

**Zoning Board of Appeals
Town of Manlius
August 15, 2019
6:30 PM**

1. Pledge Of Allegiance
2. Approval Of Minutes - July 18, 2019

Documents:

[7-18-19 Draft.pdf](#)

3. Amiee & Fritz Blok, 7116 N. Manlius Rd., Kirkville Rd. For A 100-Foot Frontage Variance Instead Of The Required 200-Foot, For A New Build Home.

Documents:

[7116 N Manlius Rd..pdf](#)

4. Samantha & Kyle Haun, 5833 Butterfly Circle, E. Syracuse. For 10-Foot Rear Yard Variance To Meet The Required 25-Feet And A 5-Foot Front Yard Variance To Meet The Required 30-Feet. To Install A 13'X26' In-Ground Pool Pool.

Documents:

[5833 Butterfly Circle.pdf](#)

5. Other Business
6. Adjournment

**TOWN OF MANLIUS
ZONING BOARD OF APPEALS
July 18, 2019
6:30 PM**

The Town of Manlius, Zoning Board of Appeals assembled at the Town Hall, 301 Brooklea Drive, Fayetteville, New York, with Chairman K.P. Kelly presiding and the following Board members present:

	Member	Jim Campbell
	Member	Al Ruthig
	Member	Clare Miller
Absent	Member	Judy Salamone
	Secretary	Debi Witzel
	Attorney	Jamie Sutphen
Absent	Codes Director	Randy Capriotti

Also, Present: Garret Malone

The Pledge of Allegiance was recited. The meeting was called to order at 6:30 PM.

Chairman Kelly requested that Member Ruthig step in to chair the meeting since he had a cough that interfered with his ability to do so.

Minutes

Chairman Campbell made a motion, seconded by Member Miller, to approve the minutes of June 20, 2019 as submitted by Secretary Witzel and it was carried unanimously.

Legal Notices

Chairman Kelly made a motion, seconded by Member Campbell to waive the reading of the public notices and it was carried unanimously.

Chairman Kelly made a motion, seconded by Member Campbell, to open the public hearing at 6:32 PM.

Garrett & Mari Malone, 6345 Fremont Rd., E. Syracuse NY (tax map # 054.-01-14.1). To construct a 24' X 40' garage. Requesting a rear yard variance setback of 15 feet to meet the required 25 feet.

Mr. Malone stated he would like to replace the existing garage with a 24'X40' garage that will be 3' longer the existing garage.

Member Ruthig proceeded with the applicant through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? Mr. Malone answered no – because of the lines for the septic system and he would like to use the existing garage base/footprint.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? Mr. Malone answered no

- 3) Whether the requested Variance is substantial? Mr. Malone answered no – because the land behind him is a wooded lot.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? Mr. Malone answered no
- 5) Whether the alleged difficulty was self-created? Mr. Malone answered no

Board Questions

Member Miller asked about the clearing in the wooded lot behind the house and asked if anyone is planning on building back there. Mr. Malone answered no.

Chairman Kelly asked if the garage and shed are coming down would Mr. Malone be using the old concrete. Mr. Malone answered yes. Chairman Kelly asked what the outside of the new garage will look like. Mr. Malone answered it will have vinyl siding to match the house. Chairman Kelly asked what the use will be for the garage and if it would have electricity. Mr. Malone answered the garage would be used for cars and a workshop in the rear. The garage currently does have electricity. Chairman Kelly asked where the debris from the old garage will be taken. Mr. Malone answered the contractor will dispose of the debris as required. Chairman Kelly asked what the cement slab behind the garage will be used for. Mr. Malone answered to stack cords of wood. Chairman Kelly stated that if Mr. Malone decided in the future to build on the rear slab, he would need to get a variance.

Board members discussed how the 3' slab would impact the variance request of 15'. It was decided to grant a 12' variance instead of the 22' variance.

Chairman Kelly made a motion, seconded by Member Campbell to close the public hearing at 6:43 PM.

Board Discussion

Member Ruthig proceeded with the board through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered no; because of the lines for the septic system and he would like to use the existing garage base/footprint.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no: Same footprint as what is there and will match house.
- 3) Whether the requested Variance is substantial? The board answered no; will use the same footprint.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no: property behind house is a wooded lot and the new garage will look better than the old garage.
- 5) Whether the alleged difficulty was self-created? The board answered yes: if garage was not extended would not need variance.

