

**TOWN OF ROTTERDAM  
ZONING BOARD OF APPEALS  
December 20, 2023**

**Workshop 7:00pm – Public Hearings 7:30pm**

- 1) **Jose A. Lopez – 901 Duff Bambury Court, Rotterdam, NY**, Tax Map #57.12-1-43 located in the Agriculture (A-1) Zoning District. Petitioner respectfully request that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to place a 14’ x 30’ detached shed on the property. The variance request(s) are as follows: **Chapter 270-138(c)** “Lot Coverage” states that the floor area of any accessory structure shall not exceed 15% of the total habitable floor area of an existing or proposed principal structure. The existing residential structure is 1548 square feet which would allow an accessory structure of 232 square feet. The proposed accessory structure is 420 square feet, which will require a variance of 188 square feet.
  
- 2) **Louis Martin – 6 Rice Road, Rotterdam, NY**, Tax Map #38.00-3-9.1 located in the Agriculture (A-1) Zoning District. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to construct a 30’ x 40’ detached garage with a height of 14 feet. The variance request(s) are as follows: **Chapter 270-138(c)**: “Lot Coverage” states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions. No accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts. The existing detached garages currently located on the property are 360 square feet and 672 square feet. The proposed detached garage is 1200 square feet making the total square footage of garages on the property 2232 square feet in size, which is 1332 square feet over the allowed size of 900 square feet.
  
- 3) **Dawn Cooper-Rapp – 32 Newell Road, Rotterdam, NY**, Tax Map #38.14-1-16 located in the Agriculture (A-1) Zoning District. Petitioner respectfully requests that she be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to construct a 24’ x 24’ detached garage with a height of 14.5 feet. The variance request(s) are as follows: **Chapter 270-138(c)**: “Lot Coverage” states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions. No accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts. The existing attached garage is 366 square feet and the proposed detached garage is 576 square feet making the total square footage of garages on the property 912 square feet in size, which is 12 square feet over the allowed size of 900 square feet.

- 1) **Jose A. Lopez – 901 Duff Bambury Court, Rotterdam, NY**, Tax Map #57.12-1-43 located in the Agriculture (A-1) Zoning District. Petitioner respectfully request that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to place a 14’ x 30’ detached shed on the property. The variance request(s) are as follows: **Chapter 270-138(c)** “Lot Coverage” states that the floor area of any accessory structure shall not exceed 15% of the total habitable floor area of an existing or proposed principal structure. The existing residential structure is 1548 square feet which would allow an accessory structure of 232 square feet. The proposed accessory structure is 420 square feet, which will require a variance of 188 square feet.

**SEQR Requirement:** Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

**County 239-m Requirement:** County review is not required and is exempt pursuant to the 2011 MOU between Schenectady County Economic Development and Planning and the Town of Rotterdam.



Town of Rotterdam  
Zoning Board of Appeals  
**AREA VARIANCE APPLICATION**

RECEIVED  
NOV 21 2023  
TOWN OF ROTTERDAM  
PUBLIC WORKS

**PART II**  
TOWN OF ROTTERDAM  
General Information

**All requested information shall be provided and must be filled out in ink or typed for photocopying purposes**

Legal Owner's Name: JOSE A. LOPEZ

Mailing Address: 901 DUFF BAMBURY CT  
City: SCHENECTADY State: NY Zip: 12306  
Daytime Phone: 518 224-2739 E-mail: ceero273@yahoo.com

If applicant is not the owner, include the written owner authorization form below designating the contact to serve as representative.

