

VILLAGE OF MANLIUS  
ZONING BOARD OF APPEALS  
MEETING

February 22, 2010

Members Present: Francis Marlowe, Chair; Richard Bilharz, Nancy Pfeiffer, Barbara-Ann Serafin.

Others Present: Brad Hunt, Attorney for the Board; Diane Ilacqua, Secretary for the Board; Walt Bobesky, David Razzante, Richard Viehdorfer.

Meeting was called to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Motion made by Mrs. Serafin, seconded by Mrs. Pfeiffer to approve the minutes of January 4, 2010. All in favor. Motion carried.

Appeal #2010-2  
Metropolitan Signs for SECNY  
115 Fayette St. - #030.-01-10.0

Motion made by Mr. Bilharz, seconded by Mrs. Serafin to waive the reading of the Public Notice. All in favor. Motion carried.

Motion made by Mrs. Pfeiffer, seconded by Mr. Bilharz, to open the Public Hearing at 7:01 p.m.

Mr. Bobesky and Mr. Razzante addressed the Board regarding SECNY's request for a second sign.

There being no opponents and no proponents in the audience, a Motion was made by Mrs. Serafin, seconded by Mr. Bilharz, to close the Public Hearing at 7:15 p.m.

After discussion, the Board made the following Resolution:

**RESOLUTION NO. 2010-2  
OF THE  
ZONING BOARD OF APPEALS  
OF THE  
VILLAGE OF MANLIUS**

SECNY Credit Union with an office at 115 Fayette Street, Manlius, NY 13104 seeks an area variance from Section 99-25 C.(3)(a) of the Village of Manlius Code related to its sign application for a second sign. The property is located at 115 Fayette Street, Manlius, NY 13104 in a Commercial District and is identified as Tax Map parcel 030.-01-10. Applicant proposes to add a second sign to the property along Pleasant Street and the Village Code does not allow a second sign. The Village Planning Board has reviewed applicant's sign proposal and has recommended approval of a variance for a second sign, subject to subsequent referral back to the Planning Board for approval of the sign.

Walt Bobesky and David Razzante spoke in favor of the application. They described the plan and the circumstances under which the sign is to be constructed.

In support of the applicant, applicant submitted an Application for Variance and various narrative and graphic representations describing the sign.

Based on the foregoing, the Board resolves as follows:

1. This matter is unlisted under SEQOR upon review of the Environmental Assessment Form and consideration of potential impacts this Board finds that there are no potential significant adverse environmental impacts associated with a second sign.

2. It is determined the requested variance will not produce any undesirable change in the character of the neighborhood and will not be a detriment to nearby properties. The proposed sign will be located along the Pleasant Street side of the building in a location that will not result in significant change in visual aesthetics. In order to serve its intended purpose there are no other feasible methods to pursue other than the area variance so that the sign can be located consistent with the site. The proposed variance will not have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. Neighbors express no objection to the variance. The benefit to applicant outweighs any detriment to the neighborhood or community as a result of granting the variance.

3. A variance is granted to allow for the location of a second sign located on the Pleasant Street side of the structure and subject to Planning Board approval of the sign details and a sign permit.

Roll Call Vote:

	Aye	Nay	Other
Richard Bilharz	<u>X</u>	___	___
Francis Marlowe	<u>X</u>	___	___
Brian Mullett	___	___	<u>Absent</u>
Barbara Ann Serafin	<u>X</u>	___	___
Nancy Pfeiffer	<u>X</u>	___	___

Motion made by Mr. Bilharz, seconded by Mrs. Serafin to approve the variance request. All in favor. Motion carried.

Appeal #2010-3  
Richard Viehdorfer  
4632 Pauli Dr. - #031.-05-20.0

A Motion was made by Mrs. Serafin, seconded by Mrs. Pfeiffer, to waive the reading of the Public Notice. All in favor. Motion carried.

A Motion was made by Mrs. Serafin, seconded by Mr. Bilharz. to open the Public Hearing at 7:20 p.m. All in favor. Motion carried.

Mr. Viehdorfer appeared before the Board to explain his variance request.

There being no opponents and no proponents in the audience, a Motion was made by Mr. Bilharz, seconded by Mrs. Pfeiffer, to close the Public Hearing.

After discussion, the following Resolution was made:

**RESOLUTION NO. 2010-3  
OF THE  
ZONING BOARD OF APPEALS  
OF THE  
VILLAGE OF MANLIUS**

Richard L. Viehdorfer of 4632 Pauli Drive, Manlius, NY 13104 seeks an area variance from Section 99-8E(3) of the Village of Manlius Code related to the required rear yard setback for the property located at 4632 Pauli Drive. The property is located in a R-1 District and is identified as Tax Map parcel 031-05-20.0. The Zoning Code requires 31 feet; Mr. Viehdorfer's proposal provides for a total of 22 feet with respect to the location of a deck on the property.

Mr. Viehdorfer spoke in favor of the application. He described the plan and the circumstances under which a deck is proposed at the property.

In support of the application, applicant submitted an Application for Variance, and a survey map prepared by Ianuzi & Romans Land Surveying P.C. showing the location of the improvements.

Based on the foregoing, the Board resolves as follows:

1. This matter is Type II under SEQR as it involves an individual setback variance related to a single family residential use.

2. After consideration of the applicable criteria for an area variance, it is determined the requested variance will not produce any undesirable change in the character of the neighborhood and will not be a detriment to nearby properties. In light of the lot's size and location of existing improvements there was not a feasible method to pursue other than the area variance so that the deck can be located at its current site, consistent with the site layout. The proposed variance will not have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. The benefit to applicant outweighs the detriment to the neighborhood or community as a result of granting the variance.

3. A variance is granted to allow for the location of a deck with a rear yard set back of 22 feet.

Roll Call Vote:

	Aye	Nay	Other
Richard Bilharz	<u>X</u>	___	___
Francis Marlowe	<u>X</u>	___	___
Brian Mullett	___	___	<u>Absent</u>
Barbara Ann Serafin	<u>X</u>	___	___
Nancy Pfeiffer	<u>X</u>	___	___

That being the vote, a Motion was made by Mrs. Serafin, seconded by Mr. Bilharz, to approve the variance request. All in favor. Motion carried.

Chairman Marlowe advised the applicant to contact David Tessier in the Planning & Development office for his building permit.

There being no further business, a Motion was made by Mrs. Serafin, seconded by Mr. Bilharz to adjourn the meeting at 7:28 p.m. All in favor. Motion carried.

Respectfully submitted,

Diane Ilacqua, Secretary