

ZONING BOARD OF APPEALS
TOWN OF LLOYD
AGENDA
Thursday, April 11, 2013
Next Meeting date: May 9, 2013

CALL TO ORDER TIME: 7:00pm

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.

Minutes to Approve: November 8, 2012 and March 13, 2013

New Public Hearings

Pleasant View Subdivision, Side Yard Variance; Station Rd, SBL#86.4-2-7.210, in A zone.

Rhinebeck Bank is submitting a variance request for the Pleasant View Subdivision. This subdivision was originally approved with certain Side Yard Minimum Setbacks and Total Side Yard Minimum Setbacks but the code changed subsequent to the filing of the map.

Rhinebeck Bank is requesting the attached variance request be approved and the original Side Yard Setbacks identified on the Subdivision's Bulk Regulation Table be reinstated.

(SEE ATTACHED VARIANCE REQUESTED)

Extended Public Hearings

Gunk Haus, FRONT YARD SETBACK VARIANCE; 387 South St, SBL#94.2-2-11, in A zone.

The proposed addition will incorporate a new entrance to the restaurant and still provide an area to the side where the retail sales could be displayed and sold to the public. The proposed area is 15ft by 20ft wide, attached to the existing building. It has been designed to utilize retail display cases, an area for the cash register, and wall racks for the display of the breads and similar items.

The existing structure is currently pre-existing non-conforming to the agriculture zone. The front yard setback is currently 16 ft as shown on sheet 2 of the plans. The proposed addition will result in a 6.7 foot and 11.0 foot setback from the Highway boundary. The handicapped parking area, as well as all other areas of access or egress, is not affected. The facade of the addition will blend in with the current architecture of the restaurant. The applicant will be back with revised maps.

<u>Front Setback</u>	Required	Actual	Variance needed
	30'	6.7'	23.3'

§ 100-13. Area and bulk regulations.

A. The general area and bulk regulations in each zoning district are set forth in the Dimensional Table, which appears at the end of this chapter.

B. This table is supplemented, as appropriate, by other provisions of this chapter.

C. Buildable acreage.

- (1) Permissible residential density for any parcel shall be based upon the parcel's buildable acreage. The applicant shall demonstrate the buildable acreage by subtracting from the total (gross) acreage of the proposed development parcel(s) the acreage of "unbuildable natural features."
- (2) Unbuildable natural features consist of wetlands and any required one-hundred-foot adjacent areas, water bodies, watercourses, lands within a FEMA-delineated one-hundred-year floodplain, cemeteries, steep slopes (2,000 square feet or more of contiguous sloped area at least 10 feet in width), and acreage subject to a long-term easement that expressly prohibits development. In addition, a fifteen-percent allowance for roads, drainage features, and lot shape irregularities shall be deducted from the unconstrained acreage. Permissible residential density shall be based on the amount of acreage that remains after deducting the acreage of unbuildable natural features and the roadway/drainage allowance.
- (3) The Planning Board's determination as to permissible density shall be based on a certified survey of the parcel(s) and delineation of the unbuildable natural features by a licensed land surveyor and by a tabular presentation by the land surveyor of the gross site acreage and each of the subtracted land areas set forth above.

New Business - Appeal

Vineyard Avenue Properties LLC, 155-157 Vineyard Ave, SBL#87.20-5-22, in R1/4 zone.

The applicant was denied a building permit to construct a monument style sign. This parcel was identified as an adaptive re-use building. The code (100-28 G 5) states signs for lawful non-conforming uses in residential districts shall comply with the requirements for signs in CB district. Monument signs are not listed. A wall sign or projected sign does not meet the needs of this unique parcel therefore the applicant is coming before the Board to appeal.

100-28

G. Permanent signs within residential and agricultural districts.

- (1) For each permitted Class I home occupation, one nonilluminated sign with an area of not more than two square feet per face.
- (2) For each permitted Class II home occupation, one nonilluminated sign with an area of not more than four square feet per face.
- (3) For mobile home parks, or condominium, townhouse, co-op, or apartment complexes, one nonilluminated monument sign containing an area of not more than 25 square feet and located not

more than six feet above ground level at its highest point, identifying the mobile home park, or complex, may be displayed at each access from a main road.

- (4) For nonresidential uses within the Agricultural Business Overlay District, a single identity sign not more than 12 square feet per face may be provided for each business or activity on the premises. Unless attached to a building, no such sign shall be located closer than 15 feet to the front property line, nor closer than 20 feet to any other property line.
- (5) Signs for lawful nonconforming uses in residential districts shall comply with the requirements for signs in the Central Business District provided below.