 p.m. and deliberations began.

There weren't any concerns from the Scotia Police Department or Scotia Fire Department.

It is an odd shaped lot and this is the only way to really use it. The Board had no other questions or concerns.

SEQRA is not required for this application.

Deliberations ended at 7:15 p.m. and a motion was made.

MOTION: There is no undesirable change in the character of the neighborhood. This would be the only way to cover the vehicles and the applicants are already parking in that area. It is substantial but only 50% of the side yard width. It does not significantly affect the environment or neighbors. It is self-created but again it is the only way to cover the vehicles. Member Terry Jackson made the following motion due to the above stated reasons. I move that the area variance for the applicant, Laura Stanton of 1 Washington Road, Scotia, NY 12302 to build a carport on her property be granted.

Motion: Terry Jackson **Seconded:** Adrienne Levinthal
Ayes: Terry Jackson, Bradley Coryer, Adrienne Levinthal
Nays: None **Abstentions:** None **Motion Granted.**

Training Status Report:

Current Training Hours:	Chairwoman Kohout	0
	Terry Jackson	4
	Bradley Coryer	6.5
	Harold Bryant	1
	Tom Tiberio	1
	Adrienne Levinthal	1
	Eric Buskirk	5

Motion: There was a motion to adjourn the meeting at 7:20 p.m.

Motion: Adrienne Levinthal **Seconded:** Bradley Coryer

Ayes: Bradley Coryer, Terry Jackson, Adrienne Levinthal

Nays: None **Abstentions:** None **Motion Carries.**

Respectfully submitted, *Catherine Busher, Zoning Board of Appeals Clerk*

October 28, 2015 File Date