

Minutes  
Village of Schoharie Zoning Board of Appeals  
Meeting held May 5, 2018, 7:00 PM  
At Village Hall, 300 Main Street  
Schoharie

*Draft*

Roll Call - the following members were present:  
Leonard Berdan, Chair  
Ben Cooper  
Eugene Amedio  
Absent and excused was Peter Johnson.

The meeting was duly given public notice by publication in the Times Journal newspaper.  
A quorum was present and the meeting was called to order at 7:00 PM  
The members present chose Leonard Berdan to take the minutes.

Member's phone numbers and e-mail addresses were reviewed.

New business:

The only agenda item was a request by Frances Liddle and Michael Liddle, petitioners, for a side yard variance for a proposed garage situated at 185 Prospect Street, Village of Schoharie, tax map number 72.14-2-14. The property is owned by Frances Liddle and consists of a 0.2 acre lot improved with a single family dwelling. A request for a building permit for a 24' X 32' garage was made to the zoning code enforcement officer and was denied due to insufficient side yard setbacks for the proposed garage. Frances Liddle and Michael Liddle petitioned the Zoning Board of Appeals by letter dated March 26, 2018.

The ZBA determined the following facts:

The property is located in a residential zone

The property is a 0.20 acre lot as per the tax map, or 8,712+/- square feet

The minimum lot size in the residential zone is 10,000 square feet as per table 2-7.1 of the land use law. The property is an existing undersized lot.

Section F of the Village Land Use Law sets the minimum side yard dimensions at eight (8) feet for existing undersized lots.

No survey was available and the tax map and property corner pins found on the property are relied upon for property boundary lines. The property is approximately 50 feet wide as per the tax map.

The proposed garage is 24 feet wide and 32 feet long, situated behind the existing residence, with two overhead doors facing the street. It is to be a pole frame metal structure, one story.

The garage's proposed placement on the lot is at a slight angle to the parallel north and south boundaries. The northeasterly front corner of the proposed garage is to be 16 feet from the north boundary with Janet Snyder while the southeasterly front corner is to be 7 feet from the southerly boundary with Scott and Nancy Elethorp. The northwesterly corner of the garage is to be 4 feet from the northerly boundary with Janet Snyder and the southwesterly corner is to be 12 feet from the southerly boundary with the Elethorps. This placement is shown on the attached sketches.

The southeast corner 7 foot setback and the northwest 4 foot setback do not meet village land use law side yard requirements. This variance request is to permit the placement of the building at these set backs.

Leonard Berdan reviewed SEQR requirements, specifically section 617.5 of the State Environmental Quality Review Act. A motion was made by Eugene Amedio that this setback variance request meets the requirements of a Type II action and no further SEQR action is required. This motion was seconded by Ben Cooper and passed on a unanimous vote of the three ZBA members present.

A motion was made by Eugene Amedio to refer this action to the County Planning Committee and the motion was seconded by Ben Cooper and passes on a unanimous vote of the three ZBA members present.

A motion was made by Eugene Amedio to hold a public hearing on the matter on May 22, at 7:00 PM at the village hall. The motion was seconded by Ben Cooper and passed unanimously by the three ZBA members present.

The applicants were instructed to mail notices of the hearing to all property owners of record within 500 feet of 185 Prospect Street.

A motion was made and seconded to adjourn the meeting and the meeting was adjourned at 7:25 PM.

*Draft*