Owner's Designated Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Project/Proposal Site Area (Acres or sq. ft.): 14 X 30 FEET 1 Acre.  
Assessor Tax Parcel No.(s) of Proposal Site: 57.12-1-43  
Street Address of Proposed Site (if any): 901 DUFF BAMBURY CT

Adjacent Area Owned or Controlled (Acres or sq. ft.): \_\_\_\_\_  
Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: \_\_\_\_\_  
Name and Address of All Adjacent Landowners: \_\_\_\_\_

NAME: ROSS MARTIN NAME: \_\_\_\_\_  
ADD: 903 DUFF BAMBURY ADD: \_\_\_\_\_  
SCHENECTADY NY 12306

NAME: ANGELO MELILLO NAME: \_\_\_\_\_  
ADD: 902 DUFF BAMBURY ADD: \_\_\_\_\_  
SCHENECTADY NY 12306

NAME: MIKE VISCUSI NAME: \_\_\_\_\_  
ADD: 904 DUFF BAMBURY ADD: \_\_\_\_\_  
SCHENECTADY NY 12306

NAME: \_\_\_\_\_ NAME: \_\_\_\_\_  
ADD: \_\_\_\_\_ ADD: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

INGROUND POOL  
SEPTIC TANK

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): 14 X 30 SHED SINGLE FAMILY HOME CAR GARAGE

Existing Zoning Classification: A-1  
LEGAL INFORMATION

Please attach the deed to the proposed site (REQUIRED)

Width of Property Fronting on Public Road: Corner lot

Section(s) of the zoning ordinance under which a variance is requested:

Purpose for the requested variance: PURCHASE OF A 14 X 30 SHED

Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building, which prevent compliance with the zoning ordinance? If so, please explain:

NO

Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? Yes \_\_\_\_\_ No X. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PLEASE DISCUSS EACH OF THE FOLLOWING FIVE (5) CRITERIA WHICH FORM THE LEGAL BASIS FOR THE GRANTING OF A VARIANCE

Explain why you believe that your variance request will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties if it is granted.

IT'S JUST A LARGE SHED 14 X 30

Can the benefit you seek by this variance request be achieved by some other means? If not, explain why there are no other alternatives.

A VARIANCE IS NEEDED DUE TO SQUARE FOOTAGE AND THERE IS NO OTHER PLACE TO PUT THE SHED, THE AREA IS WIDE OPEN GRASS AREA ON RIGHT SIDE OF GARAGE

Is your request a substantial variance from the ordinance? Please explain.

THE FRONT RIGHT SIDE OF HOME IS A VERY LARGE OPEN GRASS AREA 14 X 30 SHED WILL SIT FAR BACK JUST PAST GARAGE

Why do you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood? Please explain.

IT'S JUST A LARGE SHED, WILL BE WELL MAINTAINED

THE RUN OFF OF WATER FROM ROOF WILL NOT BE AN ISSUE

Explain how the difficulty arose and why said difficulty was not self created (purchasing property without first checking the zoning restrictions and/or limitations is an example of a self-created hardship).

WAS TOLD I NEEDED A VARIANCE DUE TO SQUARE FOOTAGE



901 DUFF BAMBURY CT  
SCHEENECTADY, NY 12306

NORTH  
↓

TREE LINE

10 X 14 SHED

SLOPE AREA  
GRASS AREA

FENCE

POOL

HOUSE

LANDSCAPE

GARAGE

DRIVE WAY

14 X 30 SHED

3 FEET

GRASS AREA

TRANS

BOX

GRASS AREA

STREET

STREET

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TOWN OF ROTTERDAM  
PUBLIC WORKS

MAP FOR 14 X 30 SHED

- 2) **Louis Martin – 6 Rice Road, Rotterdam, NY**, Tax Map #38.00-3-9.1 located in the Agriculture (A-1) Zoning District. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to construct a 30’ x 40’ detached garage with a height of 14 feet. The variance request(s) are as follows: **Chapter 270-138(c)**: “Lot Coverage” states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions. No accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts. The existing detached garages currently located on the property are 360 square feet and 672 square feet. The proposed detached garage is 1200 square feet making the total square footage of garages on the property 2232 square feet in size, which is 1332 square feet over the allowed size of 900 square feet.

