

## **Zoning Board of Appeals Meeting**

### **And Public Hearing**

**August 16, 2022**

**The meeting of the Village of Pulaski Zoning Board of Appeals (ZBA) was held on August 16, 2022, at 6:30 P.M. at the Snow Memorial Building, 4917 Jefferson Street, Pulaski, NY 13142.**

**Zoning Board of Appeals Members Present:** Shawn Doyle, Chairperson; Susan M. Peters, Member; Elizabeth (Liz) S. Woods, Member; Clayton Waite, Member; and Michael Murphy, Member.

**Absent:** None

**Village Officials and Staff:** Jen Gibbs, Deputy Clerk, Mayor Jan Tighe, and Joshua Smith, Code Enforcement Officer.

**Guest(s):** Kimberly (Hitchcock) & Anthony Trumble.

#### **Agenda Item #1: Call to Order & Public Comment**

The meeting was called to order by Chairperson Shawn Doyle at 6:30 PM

#### **Agenda Item #2: Review of Minutes**

Liz Woods made the motion to accept the minutes of May 23, 2022, and Susan Peters seconded the motion. It passed 3-0. Michael Murphy and Shawn Doyle did not vote as they were absent at that meeting.

#### **Agenda Item #3: Area Variance Application**

A request for a Use Variance submitted by Kimberly Hitchcock for 4960 N. Jefferson Street was brought to the table for review and approval with a motion by Susan Peters and seconded by Michael Murphy. The request was to allow up to three motorcycles to park on the stone/gravel pathway that leads to the front door from the driveway from April 1<sup>st</sup> to October 1<sup>st</sup> each year. Because the narrow, steep, shared driveway it is very difficult to safely maneuver the motorcycles from the top of the drive. The Code Enforcement Officer Joshua Smith and Kimberly Hitchcock worked out this remedy at the Town Court. Michael Murphy and Shawn Doyle questioned how the matter ended up in front of the ZBA with a Use Variance and court. Joshua Smith noted that violations were sent to several residents at the same time were remedied after the first violation was sent out, whereas it took several violation notices and an appearance ticket to settle this matter. The Board also questioned the cost of the Variance which was \$250.00. Joshua Smith noted that the Variance stays with the property forever and covers the cost of the Public Notice and that the Village Board sets the fees.

The Board determined that:

- The requested variance will not create an undesirable change in the character of the neighborhood or detriment to nearby properties in that the items are new, registered, and temporary/seasonal. The situation is unique that the property has a large lawn and small driveway with a steep incline.
- The benefits sought by the applicant cannot be achieved by some other feasible method because cars take up most of the narrow driveway, the slope of the driveway and a lack of additional paving to safely keep the motorcycles standing.
- The requested variance is not substantial in that it is seasonal, parked closed to the house, and the motorcycles will be stored elsewhere in the off season.
- The proposed variance will not have an adverse effect or impact on the physical and environmental conditions of the neighborhood or district because the property has a large lawn and a private sidewalk to use.
- The alleged difficulty was not self-created because the problem was not realized until after the purchase and the topography of the property cannot be changed.

The Board voted in favor of the Use Variance 5-0.

**Agenda Item #4: Other**

There was no other business.

**Agenda Item #5: Adjournment**

Susan Peters made a motion to adjourn the meeting at 6:55 PM. Clayton Waite seconded the motion and it passed with all in favor.

The next regularly scheduled meeting is September 20, 2022. It will be cancelled if there is no business.

Presented and Approved

Jennifer Gibbs,

Deputy Clerk