

TOWN OF ROTTERDAM
ZONING BOARD OF APPEALS
April 19, 2017

1. **Michael A. Valletta (Towne TV) – 3125 Carman Road, Rotterdam, NY**, Tax Map #71.06-5-2.111 located in the Retail Business (B-1) Zoning District. The applicant wishes to Boundary Line Adjust a ±4,363 square foot parcel of property at the rear (eastern) portion of the property to resolve an existing parking lot encroachment with the adjacent Pine Grove Apartments. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being **Chapter 270-61** entitled “Yard Requirements.” **Chapter 270-61(B)(3)** states that the Rear Yard Depth shall be not less than 25 feet. The applicant is seeking to boundary line adjust a portion of the rear yard to accommodate the existing parking lot. The proposed rear yard depth is 12.7 feet which would require a variance of 12.3 feet.
2. **David Ferrell – 1042 Dudley Road, Rotterdam, NY**, Tax Map #59.20.10-31 and 59.20-10-32 (combined), located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory Structures and Uses” and Chapter 270-15 entitled “Accessory Buildings, Uses, and Structures.” The applicants wish to construct a 14’ x 24’ foot detached accessory structure with a height of 18 feet. The variance request(s) are as follows: **Chapter 270-138(c)** entitled “Lot Coverage” in regards to an accessory structure states that the floor area of any accessory structure shall not exceed 15% of the total habitable floor area of an existing or proposed principal structure in the A, RA, R-1, R-2 and R-3 Districts. The existing residential structure is 1,932 square feet which would allow an accessory structure of 290 square feet. The proposed detached accessory structure will create an accessory structure that is 336 square feet, which is 46 square feet over the allowed size of 290 square feet. **Chapter 270-15 (A)** “Location.” states that no permitted accessory use or building shall be located in the front yard in a residential district, except parking and landscaping. The applicant is proposing that the accessory structure be placed in the front yard. **Chapter 270-15 (B)** “Height.” states that no accessory building or structures shall exceed 14 feet in height. The applicants are seeking to construct this accessory structure with a height of eighteen (18) feet. This will require a variance of four (4) feet.
3. **Thomas E. Feulner –4983 Rynex Corners Road, Rotterdam, NY**, Tax Map #58.13-1-89 located in the Agriculture (A-1) Zoning District. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to construct an 18’ x 21’ detached garage. The variance request(s) are as follows: Chapter 270-138(c) “Lot Coverage” states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions. No accessory garages

shall exceed a maximum height of 15 feet in all existing zoning districts. The proposed detached garage is 378 square feet and the existing detached garage is 832 square feet making the total garage space 1210 square feet, which is 310 square feet over the allowed size of 900 square feet.

4. **Matthew Tiscione –1765 Ferguson, Rotterdam, NY**, Tax Map #59.9-8-13, located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he be granted area variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-21 entitled “Yard and property line requirements” and Chapter 270-22 entitled “Lot Area.” The applicant is requesting variances in order to allow for a two (2) lot subdivision to facilitate the construction of single family residence on a newly created lot. The variance request(s) are as follows:

Proposed Lot #1 (Existing Single Family Residence)

	Required	Existing	Proposed	Variance
Front Setback	25 feet	15.8 feet	15.8 feet	9.2 feet
Front Setback	25 feet	5.1 feet	5.1 feet	19.9 feet
Side Setback	10 feet	8.7 feet	8.7 feet	1.3 feet
Lot Area	15,000 sf	13,365 sf	6,000 sf	9,000 sf

Proposed Lot #2 (Vacant)

	Required	Existing	Proposed	Variance
Front Setback	25 feet	N/A	17 feet	8 feet
Lot Area	15,000 sf	N/A	7,365 sf	7,635 sf
Front Property Line	100 feet	N/A	58.92 feet	41.08 feet

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SEQR Requirement: Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

County 239-m Requirement: County review is required. The 239m was mailed to Schenectady County Department of Economic Development and Planning on April 3, 2017.

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County 239-m Requirement: County review is not required and is exempt pursuant to the 2011 MOU between Schenectady County Economic Development and Planning and the Town of Rotterdam.

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