**SEQR Requirement:** Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

**County 239-m Requirement:** County review is not required and is exempt pursuant to the 2011 MOU between Schenectady County Economic Development and Planning and the Town of Rotterdam.



*Town of Rotterdam*  
*Zoning Board of Appeals*  
**AREA VARIANCE APPLICATION**

RECEIVED

NOV 27 2023

TOWN OF ROTTERDAM  
 PUBLIC WORKS

**PART II**

TOWN OF ROTTERDAM  
 General Information

**All requested information shall be provided and must be filled out in ink or typed  
 for photocopying purposes**

Legal Owner's Name: Louis Martin

Mailing Address: 6 Rice Rd

City: Schenectady State: NY Zip: 12306

Daytime Phone: 518 441-7759 E-mail: nortrac1@hotmail.com

If applicant is not the owner, include the written owner authorization form below designating the contact to serve as representative.

Owner's Designated Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Project/Proposal Site Area (Acres or sq. ft.): 1.08 AC

Assessor Tax Parcel No.(s) of Proposal Site: 38-3-901

Street Address of Proposed Site (if any): 6 Rice Rd

Adjacent Area Owned or Controlled (Acres or sq. ft.): ~~1.08 AC~~

Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: \_\_\_\_\_

Name and Address of All Adjacent Landowners:

NAME: \_\_\_\_\_  
 ADD: \_\_\_\_\_

NAME: \_\_\_\_\_  
 ADD: \_\_\_\_\_

NAME: \_\_\_\_\_  
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NAME: \_\_\_\_\_  
 ADD: \_\_\_\_\_

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): \_\_\_\_\_

Family Residence

Existing Zoning Classification: \_\_\_\_\_

LEGAL INFORMATION

Please attach the deed to the proposed site (REQUIRED)

Width of Property Fronting on Public Road: 120 ft

Section(s) of the zoning ordinance under which a variance is requested:

A1 agricultural

Purpose for the requested variance: TO INCREASE GARAGE SPACE FOR

Storage

Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building, which prevent compliance with the zoning ordinance? If so, please explain:

NO

Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? Yes \_\_\_\_\_ No NO. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PLEASE DISCUSS EACH OF THE FOLLOWING FIVE (5) CRITERIA WHICH FORM THE LEGAL BASIS FOR THE GRANTING OF A VARIANCE

Explain why you believe that your variance request will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties if it is granted.

I really Don't have any neighbors on one side is Schenectady water wells and the other side is a solar farm and the backside of property is bordered by the 890

Can the benefit you seek by this variance request be achieved by some other means? If not, explain why there are no other alternatives.

No the garage I have is just too small to store any of the stuff I want to get enclosed to keep secure and out of the weather

Is your request a substantial variance from the ordinance? Please explain.

