

VILLAGE OF MANLIUS
ZONING BOARD OF APPEALS
MEETING

June 6, 2022

Members Present: Francis Marlowe, Chairman; (by phone) Chase Bilodeau, Lisa Lucken, and Robert Siuda.

Others Present: Brad Hunt, Attorney for the Board; Lisa Baker, Clerk-Deputy Treasurer; Mike Decker, Codes Enforcement Officer; Hank Chapman, Trustee; Elise Thayer, Mike Maggio and Dominic Maggio.

Meeting was called to order in the Board Room at Village Centre at 7:02 p.m. by Chairman Marlowe and the Pledge of Allegiance was recited.

Appeal #2022-2

4621 Brookhill Dr. S. 032.-02-01.0

Michael Maggio

Applicant was given the opportunity to explain the area variance request to the Zoning Board. The addition requested is for an in-law suite apartment for his parents. It will be a full apartment and all existing utilities will be on the same meter. The applicant explained the details of the relocation of the deck and the entrances to the addition which was confirmed would be through the main dwelling structure. The entrance to the in-law suite will be through the living room of the main residence. They will be adding an entrance to the basement through a Bilco door however the basement will remain unfinished. The applicant explained the areas where the lines of the current building will be changed.

Attorney Hunt stated that as this property is a corner lot, there is the imposition of a 35-foot setback. The relief sought is 17 feet and therefore a variance would be required.

The Board continued to discuss the details of the changes to the original structure.

Attorney Hunt drafted an approval resolution incorporating the deviations from the Zoning Code for the board to consider.

1. Will the proposed variance produce any undesirable change to the character of the neighborhood or be a detriment to any nearby properties?
2. Is there a feasible method other than the variance to accomplish their goals?
3. Will it have an adverse effect on the physical or environmental conditions.
4. Does the benefit to the applicant outweigh any detriment to the neighborhood or community from the variance?

Attorney Hunt stated these are the factors that the board should be considering.

Marlowe confirmed there were no neighbors or any community residents in attendance to dispute the project. He then sought feedback from the other Board members.

Suida stated since it is a corner lot, and the owner strives to make the project compliant, then he sees no reason for objection.

Bilodeau agrees. It is a nice addition, and sees no detriment to the neighborhood, plus it will add value to the home. He is in favor.

Lucken had nothing to add.

**RESOLUTION NO. 2022-2
OF THE
ZONING BOARD OF APPEALS
OF THE
VILLAGE OF MANLIUS**

Michael Maggio of 4621 Brookhill Drive South, Manlius, New York 13104, seeks an area variance from Section 99-8E(2) of the Code of the Village of Manlius (as modified by Section 99-22(E)(4) involving corner lots located in residential districts) related to the required side yard setback for the property located at 4621 Brookhill Drive South. The property is located in a R-1 District and is identified as Tax Map Identification Number 032.-02-01.0. The Code of the Village of Manlius requires a side yard setback of thirty-five (35) feet for the east property line of applicant's property along Brickyard Falls Road. In order to accommodate the installation of a Bilco door and a set of steps with a landing area which are part of a proposed addition, Mr. Maggio's application provides for a side yard setback of eighteen (18) feet on the east boundary line. Mr. Maggio spoke in favor of the application. He described the plan for the proposed renovations to the structure on the property that are reflected in the application.

In support of the application, Mr. Maggio submitted to the Zoning Board of Appeals an application for an area variance and a survey map showing the location of the improvements on the property and the proposed addition.

Based on the foregoing, the Board resolves as follows:

1. This matter is a Type II action under SEQOR as it involves a setback variance related to a single-family residential use and therefore no further environmental review is required.

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 proposed additions to the structure can be located consistent with the existing site layout. The proposed variance **will not have** an adverse effect or impact on the physical or 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 a side yard setback of eighteen (18) feet from the eastern boundary line.

Attorney Hunt concluded if no one else had anything else to add, then it would be appropriate to ask to make a motion to approve the variance.

Mr. Siuda made a motion to approve, seconded by Mr. Bilodeau. All in favor. Motion carried.

Roll Call Vote:

Aye Nay Other

Francis Marlowe	<u> x </u>	<u> </u>	<u> </u>
Robert Siuda	<u> x </u>	<u> </u>	<u> </u>
Lisa Lucken	<u> x </u>	<u> </u>	<u> </u>
Chase Bilodeau	<u> x </u>	<u> </u>	<u> </u>

There being no further business, a Motion was made to adjourn the meeting at 7:12 pm. Mr. Suida motioned to adjourn, seconded by Ms. Lucken. All in favor. Meeting adjourned.

Respectfully Submitted,

Lisa Baker
Clerk-Deputy Treasurer

DRAFT