Determination of ZBA Based on the Above Factors:

The ZBA, after taking into consideration the above five factors, finds that:

 X The benefit to the application **DOES** outweigh the Detriment to the Neighborhood or Community.

 The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that a variance for 12 feet to the back of the proposed garage is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

The ZBA further **GRANTS** the variance as requested with the following conditions: no enclosures or structure will be built on the rear 3' slab; roof and siding will match existing house with architectural shingles.

SEQRA Review

Chairman Kelly determined the proposed project and action contemplated is comprised of a Type II Action pursuant to the New York State Environmental Quality Review Act, and as such no further review was required.

Board Action

Based on the answers provided in the application and before the board, the ZBA determined that the benefit to the applicant outweighed any detriment to the neighborhood.

Member Campbell made a motion, seconded by Member Kelly, to grant Garrett & Mari Malone, 6345 Fremont Rd., E. Syracuse a 12' variance to construct a 24' X 40' garage. With the condition that no structure be build on the rear 3' slab.

Adjournment

With there being no other business, Member Campbell made a motion, seconded by Member Miller, and carried unanimously, to end the meeting at 6:52 PM.

Respectfully submitted,
Debi Witzel, Secretary
Zoning Board of Appeals

Application for Building Permit

Town of Manlius
Department of Planning and Development
301 Brooklea Drive, Fayetteville, NY 13066
(315)637-8619 Fax: (315) 637-0713

Application is hereby made for the issuance of a Building Permit pursuant to the New York State Uniform Fire Prevention and Building Code for work herein described. The applicant agrees to comply with all laws, ordinances, regulations and revisions of the municipality in which the Permit is requested.

Owner/Applicant - Name and Phone Number:

Almo + Fritz Blok

Address of Proposed Work:

716 North Manlius Road Kirkville NY

Contractor Name & Address & Phone Number:

Build Your Own Home
5912 N. Burnick St. East Syracuse NY 13057

Proposed Work:

New Home Construction

- | | | | |
|---|-------------------------------|---------------------|-----------------|
| 1. Addition _____ | 2. Alteration _____ | 3. Demolition _____ | 4. Garage _____ |
| 5. Shed _____ | 6. Deck _____ | 7. Pool _____ | 8. Sign _____ |
| 9. New Construction <input checked="" type="checkbox"/> | 10. Fireplace/Woodstove _____ | 11. Solar _____ | |
| 12. Renewal _____ | 13. Other _____ | | |

Construction Cost: \$ _____

Size of Project:

2200 sq ft 4 Bedroom, 2 story home w/ 2 car garage

Description of Project:

New home approx 200' north of North Manlius Road
70' x 36' Structure

Residential - New Structure

Existing Structure _____

of Bedrooms 4

of Bathrooms 2 1/2

of Fireplaces 1

Total Square Feet w/o Garage 2200

Garage Square Foot 484

Other _____

Description _____

Commercial - New Structure _____

Existing Structure _____

Name of Business: _____

Total Square Feet: _____

Description of Property: _____

All Plumbing and Sanitary systems to be inspected by Onondaga County Department of Health. All Electrical systems will be inspected by a Third Party Electrical Inspector approved by the Town of Manlius.

I hereby agree that no building is to be occupied or used in whole or in part for any purpose what so ever until a Certificate of Occupancy or Compliance has been issued by the Code Enforcement Officer.

I hereby certify that the above information is true to the best of my knowledge. Permission is hereby granted to the Code Enforcement Officer or Authorized representative upon showing proper credentials to enter that above premises or buildings during reasonable working hours to discharge their duties.

