

**TOWN OF MANLIUS  
ZONING BOARD OF APPEALS  
October 15, 2020  
6:30 PM**

The Town of Manlius, Zoning Board of Appeals assembled on ZOOM for a virtual meeting with Chairman K.P. Kelly presiding and the following Board members present:

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

Attendees: Mike McLoughlin

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

**Minutes**

Member Salamone made a motion, seconded by Member T. Kelly, to approve the minutes of September 17, 2020 as submitted by Secretary Witzel and it was carried unanimously.

**Legal Notices**

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

Member T. Kelly made a motion, seconded by Member Salamone to open the public hearing at 6:31 PM and it was carried unanimously.

**Michael & Laura McLoughlin, 7619 Somerset Lane, Manlius NY (tax map # 103.-03-24.0) Public Hearing for an area variance for a 10' X 14' shed. Applicant will need two variances.**

- **With an existing rear yard setback of 10' they will need a variance of 30' to meet the required 40'.**
- **With an existing side yard setback of 10' they will need a variance of 10'**

Mr. McLoughlin stated the reason for requesting a variance is so he can have a shed.

Chairman Kelly asked if the shed would have a 2<sup>nd</sup> floor because of the shape of the roof. Mr. McLoughlin answered no 2<sup>nd</sup> floor. Chairman Kelly asked what color the shed will be. Mr. McLoughlin answered it will be a blueish gray. Chairman Kelly asked if he had gotten any complaints from his neighbors concerning the placement of the shed. Mr. McLoughlin answered he had no comments from his neighbors.

Member T. Kelly made a motion, seconded by Member Salamone to close the public hearing at 6:36 PM and it was carried unanimously.

**Board Questions**

Chairman Kelly 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, as the placement in the yard makes sense.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no.
- 3) Whether the requested Variance is substantial? The board answered no, as there is room to move around the shed.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no because the shed is like other sheds in the neighborhood.
- 5) Whether the alleged difficulty was self-created? The board answered yes because they want a shed.

**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 the variances are for a 30' rear yard setback and a 10' side yard setback 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: None

**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 Salamone made a motion, seconded by Member Miller, to grant Michael & Laura McLoughlin, 7619 Somerset Lane, Manlius NY (tax map # 103.-03-24.0) Public Hearing for an area variance for a 10' X 14' shed. Applicant will need two variances.

- With an existing rear yard setback of 10' they will need a variance of 30' to meet the required 40'.
- With an existing side yard setback of 10' they will need a variance of 10'

The Board voted as follows:

Chairman KP Kelly	Aye
Member T. Kelly	Aye

Member Miller                      Aye  
Member Salamone                  Aye

The motion was carried.

**Adjournment**

With there being no other business, Member T. Kelly made a motion, seconded by Member Salamone, and carried unanimously, to end the meeting at 6:44 PM

Respectfully submitted,  
Debi Witzel, Secretary  
Zoning Board of Appeals