

**TOWN OF SULLIVAN
ZONING BOARD OF APPEALS
JUNE 13, 2019
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 Chairman Steve Durfee at 7:30 P.M.

Those in attendance for the meeting were: Chairman Steve Durfee, Members Terry Manning, Cliff Reals, Michael Keville, Secretary Jeri Rowlingson and Attorney for the Board John Langey.

PUBLIC HEARING

7:30 P.M. – BRENDA HEITKAMP: AREA VARIANCE FOR ROAD FRONTAGE (1157 SMITH RIDGE RD., BRIDGEPORT TM# 9.-2-31.11)

Brenda Heitkamp appeared before the Board requesting an area variance for road frontage to build a new home. Required road frontage is 150 ft. and they only have 125 ft. Brenda is in the process of going to the Planning Board for subdivision of this property. This area variance would be for Lot 2 and conditioned on combining Lot 1 with her property and Lot 3 with the Wilson parcel through the Planning Board with deed changes.

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

7:36 P.M. – JOSEPH FLAHERTY: AREA VARIANCE TO ALLOW A DECK CLOSER TO THE ROAD (131 LARKIN AVE., CANASTOTA TM# 10.44-2-20)

Joseph Flaherty appeared before the Board requesting an area variance to build an open raised deck 8 ft. x 8 ft. with open canopy with a 13 ft. setback from the road. There was a 5 ft. x 6 ft. deck when he originally purchased the property which had to be taken down as it had rotted. The house is currently 21 ft. from the road. Mr. Flaherty is asking for a front yard setback to replace the deck that was there originally.

No one spoke for or against the application and the public hearing was closed at 7:42 P.M.

NEW BUSINESS

None.

OLD BUSINESS

BRENDA HEITKAMP: AREA VARIANCE FOR ROAD FRONTAGE TO BUILD A NEW HOME (1157 SMITH RIDGE RD., BRIDGEPORT TM# 9.-2-31.11)

The Board jointly reviewed and considered the legal criteria and a proposed resolution for the granting of the requested area variance by addressing each of the legal criteria for approval or denial of the application within the resolution form. The Board reasoned that no undesirable change would occur in the neighborhood as there are already several parcels that are under minimum road frontage requirements. The request is for 20% of relief but this is not a determining factor, in fact it will improve by allowing roadside residents to own land to the rear. It was determined that the benefits to the applicant outweighed any harm to the neighborhood. This action, when completed, will eliminate a flag lot condition.

This application was declared by the Board to be a Type II Action for SEQR.

A motion was duly made by Member Keville, seconded by Member Manning and unanimously passed by the Board granting 25 ft. of relief for road frontage from the Zoning schedule. Conditions: #1. Applicant shall obtain approval through the Town of Sullivan Planning Board subdivision process which will include transfer of Lot #1 into tax parcel #9.-2-30 and Lot #3 into tax parcel #9.-2-33. #2. No building permits for Lot #2 (the newly created lot) until condition #1 is proven to be satisfied. Brenda Heitkamp will discuss the driveway with the Highway Dept.

JOSEPH FLAHERTY: AREA VARIANCE TO ALLOW A DECK CLOSER TO THE ROAD (131 LARKIN AVE., CANASTOTA TM# 10.44-2-20)

The Board jointly reviewed and considered the legal criteria and a proposed resolution for the granting of the requested area variance by addressing each of the legal criteria for approval or denial of the application within the resolution form. The Board reasoned that no undesirable change would occur in the neighborhood as there are other homes closer to the road and the front door faces the road. The variance of 13 ft. off the road is substantial but in character with the neighborhood and not a determining factor. It was determined that the benefits to the applicant outweighed any harm to the neighborhood.

This application was declared by the Board to be a Type II Action for SEQR.

A motion was duly made by Member Reals, seconded by Member Keville and unanimously passed by the Board granting a variance of 17 ft. of relief for road frontage to build a deck to be no closer than 13 ft. from the road.

APPROVAL OF MINUTES

A motion was duly made by Member Keville, seconded by Member Manning and unanimously passed by the Board approving the minutes of May 9, 2019.

ADJOURNMENT

A motion was duly made by Member Keville, seconded by Member Reals and unanimously passed by the Board to adjourn the meeting at 7:55 P.M.

Respectfully Submitted
Jeri Rowlingson
Secretary