

**Village of Cazenovia  
Zoning Board of Appeals  
Meeting Minutes  
December 12, 2016**

5

Present: Phil Byrnes, Chair; Sally Ryan; Jane Nicholson-Dourdas; Lynn Hart; and Cindy Bell.

Others Present: Brenda Switzer.

10

\* \* \* \* \*

P. Byrnes called the meeting to order at 6:30 p.m. and introduced the Board.

\* \* \* \* \*

15

P. Byrnes asked for any changes to the minutes of November 29, 2016. There were none noted. P. Byrnes made the motion to approve the minutes as drafted. J. Nicholson-Dourdas seconded. The motion carried with 5 in favor, 0 opposed.

20

\* \* \* \* \*

**Brenda Mae Switzer, LLC, 6 Albany Street, Area Variance Rear Yard Setback, Entryway**

25

P. Byrnes explained that everything was discussed at the last meeting on November 29, but this had to be readvertised because the posts were going to be 2 feet farther out. The Board was in agreement at that time that this variance most likely would be granted.

S. Ryan made the motion to close the public hearing. C. Bell seconded. The motion carried with 5 in favor, 0 opposed.

30

P. Byrnes explained that there is a test the Board must go through. The Board proceeded to go through the five criteria.

35

1. *Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variance?* All five Board members answered no. There is already an existing deck.

40

2. *Could the benefit sought by the applicant be achieved by some method, feasible for the applicant to pursue, other than an area variance?* All five Board members answered no based on the way the lot is laid out.

45

3. *Is the requested area variance substantial?* All five Board members answered yes because in an R-10 zone the rear setback is 30 feet and this variance is for 23 feet.

4. *Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?* All five Board members answered no. This roof will help with the water situation in the basement.

5. *Is the alleged difficulty self-created?* All five Board members answered yes.

50 P. Byrnes noted that the Historic Preservation Committee (HPC) met and granted approval. Also, because the property is on a State highway, this was sent to the Madison County Planning Department. Their comments were received and read as follows: No adverse county-wide or inter-municipal impact will result from the construction of an 11-foot by 15-foot entryway at 6 Albany Street to encroach 23 feet on the setback.

55 P. Byrnes declared this an Unlisted Action under State Environmental Quality Review Act (SEQRA) because it is a residential application. The ZBA is the only agency involved. No further SEQRA action is required.

60 P. Byrnes made the motion to grant a variance not to exceed 23 feet per Section 180-28(F) of the Zoning Code. J. Nicholson-Dourdas seconded. The motion carried with 5 in favor, 0 opposed.

65 Ms. Switzer commented that this house was featured in Better Homes and Gardens magazine in 1936 in an article on kit houses. The owner, Donald Mansfield, added a lot of fancy personal touches to it.

\* \* \* \* \*

70 P. Byrnes made the motion to adjourn the meeting. S. Ryan seconded. The motion carried with 5 in favor, 0 opposed. The meeting was adjourned at 6:39 p.m.

Respectfully submitted,

75  
Marlene A. Westcott  
Recording Secretary