

**TOWN OF SULLIVAN
ZONING BOARD OF APPEALS
SEPTEMBER 10, 2020
7:30 P.M.**

A regular meeting of the Zoning Board of Appeals of the Town of Sullivan was convened at the Town Office Building by Member Cliff Reals at 7:30 P.M.

Those in attendance for the meeting were: Members Terry Manning, Bryan Bendixen, Michael Keville; and Attorney for the Board John Langey.

Excused: Chairman Steve Durfee

Also present: Building/Codes Inspector Larry Ball

PUBLIC HEARING

7:30 P.M. – GARY VONA: AREA VARIANCE (1462 WHITEBRIDGE RD., TAX MAP NO. 32.-2-56) REAR AND SIDE YARD SETBACKS TO CONSTRUCT A 30' X 40' POLE BARN.

Gary Vona appeared before the Board to request an area variance for the rear and side yard setbacks to build a 30' x 40' pole barn. This will be for cold storage. He is requesting the pole barn to be 20 feet from the rear property line and 12 feet from the east side property line. There is an existing invisible dog fence as well as trees that would impair Mr. Vona's ability to meet the required setbacks. Mr. Vona presented two notes of approval from neighbors Linda Martin and Stephen Walters. He plans to use RLS Structures as his contractor.

The Town of Sullivan Planning Board had offered its opinion of no adverse Town-wide effect in the granting of this request.

No one spoke for or against the application and the public hearing was closed.

ROBERT DURR: AREA VARIANCE (1223 OAK LANE, Tax Map No. 9.25-1-7) FRONT YARD SETBACKS (PAPER STREET) TO BUILD A 24' x 24' ADDITION TO AN EXISTING GARAGE.

Robert Durr appeared before the Board to request an area variance to build an addition 24' x 20' to the existing garage in close proximity to an unconstructed a paper street. Mr. Durr advised the Board that he needs more garage space and there is no access to the paper street. The roof line will be the same height to the existing structure. Mr. Durr would like to be 1.5 feet from the paper street. He has spoken to a number of his neighbors and there were no objections to this request.

Building/Codes Inspector Larry Ball stated that the paper street could not be built on as it is only 20 feet wide and there is no passing traffic.

Attorney John Langey stated that there is no interest from the Town to build a road and that the Town Highway Department declined to construct a road over the years.

The Madison County Planning Board returned the application for Local Determination.

The Town of Sullivan Planning Board has offered its opinion of no Town-wide negative impact in the granting of this request.

No one spoke for or against the application and the public hearings were closed at 7:55 PM.

NEW BUSINESS

OLD BUSINESS

GARY VONA: AREA VARIANCE (1462 WHITEBRIDGE RD., TAX MAP NO. 32.-2-56) REAR AND SIDE YARD SETBACKS TO CONSTRUCT A 30' X 40' POLE BARN.

The Board jointly reviewed and considered the legal criteria and a proposed resolution for the granting of the requested area variance addressing each of the factors for approval or denial of the application. There are no rear neighbors and the structure will be shielded from the road by trees. Compliance with setbacks would require disrupting an existing invisible fence that was there from the prior owner and removing trees. 30' of relief for a 50' setback was deemed somewhat substantial but not a determining factor and the proposed location is further from the neighbor than if compliant with setback laws.

This application was declared by the Board to be a Type II Action for SEQR, thus concluding the environmental review process for this matter.

A motion was duly made by Member Keville, seconded by Member Manning and unanimously passed by the Board that the benefit to the applicant does outweigh any detriment to the Neighborhood and therefore the variance of 30' for the South rear and 3' for the East side setbacks (including all overhangs) was approved for the 30' x 40' pole barn. Conditions: All parts of the structure must comply with the setback granted (including eaves).

ROBERT DURR: AREA VARIANCE (1223 OAK LANE, 9.25-1-7) FRONT YARD SETBACKS (PAPER STREET) TO BUILD A 24' x 24' ADDITION TO AN EXISTING GARAGE.

The Board jointly reviewed and considered the legal criteria and a proposed resolution for the granting of the requested area variance addressing each of the factors for approval or denial of the application. The property is in line with lakefront neighborhood and given the property layout there is not a desirable solution for alternative to the variance. The variance was

deemed to be somewhat substantial but the paper street will never be utilized and it is not desired by the Town for public road purposes.

This application was declared by the Board to be a Type II Action for SEQR, thus concluding the environmental review process for this matter.

A motion was duly made by Member Manning, seconded by Member Bendixen and unanimously passed by the Board that the benefit to the applicant does outweigh any detriment to the Neighborhood. The variance was approved granting relief to add an addition to the existing garage to be located no closer than 1.5' from the paper street. Conditions: 1.5' setback from the paper street includes roof overhangs (eaves); and the addition is to be no taller than the existing structure.

APPROVAL OF MINUTES

A motion was duly made by Member Bendixen, seconded by Member Manning and unanimously passed by the Board approving the minutes of August 13, 2020.

ADJOURNMENT

A motion was duly made by Member Reals, seconded by Member Manning and unanimously passed to adjourn the meeting at 8:20 PM.

Respectfully Submitted
Jeri Rowlingson, Secretary