Signature: _____

Date: 7/16/19

Contractor / BYOH, LLC

Road Frontage 200'

CODE ENFORCEMENT USE ONLY			
Zoning: <u>RA 40</u> (F) <u>40</u> (R) <u>40</u> (S) <u>20</u>	Flood Plain	Wetlands	
Received By: _____	Receipt No.: _____	Fee: \$ <u>1000</u>	Date: _____
Check #: _____	Cash: _____	Credit Card: _____	
Tax Map # <u>040.-01-20.0</u>	_____		
Building Permit Number: _____	_____		
Approved: _____	Disapproved: <input checked="" type="checkbox"/>	Date: <u>7-17-19</u>	
Remarks: <u>RA Zone Needs 200' Frontage, Applicant has 100'. Needs A Variance of 100'</u>	_____		
<u>Randy Covitt</u>			
Signature of Code Enforcement Officer			

TOWN OF MANLIUS - ZONING BOARD OF APPEALS

APPLICANT / PROPERTY INFORMATION

Date: 7/19/19

1. Property Address: 7116 North Manlius Road, Kirkville 13082

Property Tax Map # 040.-01-20.0

The Applicants Purpose (new construction, alteration, extension, restoration, modification or other action) with respect to the subject property; New construction

2. Owner of Property: Fritz & Anee Blok

Owner's Address: 204 Barton Cir E. Syracuse NY 13057

Owner's E-Mail: ablok@aspendental.com or fritzblok@yahoo.com

Owner's Phone #: _____ Does Owners reside at property: NO

Signature of Property Owner: Anee Blok Fritz Blok

3. Applicant / Representative / Attorney:

Name: Tom Oot Company: Build Your Own Home

Address: 5912 N. Bardick St. E. Syr NY 13057

Phone: 315-374-8588 E-Mail: oot44@aol.com

4. The Town of Manlius ZBA Board requires that owners of neighboring properties be contacted by the applicant with respect to the proposed variance application. Please see attached instructions and form.

