

TOWN OF ROTTERDAM
ZONING BOARD OF APPEALS
September 19, 2018

- 1. Curry Road Development Partners, LLC - 1410 Curry Road, Rotterdam, NY**, Tax Map #58.8-11-28.3 located in the Multiple Family Residential (R-3) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-49 entitled “Lot area,” and Chapter 270-51 entitled “Yard Requirements.” **Chapter 270-49** states that the minimum lot width is 100 feet. The applicant is proposing to subdivide the previously consolidated properties into Phase 1 and Phase 2 of Vista Square, an approved apartment project. The subdivision is being proposed for financing purposes only. The proposed lot width on Lynn Street for the Phase 2 lot is 56.55 feet which would require a variance of 43.45 feet. The Phase 1 lot located on Curry Road is 62.63 feet and previously received a variance on December 16, 2015 of 37.37 feet from the 100 foot requirement for the project. **Chapter 270-51** states that the side yard width shall be not less than 20 feet. The applicant is proposing a side yard setback of 15 feet for Building #5 located on the Phase #2 Lot, which would require a variance of 5 feet.
- 2. Louis Welch – 2634 First Avenue, Rotterdam, NY**, Tax Map #58.7-8-19 located in the Retail Business (B-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,” **Chapter 270-138(b)(2)** “Yards” states that no detached accessory structure shall be located in the front yard of any lot. The applicant wishes to construct an 8’ by 10’ accessory structure in the front yard facing Sunrise Boulevard. The subject property has frontage on both Guilderland Avenue and Sunrise Boulevard.
- 3. Michael and Tracey Kane – 718 Curry Road, Rotterdam, NY**, Tax Map #58.07-1-14 located in the Single Family Residential (R-1) and Main Street/Neighborhood Center (MS/NC) Overlay Zoning Districts. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-151 entitled “Signs.” **Chapter 270-151 (E)(3)** states that 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 subject property is an 11,400 square foot lot. The applicant is seeking to erect one ground mounted sign that is 22 square feet in size and the allowed signage is 15 square feet, which would require a variance of 7 square feet.

4. **James Gabree – 246 Central Avenue, Rotterdam, NY**, Tax Map #59.7-10-39 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,” **Chapter 270-138(b)(2)** “Yards” states that no detached accessory structure shall be located in the front yard of any lot. The applicant wishes to construct an 8’ by 10’ accessory structure in the front yard facing Catherine Street. The subject property has frontage on both Central Avenue and Catherine Street.

5. **Daniel Giovannangelo – 2 Bertone Drive, Rotterdam, NY**, Tax Map #58.15-4-9 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 270-143 entitled “Fences.” **Chapter 270-143(A)(1)** sets a front yard height limit at four (4) feet. The applicant would like to install a five (5) foot high chain link fence, which would require a variance of one (1) foot. The subject property is a corner lot.

6. **Thomas Feulner – 4983 Rynex Corners Road, Rotterdam, NY**, Tax Map #12.00-3-13 located in the Agriculture (A-1) Zoning District. Petitioner respectfully requests that he be granted lot coverage and height variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Lot Coverage” and Chapter 270-15 entitled “Accessory uses, buildings and structures.” **Chapter 270-138 (C)** 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. The applicant would like to construct a 1,230 square foot accessory structure on property that currently contains an existing 1,122 square foot single-family residence. The permitted size of the accessory structure based on the total habitable floor area of the residence is 168 square feet. The proposed accessory structure is a total of 1,230 square feet, which would require a variance of 1,062 square feet. **Chapter 270-15 (B)** states that no accessory building or structures shall exceed 14 feet in height. The applicant is seeking to construct this accessory building with a height of 16 feet, which would require a variance of two (2) 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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