

**TOWN OF ROTTERDAM
ZONING BOARD OF APPEALS
May 17, 2017**

1. **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

2. **Richard and Caitlin Steese – 276 Mariaville Road, Rotterdam, NY**, Tax Map #48.18-6-14 located in the Retail Business (B-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-143 entitled “Fences.” **Chapter 270-143(A)(1)** sets a front yard height limit at four (4) feet. The applicant would like to install a six (6) foot high fence, which would require a variance of two (2) feet. **Chapter 270-143(A)(4)** states that front yard fences should be less than fifty percent (50%) solid or opaque. The applicant would like to install a six (6) foot high fence that is one hundred percent (100%) solid. The subject property is a corner lot.
3. **Nu-Look Car Wash, Inc. – 1156 Curry Road**. Tax Map #58.08-9-35 located in the Retail Business (B-1) and Single Family Residential (R-1) Zoning Districts. The applicant is seeking a variance to facilitate the creation of a two-lot subdivision. Lot 1 = ±0.54 acres with existing Nu Look Car Wash, Lot 2 = ±1.20 acres for future development. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-59 entitled “Lot Area.” Chapter 270-59 states that the minimum lot area required for each principal use is 15,000 square feet, with a minimum lot width of 100 feet. The applicant is seeking to create Lot 1 with a lot width of 80 feet which would require a variance of 20 feet.

4. **Victor and Janet Mikovich - 373 Masullo Parkway, Rotterdam, NY**, Tax Map #58.20-1-6, located in the Single Family Residential (R-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-33 entitled "Yard Requirements." **Chapter 270-33(A)** states that the front yard depth shall be 25 feet or a depth of not less than 1/2 the total setback depths of the dwellings on properties which adjoin on each side, provided that both of such dwellings are set back less than 25 feet. The applicant would like to construct a 5' x 7' covered porch within 24 feet of the front property line onto an existing single family residence, which would require a variance of 1 foot.

5. **Scott and Deirdre Enides - 2501 Edgewood Avenue, Rotterdam, NY**, Tax Map #48.14-7-18, located in the Single Family Residential (R-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-15 entitled "Accessory uses, buildings and structures," and Chapter 270-33 entitled "Yard Requirements." **Chapter 270-15(A)** 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 wishes to be granted a variance to allow for the location of an 8' x 12' shed into the front yard. **Chapter 270-33(A)** states that the front yard depth shall be 25 feet or a depth of not less than 1/2 the total setback depths of the dwellings on properties which adjoin on each side, provided that both of such dwellings are set back less than 25 feet. The applicant would like to construct an 8' x 14' covered porch within 17 feet of the front property line onto an existing single family residence, which would require a variance of 8 feet. **Chapter 270-33(B)** states that the side yard width shall be not less than 10 feet. The applicants are proposing a second covered porch within 3.5 feet from the side property line, which would require a variance of 6.5 feet. Property is a corner lot.

6. **Bernadette Petersen - 10 Garrison Avenue, Rotterdam, NY**, Tax Map #48.17-1-32 located in the Agriculture (A-1) Zoning District. Petitioner respectfully requests that she be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-143 entitled "Fences." **Chapter 270-143(A)(1)** sets a front yard height limit at four (4) feet. The applicant would like to install a six (6) foot high fence, which would require a variance of two (2) feet. **Chapter 270-143(A)(4)** states that front yard fences should be less than fifty percent (50%) solid or opaque. The applicant would like to install a six (6) foot high fence that is one hundred percent (100%) solid. The subject property is a corner lot.

7. **500 Duanesburg Road LLC (Bellevue Builders Supply) - 500 Duanesburg Road, Rotterdam, NY**, Tax Map #48.17-6-9.1 located in the General Business (B-2) Zoning District. Petitioners respectfully request that they be granted a variance as prescribed in the Town of Rotterdam Zoning Code from Chapter 270-151 entitled "Signs." **Chapter 270-151(C)(5)** states: Flashing signs. Except for public schools and public firehouses, no sign shall be illuminated by or contain a flashing, intermittent, rotating or moving light or lights. The applicants are seeking permission to install a reader-board sign that will allow for flashing, intermittent, rotating or moving lights.

8. **Cumberland Farms – 3088 Carman Road, Rotterdam, NY**, Tax Map #71.6-3-23.3 located in the General Business (B-2) Zoning District. Petitioners respectfully request that they be granted a Variance as prescribed in the Town of Rotterdam Zoning Code from Chapter 270-151 entitled “Signs.” **Chapter 270-151(E)(3)** states: “One ground-mounted sign may be erected and maintained not less than five feet from the property line. Such sign may contain a total sign area of 15 square feet or not more than one square foot for each 1,000 square feet of the lot or parcel area containing such sign, whichever is greater, up to a maximum sign area of 200 square feet.” The lot size is approximately 99,656 square feet which would allow a 99.6 square foot sign. The applicants seeking permission to erect a ground mounted sign that will be a total of 116.51 square feet which will require a variance of 16.91 square 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 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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