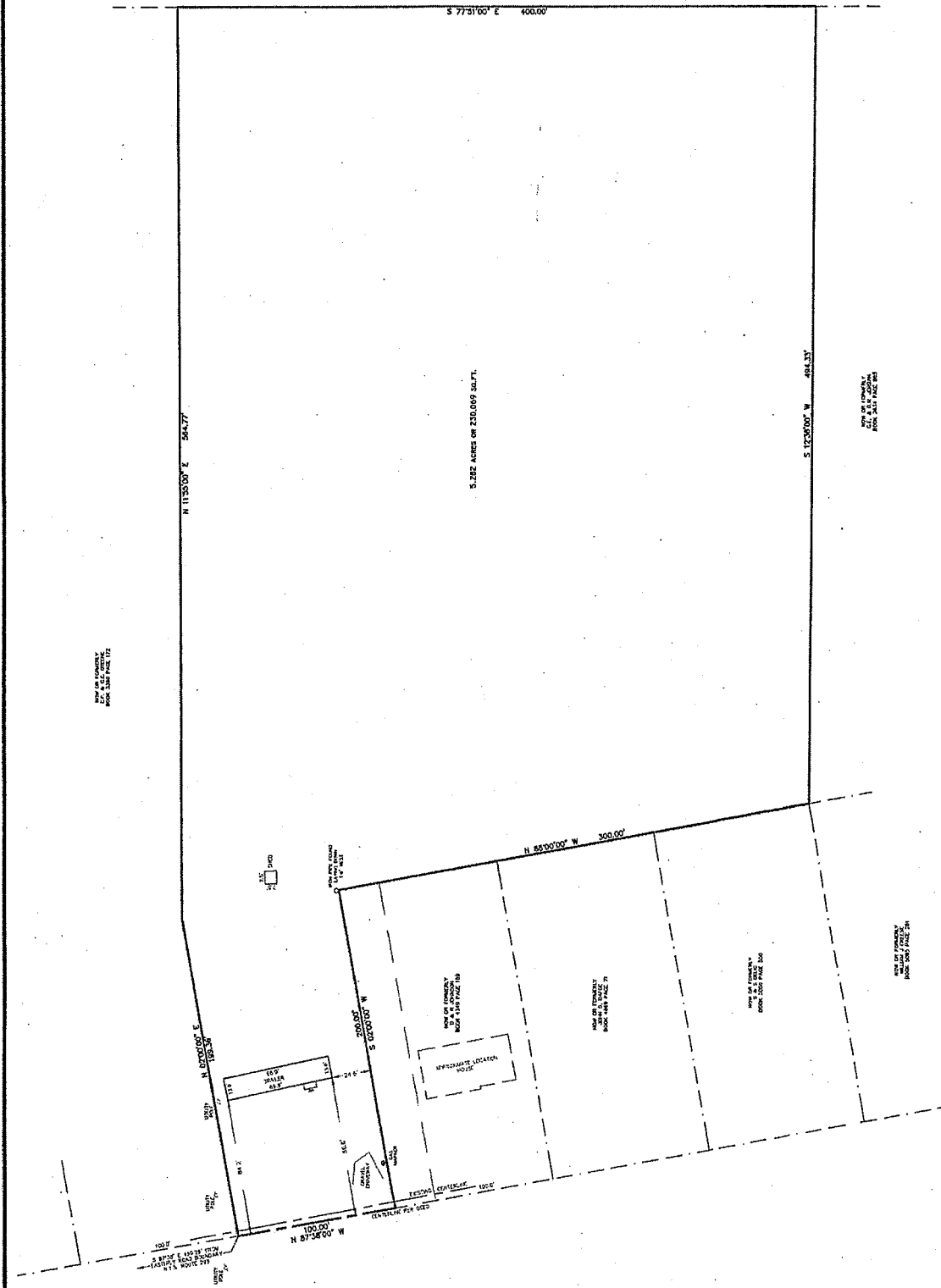
Below this line - For Office Use Only

Application Received by: _____ Date: _____

Payment Receipt #: _____

Date of Denial of Building Permit Application: _____ Current Property Zoning: _____

The subject property will be in conformity with all zoning use as outlined in Chapter 155 of the Town of Manlius Municipal Code, except as stated here by the Code Officer: _____



LOT 17
TOWNSHIP OF MANLIUS
COUNTY OF ORANGE
NEW YORK STATE

S 77°31'00" E 400.00'

N 1135°00' E 544.77'

5.232 ACRES OR THEREABOUTS

S 120°00' W 494.33'

LOT 18
TOWNSHIP OF MANLIUS
COUNTY OF ORANGE
NEW YORK STATE

LOT 19
TOWNSHIP OF MANLIUS
COUNTY OF ORANGE
NEW YORK STATE

NORTH MANLIUS ROAD

LOT 20
TOWNSHIP OF MANLIUS
COUNTY OF ORANGE
NEW YORK STATE

LOT 21
TOWNSHIP OF MANLIUS
COUNTY OF ORANGE
NEW YORK STATE

LOT 22
TOWNSHIP OF MANLIUS
COUNTY OF ORANGE
NEW YORK STATE

LOT 23
TOWNSHIP OF MANLIUS
COUNTY OF ORANGE
NEW YORK STATE

This Survey Map shows the lot dimensions and bearings and area of the land described in the plat. It is subject to all existing easements, rights of way, and other interests in the land. The dimensions and bearings are given in feet and decimals thereof. The bearings are given in degrees, minutes and seconds. The area is given in acres and decimals thereof. The survey was conducted on the 7th day of August 2018.



NO.	DATE	DESCRIPTION	BY

LOCATION: TOWN OF MANLIUS, COUNTY OF ORANGE, NEW YORK STATE

DATE: AUGUST 7, 2018

TITLE: SURVEY MAP

SCALE: AS SHOWN

Application for Building Permit

Town of Manlius

Department of Planning and Development

301 Brooklea Drive, Fayetteville, NY 13066

(315)637-8619 Fax: (315) 637-0713

Application is hereby made for the issuance of a Building Permit pursuant to the New York State Uniform Fire Prevention and Building Code for work herein described. The applicant agrees to comply with all laws, ordinances, regulations and revisions of the municipality in which the Permit is requested.

Owner/Applicant - Name and Phone Number:

Samantha & Kyle Hahn

Address of Proposed Work: 5833 Butterfly Circle East Syracuse, NY 13057

Contractor Name & Address & Phone Number: Canon Pools, 5210 W Taft Rd Syracuse, NY 13212, (315) 458-3150

Proposed Work: Inground pool w/ privacy fence

- | | | | |
|---------------------------|-------------------------------|---|-----------------|
| 1. Addition _____ | 2. Alteration _____ | 3. Demolition _____ | 4. Garage _____ |
| 5. Shed _____ | 6. Deck _____ | 7. Pool <input checked="" type="checkbox"/> | 8. Sign _____ |
| 9. New Construction _____ | 10. Fireplace/Woodstove _____ | 11. Solar _____ | |
| 12. Renewal _____ | 13. Other _____ | | |

