

## Town of Floyd Zoning Board of Appeals

### Minutes of October 24,, 2024 Meeting

Chairman Tim Bejian called the Regular Zoning Board of Appeals Meeting to order at 7:30 p.m. for the Town of Floyd on Thursday October 24, 2024. Members present were Tim Bejian, Candace Krombach, Dawn Mazza, Gary Niedzielski, Don Kinsey and Codes officer Ken Pfendler. Chairman Tim Bejian asked the board members to review the September 19, 2024 minutes. A motion was made by Dawn Mazza to accept the minutes and seconded by Tim Bejian. All in favor, aye, none opposed.

## *Old Business*

Application before us for Jeff Kotary 8342 Old Floyd Road, Rome NY 13440. Request is for 4 Area Variances. Deal with all variances individually.

### Area variance #1

Shipping Container be designated as an accessory structure,

Local Law #2 General Requirements #1, 13 pertains to this area variance. Page 8 reg, codes definitions # 2 no primary structure, related to accessory building and accessory use. Tim Bejian made a motion because no primary structure, Shipping Container shall not be granted Area Variance to make it an accessory structure. Gary Niedzielski seconded it and all in favor, none opposed.

### Area Variance #2

Requested for setback to be reduced from 100' centerline of any road to 70' (30' reduction) . Article V, section 11, sub section C, paragraph 11B; also local law #2 general Ref.8. Also, Shipping Container local law Definitions Bob Jackie NYSDOT. Discussion: Tim Bejian made a motion because the road of NYSDOT Area Variance 100' reduced to 70" be rejected. Seconded by Gary Niedzielski, All in Favor none opposed.

### Area Variance #3

Area Variance required for 2nd Shipping Container be allowed on the parcel less than 1 acre, is only .95 of an acre. Local Law #2, Ref, #2 and 13. Motion made by Tim Bejian to reject Area Variance #3. Seconded by Dawn Mazza , All in Favor none opposed.

#### Area Variance #4

Increase maximum height of garage from 20' to 25', 5' increase. Art, 5, section 11, subsection C, paragraph 11A, also schedule . Tim Bejian - 5' not a problem. Don Kinsey made a motion to grant Area Variance from 20' to 25" height of garage. Tim Bejian seconded it , All in Favor none opposed.

Height Area Variance granted and Ken Pfendler will get reference from Tim Bejian and give to Jeff Kotary. Yes to the barn, move the Shipping Container not within 100' of any road. Building, Garage - Setbacks 100' does not apply. Only 1 Conex box allowed, not a second one.

## **New Business:**

An application from Andrew Gengler Special Use Permit for the use of a portable box unit as storage container. The portable box unit is a box from the back of pick up truck and NOT a shipping container.

Next month's meeting will be on November 21 ,2024 at 7PM. -

Motion to adjourn was made by Don Kinsey and seconded by Dawn Mazza. . All in favor, aye.

Respectfully Submitted

*Candace Krombach*

ZBA Secretary - Candace Krombach