No not really just increasing size for storage

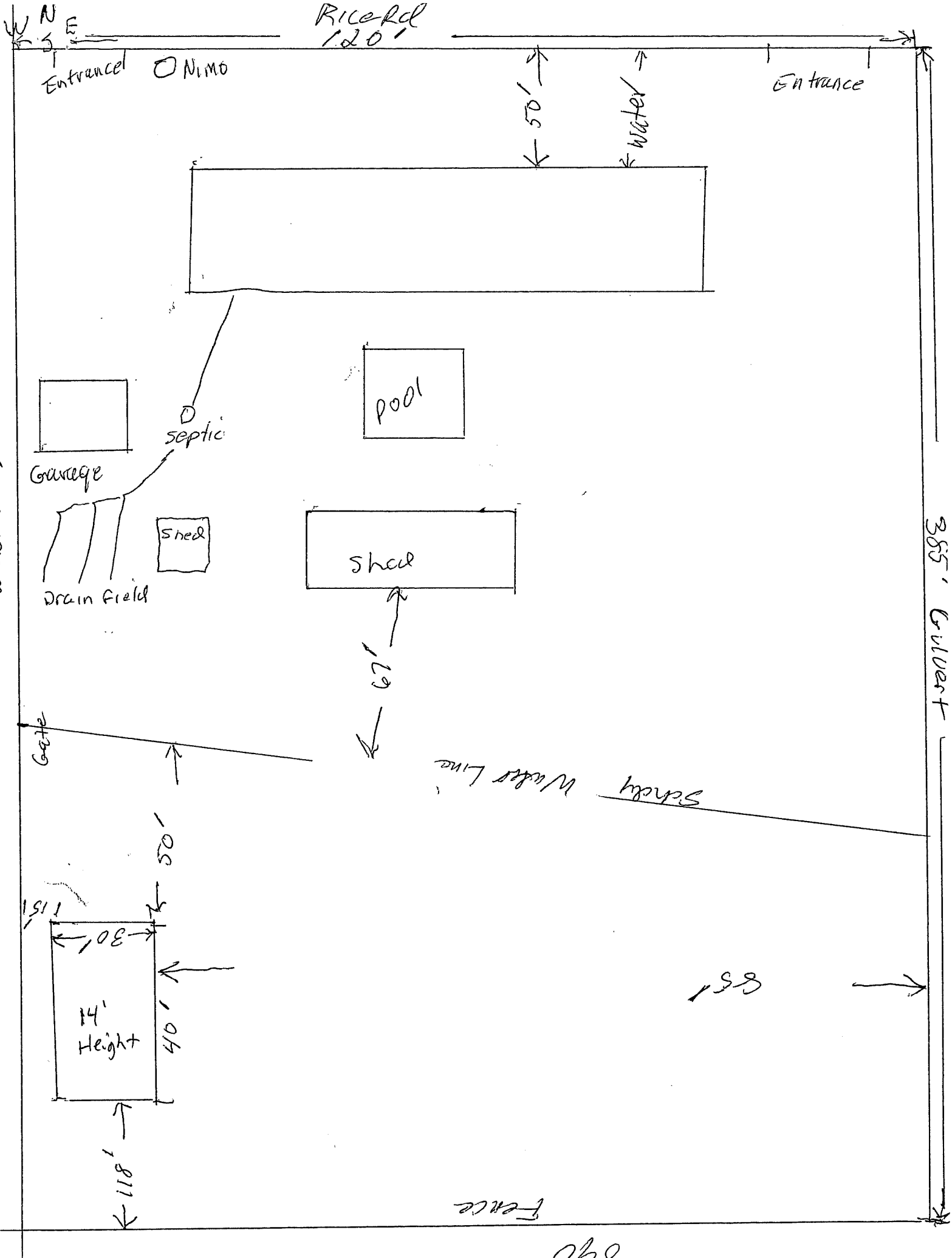
Why do you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood? Please explain.

its just a metal building sitting on a stone pad that shouldn't have any impact to my property or neighboring property's there is good drainage and no obstacles to bother