Construction Cost: \$ _____

Size of Project: 13x26"

Description of Project:

13' x 26' Kidney shaped in-ground pool w/ 3 feet of brushed concrete. Landscaping for drainage, and privacy and safety fence install

Residential - New Structure _____ Existing Structure

of Bedrooms 5 # of Bathrooms 2 1/2 # of Fireplaces 1

Total Square Feet w/o Garage 2600 Garage Square Foot unknown

Other _____

Description _____

Commercial - New Structure _____ Existing Structure _____

Name of Business: _____ Total Square Feet: _____

Description of Property: _____

All Plumbing and Sanitary systems to be inspected by Onondaga County Department of Health. All Electrical systems will be inspected by a Third Party Electrical Inspector approved by the Town of Manlius.

I hereby agree that no building is to be occupied or used in whole or in part for any purpose what so ever until a Certificate of Occupancy or Compliance has been issued by the Code Enforcement Officer.

I hereby certify that the above information is true to the best of my knowledge. Permission is hereby granted to the Code Enforcement Officer or Authorized representative upon showing proper credentials to enter that above premises or buildings during reasonable working hours to discharge their duties.

Signature: [Signature] Date: 7/5/19

CODE ENFORCEMENT USE ONLY

Zoning: R3 (F) 30 (R) 25 (S) 15 Flood Plain _____ Wetlands _____

Received By: JS Receipt No.: 3849 Fee: \$ 100 Date: 7-5-19

Check #: 151 Cash: P Credit Card: P

Tax Map # 077-06-09.0

Building Permit Number: _____

Approved: _____ Disapproved: Date: 7-23-19

Remarks:
Applicant needs 2 Variances: First, needs 10' relief for the back
or Rear Setback and Second, needs 5' relief for the Front
Setback

Randy Cipriotti
Signature of Code Enforcement Officer

RECEIVED

JUL 29 2019

TOWN OF MANLIUS - ZONING BOARD OF APPEALS

APPLICANT / PROPERTY INFORMATION

TOWN OF MANLIUS
PLANNING AND DEVELOPMENT

Date: 7/25/19

1. Property Address: 5833 Butterfly circle East Syracuse, NY 13057

Property Tax Map # 077-06-09.0

The Applicants Purpose (new construction, alteration, extension, restoration, modification or other action) with respect to the subject property; installing an in-ground pool. (Please note, size of pool will be 16x32.)

2. Owner of Property: Samantha & Kyle Haun

Owner's Address: 5833 Butterfly circle East Syracuse, NY 13057

Owner's E-Mail: Samantha.haun@yahoo.com

Owner's Phone #: _____ Does Owners reside at property: yes

Signature of Property Owner: [Signature]

3. Applicant / Representative / Attorney:

Name: SAME Company: _____

Address: _____

Phone: _____ E-Mail: _____

4. The Town of Manlius ZBA Board requires that owners of neighboring properties be contacted by the applicant with respect to the proposed variance application. Please see attached instructions and form.

