

RACOG  
Cooperative Zoning Board of Appeals

TO: Members of the Co-op ZBA, T/Champion Board, T/Wilna Board, V/Carthage Board, Town/Village Clerks, Zoning Enforcement Officers, Timothy Farley, T/Champion Attorney, James Burrows, T/Wilna, Town Attorney, and Planning Board Chairmen

FROM: Christina Vargulick, Cooperative ZBA Secretary

DATE: May 23, 2019

RE: Minutes from May 22, 2019

PRESENT: D. Austin, R. Blank and T. Kight

Chairperson Kight called the meeting to order at 7:03pm. The roll was called.

Motion by D. Austin, seconded by R. Blank to dispense with the reading of the May 1, 2019 minutes and to approve the minutes as presented. Ayes-3, Nays-0. Motion carried.

Chairperson Kight summarized the area variance application for parcel no. 86.47-1-35.1 owned by Golub Properties Inc. and located at 64 High Street, West Carthage. The application is for a variance of the Village sign regulation in a business district for a martial arts academy opened by Wesley Cole and located in the former Family Dollar store located in the plaza. The existing pylon sign still has the frame and faces for the former store. The applicant proposes replacing the existing faces at a cost of approximately \$350. The existing sign exceeds the maximum square footage of a sign in the business district (20 sq ft). The proposed frame and replacement faces would be thirty square feet (30 sq ft). Replacing both the sign frame and faces is estimated to cost \$3,200. The applicant stated that the cost is prohibitive for the new business.

Proof of notice having been furnished, the public hearing on the application for an area variance on parcel no. 86.47-1-35.1 was called to order at 7:05pm by Chairperson Kight. Scott Sullivan spoke in favor of the proposed action. No one spoke in opposition. All persons desiring to be heard, having been heard, the hearing was closed at 7:15pm.

Members reviewed and responded to the SEQR. Motion by D. Austin, seconded by R. Blank to make a declaration of negative environmental impact. Ayes-3, Nays-0. Motion carried.

The following resolution was offered by D. Austin, who moved its approval,

and seconded by R. Blank, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from Wesley Cole for parcel number 86.47-1-35.1 for a variance of the V/West Carthage Zoning Law, Article 4; Section 91-17, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

- A. The Board concludes the proposed construction would not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.
- B. The Board concludes that the benefit sought by the applicant could be achieved by some method, feasible for the applicant to pursue, other than a variance but at a significant cost.
- C. The Board concludes that the variance is not substantial.
- D. The Board concludes that the variance would not have an adverse visual impact on the physical conditions of the neighborhood.
- E. The Board concludes that the alleged difficulty is self created.

NOW THEREFORE BE IT RESOLVED that the application from Wesley Cole, parcel number 86.47-1-35.1, for a variance of Article 4; Section 91.17 of the V/West Carthage Zoning Law is hereby granted with the following condition:

- 1. At such time as the frame, intended to be re-utilized, is changed, the new frame and faces shall meet the applicable zoning law.

The foregoing resolution was duly put to a vote as follows:

D. Austin.....aye  
R. Blank.....aye  
B. Fetterly.....absent  
T. Kight.....aye

Resolution adopted.

An area variance application received from Carthage Central School for a sign was withdrawn by the applicant.

Motion by R. Blank, seconded by D. Austin to adjourn. The meeting adjourned at 7:2pm.

*Christina Vargulick*  
RACOG Cooperative ZBA, Secretary