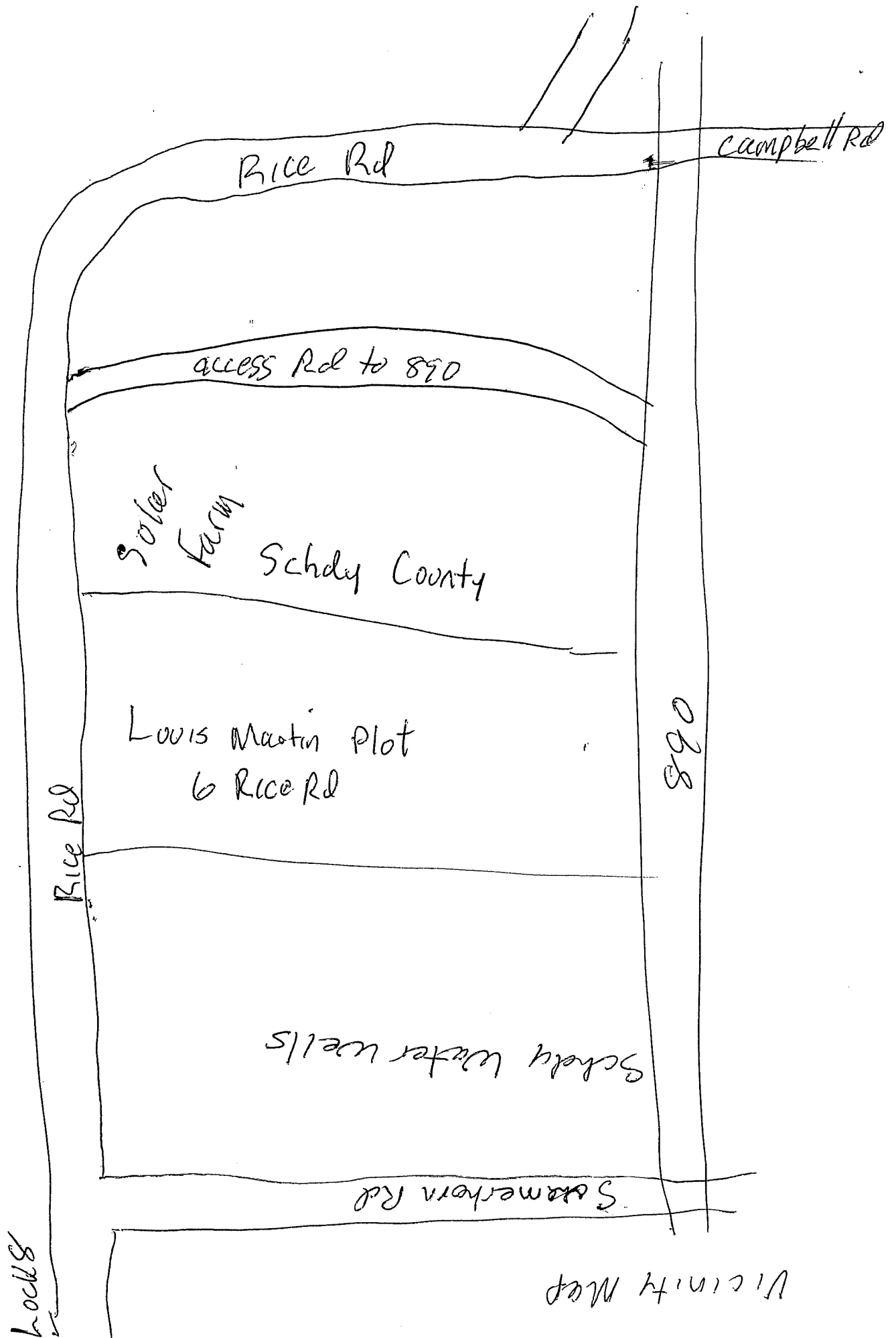
Explain how the difficulty arose and why said difficulty was not self created (purchasing property without first checking the zoning restrictions and/or limitations is an example of a self-created hardship).

I did check into the limits of what I already have and was advised to seek this process when I moved in I didn't have all the stuff I want to enclose for making it safe from theft and deterioration from the weather





840



Rice Rd

Campbell Rd

access Rd to 890

Soler  
Farm

Schdy County

Louis Martin Plot  
6 Rice Rd

890

Rice Rd

Schdy Water Wells

Swamern Rd

Vicinity Map

hockl8

- 3) **Dawn Cooper-Rapp – 32 Newell Road, Rotterdam, NY**, Tax Map #38.14-1-16 located in the Agriculture (A-1) Zoning District. Petitioner respectfully requests that she be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to construct a 24’ x 24’ detached garage with a height of 14.5 feet. The variance request(s) are as follows: **Chapter 270-138(c)**: “Lot Coverage” states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions. No accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts. The existing attached garage is 366 square feet and the proposed detached garage is 576 square feet making the total square footage of garages on the property 912 square feet in size, which is 12 square feet over the allowed size of 900 square feet.