Below this line - For Office Use Only

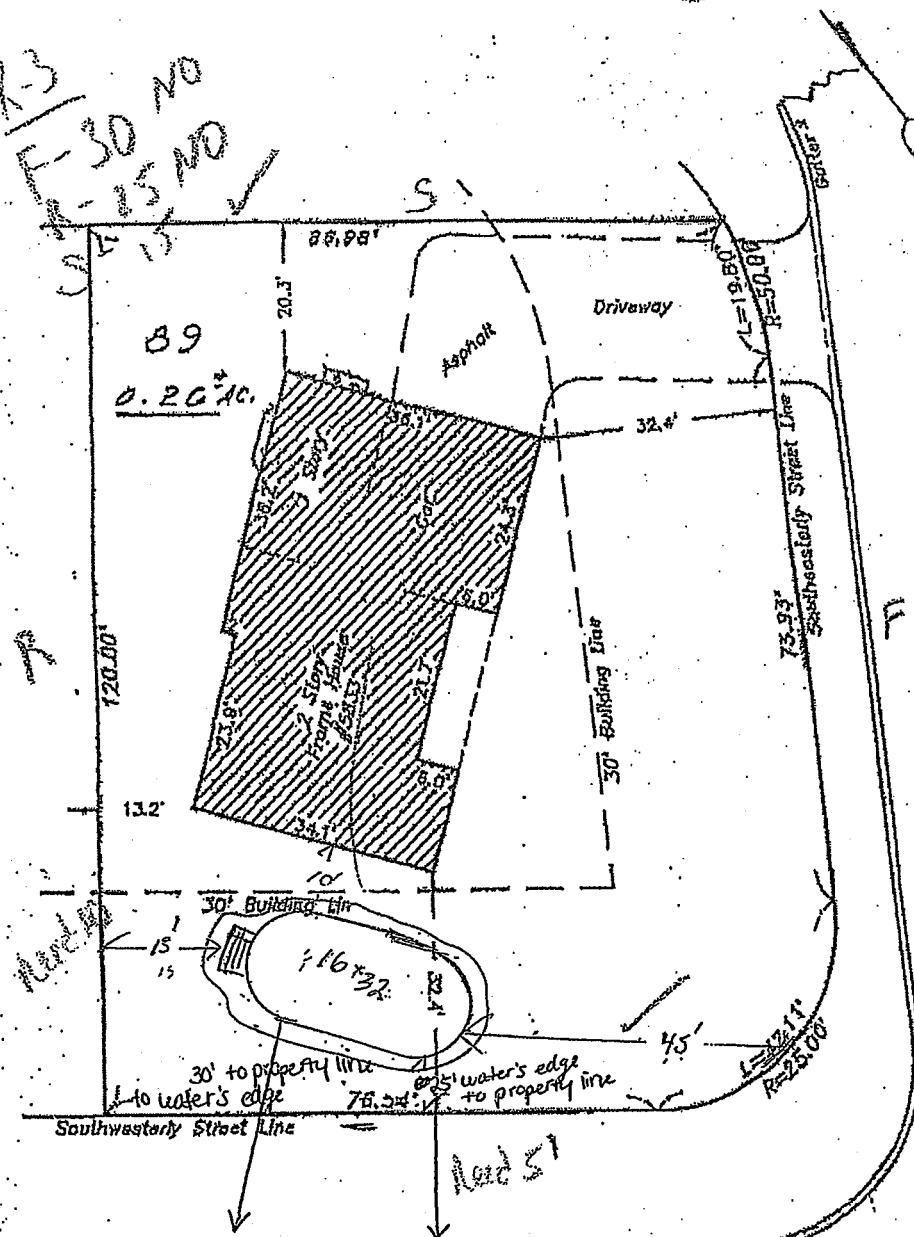
Application Received by: _____ Date: _____

Payment Receipt #: _____

Date of Denial of Building Permit Application: _____ Current Property Zoning: _____

The subject property will be in conformity with all zoning use as outlined in Chapter 155 of the Town of Manlius Municipal Code, except as stated here by the Code Officer: _____

13
F-30 NO
F-15 NO



CIRCLE BUTTERFLY

SNOWBALL RUN



"Montalto"
Tx # 77-08-09.0

Survey Subject To Current Abstract Of Title
Dulius Not Certified
"Cohen" ~~et al~~; Anna V. Cohen, BK 4791, pa 199

SEPARATE TO
Lithomington Mutual Bank, Inc.
The Cohen Group
Eric + Eve Wojtowicz A.G.

House Location Survey
for Mortgage/Conveyance Purposes
Lot #89
Fremont Meadows ~ Section #2
Filed: 09/28/1987, Tract Map #6676
Town of Manlius
County of Onondaga
State of New York
Known As: #6633 Butterfly Circle

This Certification shall be null and void if a Re-Survey/Update or
Survey Map is done by others except by the undersigned surveyor
or his successor.
Building Location Surveys do not include the placing of property
corner stakes, except when noted.
It is a violation of Article 145 of the N.Y.S. Education Law to
alter any item on this map without the direct consent of the
undersigned surveyor or his successor.
The undersigned surveyor hereby certifies that this map is made
from an actual survey of the property shown hereon.

CHRISTOPHERSON
Land Surveyor
Syracuse, New York

Made By: J.L.C.
Date: 8/27/1987
Scale: 1"=20'
File: 810
Disk: 887

Re-Certified: 9/22/88 by J.L.C. 12/5/88

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