

The RACOG Cooperative Zoning Board of Appeals met in regular session on Wednesday, June 2, 2021 at the Town of Champion Municipal Building, 10 North Broad Street, West Carthage. Present were Chairperson Kight, D. Austin, and M. Roberts.

Chairperson Kight called the meeting to order at 7:00pm and the roll was called. Motion by M. Roberts, seconded by D. Austin to approve the minutes of May 5, 2021 as presented. Ayes-3, Nays-0. Motion carried.

Proof of notice having been furnished, the public hearing on the area variance for Carthage DG (Dollar General) for property located on NYS Route 3 was called to order at 7:01pm by Chairperson Kight. No one spoke for or objected to the proposed sign height. The hearing was closed at 7:05pm.

Proof of notice having been furnished, the public hearing on the area variance for Amy Mann for property located at 36412 VanBrocklin Road was called to order at 7:06pm. The applicant provided information regarding whether the proposed covered porch would be enclosed stating that it may be in the future. Board members discussed the elevation of the structure in regards to the roadway. No one spoke for or objected to the proposed setbacks for the proposed construction. The hearing was closed at 7:19pm.

Members reviewed and responded to the SEQR for the proposed area variance for Amy Mann. Motion by D. Austin, seconded by M. Roberts to make a declaration of negative environmental impact. Ayes-3, Nays-0. Motion carried.

The following resolution was offered by D. Austin, who moved its approval, and seconded by M. Roberts, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from Carthage DG, LLC for a part of parcel number 76.05-1-30 for a variance of T/Champion Zoning Law Article 6, Section 635F, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

- A. The Board concludes the proposed construction would not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.
- B. The Board concludes that the benefit sought by the applicant could be achieved by some method, feasible for the applicant to pursue, other than a variance.
- C. The Board concludes that the variance is substantial.

D. The Board concludes that the variance would not have an adverse visual impact on the physical conditions of the neighborhood.

E. The Board concludes that the alleged difficulty is self-created.

NOW, THEREFORE BE IT RESOLVED that the application from Carthage DG, LLC, part of parcel number 76.05-1-30, for a variance of Article 6; Section 635F of the T/Champion Zoning Law is hereby granted with the following condition:

1. The maximum height of the stand-alone sign shall not exceed twenty feet (20’).

The foregoing resolution was duly put to a vote as follows:

T. Kight.....aye  
D. Austin.....aye  
M. Roberts.....aye

Resolution adopted.

The following resolution was offered by M. Roberts, who moved its approval, and seconded by T. Kight, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from Amy Mann for parcel number 93.00-2-25 for a variance of T/Champion Zoning Law Article 4, Section 410, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

A. The Board concludes the proposed construction would not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.

B. The Board concludes that the benefit sought by the applicant could be achieved by some method, feasible for the applicant to pursue, other than a variance.

C. The Board concludes that the variance is substantial.

D. The Board concludes that the variance would not have an adverse visual impact on the physical conditions of the neighborhood.

E. The Board concludes that the alleged difficulty is self-created.

NOW, THEREFORE BE IT RESOLVED that the application from Amy Mann, parcel number 93.00-2-25, for a variance of Article 4; Section 410 of the T/Champion Zoning Law is hereby granted with the following condition:

1. The minimum left side setback shall be no less than 36' from the center of the road and the minimum right-side setback shall be no less than 42' from the center of the road.

The foregoing resolution was duly put to a vote as follows:

T. Kight.....aye  
D. Austin.....aye  
M. Roberts.....aye

Resolution adopted.

Chairperson Kight presented an area variance application from Carthage DG, LLC for a portion of parcel no. 76.05-1-30 owned by Tim Thomas and located on NYS Route 3, Town of Champion. The applicant seeks to internally light a free-standing sign for the proposed Dollar General. The Board agreed by consensus to accept the SEQR application previously submitted for an area variance for sign height.

Motion by D. Austin, seconded by M. Roberts to schedule a public hearing on the matter July 14, 2021 at 7:00pm. Ayes-3, Nays-0. Motion carried.

Chairperson Kight presented an area variance application for parcel no. 86.41-2-49 owned by Francis Runkles and located at 455 South James Street, Village of Carthage. The applicant seeks to construct a pole barn/garage. The construction would not meet the required 15' rear yard setback. Chairperson Kight advised the applicant that he will need to provide a scaled drawing of the parcel with existing and proposed structures to evaluate the requested setback variance.

Motion by M. Roberts, seconded by D. Austin to schedule a public hearing on the matter July 14, 2021 following the previously scheduled hearing. Ayes-3, Nays-0. Motion carried.

Chairperson Kight presented an area variance application for parcel no. 86.24-1-23 owned by Jeffrey and Crystal Loomis and located at 961 Alexandria Street, Village of Carthage. The applicants seek to construct a 17.25' x 34' addition on their home for Mrs. Loomis' mother. The proposed construction would have zero feet (0') left sideyard setback. Chairperson Kight cautioned that construction on a property line may lead to allegations of trespassing in the future since maintenance would require access to the neighboring property. Members recommended reconsidering the size of the addition, relocating the addition or reconfiguring existing space.

Motion by D. Austin, seconded by M. Roberts to schedule a public hearing on the matter July 14, 2021 following the previously scheduled hearings. Ayes-3, Nays-0. Motion carried.

Motion by D. Austin, seconded by M. Roberts to adjourn. The meeting adjourned at 7:45pm.

*Christina Vargulick*

Christina Vargulick

RACOG Cooperative ZBA, Secretary