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Zoning Board of Appeals  
**AREA VARIANCE APPLICATION**

**PART II**

TOWN OF ROTTERDAM  
General Information

All requested information shall be provided and must be filled out in ink or typed  
for photocopying purposes

Legal Owner's Name: Dawn Cooper Rapp

Mailing Address: 32 Newell Rd

City: Rotterdam State: NY Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ E-mail: ArtDesignInc@gmail.com

If applicant is not the owner, include the written owner authorization form below designating the contact to serve as representative.

Owner's Designated Contact: Anthony DiLorenzo

Mailing Address: 649 W. 1st St

City: Clifton Park State: NY Zip: 12065

Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Project/Proposal Site Area (Acres or sq. ft.): 24x24 Garage

Assessor Tax Parcel No.(s) of Proposal Site: 38.14-1-16

Street Address of Proposed Site (if any): 32 Newell Rd

Adjacent Area Owned or Controlled (Acres or sq. ft.): \_\_\_\_\_

Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: \_\_\_\_\_

Name and Address of All Adjacent Landowners:

NAME: \_\_\_\_\_  
ADD: \_\_\_\_\_

NAME: \_\_\_\_\_  
ADD: \_\_\_\_\_

NAME: \_\_\_\_\_  
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NAME: \_\_\_\_\_  
ADD: \_\_\_\_\_

NAME: \_\_\_\_\_  
ADD: \_\_\_\_\_

Existing  
garage 336sf  
proposed 576sf

912 St.  
- 900 St.

12 St.  
variance

per  
Assessor's  
OFFICE

Zoned A-1  
38.14-1-16  
24x24 garage  
height 14' 6"  
per app.  
14'x24'  
Existing  
garage

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): \_\_\_\_\_

Existing Zoning Classification: \_\_\_\_\_

LEGAL INFORMATION

Please attach the deed to the proposed site (REQUIRED)

Width of Property Fronting on Public Road: 7

Section(s) of the zoning ordinance under which a variance is requested: Over sq Footage 422.4 allowed

Purpose for the requested variance: Proposed - 576 Ft  
Height 14'6"

Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building, which prevent compliance with the zoning ordinance? If so, please explain: ~~Yes~~ NO

Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? Yes \_\_\_\_\_ No X. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PLEASE DISCUSS EACH OF THE FOLLOWING FIVE (5) CRITERIA WHICH FORM THE LEGAL BASIS FOR THE GRANTING OF A VARIANCE

Explain why you believe that your variance request will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties if it is granted.

Were cut End of the Road Fenced on one way  
one way Back on Property cut of line of  
sight to neighbor hood.

Can the benefit you seek by this variance request be achieved by some other means? If not, explain why there are no other alternatives.

No this is to house my Cars

Is your request a substantial variance from the ordinance? Please explain.

No

Why do you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood? Please explain.

I have Plenty of Room on my land and it  
will be pretty much visible only to me.

Explain how the difficulty arose and why said difficulty was not self created (purchasing property without first checking the zoning restrictions and/or limitations is an example of a self-created hardship).

HAD NO IDEN WITH THE LOT AND THE  
LOT SIZE I HAVE THAT THERE COULD BE A  
PROBLEM PUTTING A 24x24 GARAGE.



# TOWN OF ROTTERDAM



John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306  
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

## LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER  
INVOLVED

I, Dawn Cooper Rapp, being duly sworn declare that I am the  
(PROPERTY OWNER)

owner of the property involved in a proposed 24124 Garage application request  
before the Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): 38.14-1-16.

I hereby grant Anthony Dilorenzo and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects  
true and correct to the best of my knowledge and belief.

Signature (Authorized Representative): Anthony D. Dilorenzo

Date: Nov 20th 2023

NOTARY

STATE OF NEW YORK) ss:  
COUNTY OF Schenectady

SUBSCRIBED AND SWORN to before me this 20th day of November, 2023

NOTARY SEAL Tammy L. Whelan  
Notary Signature

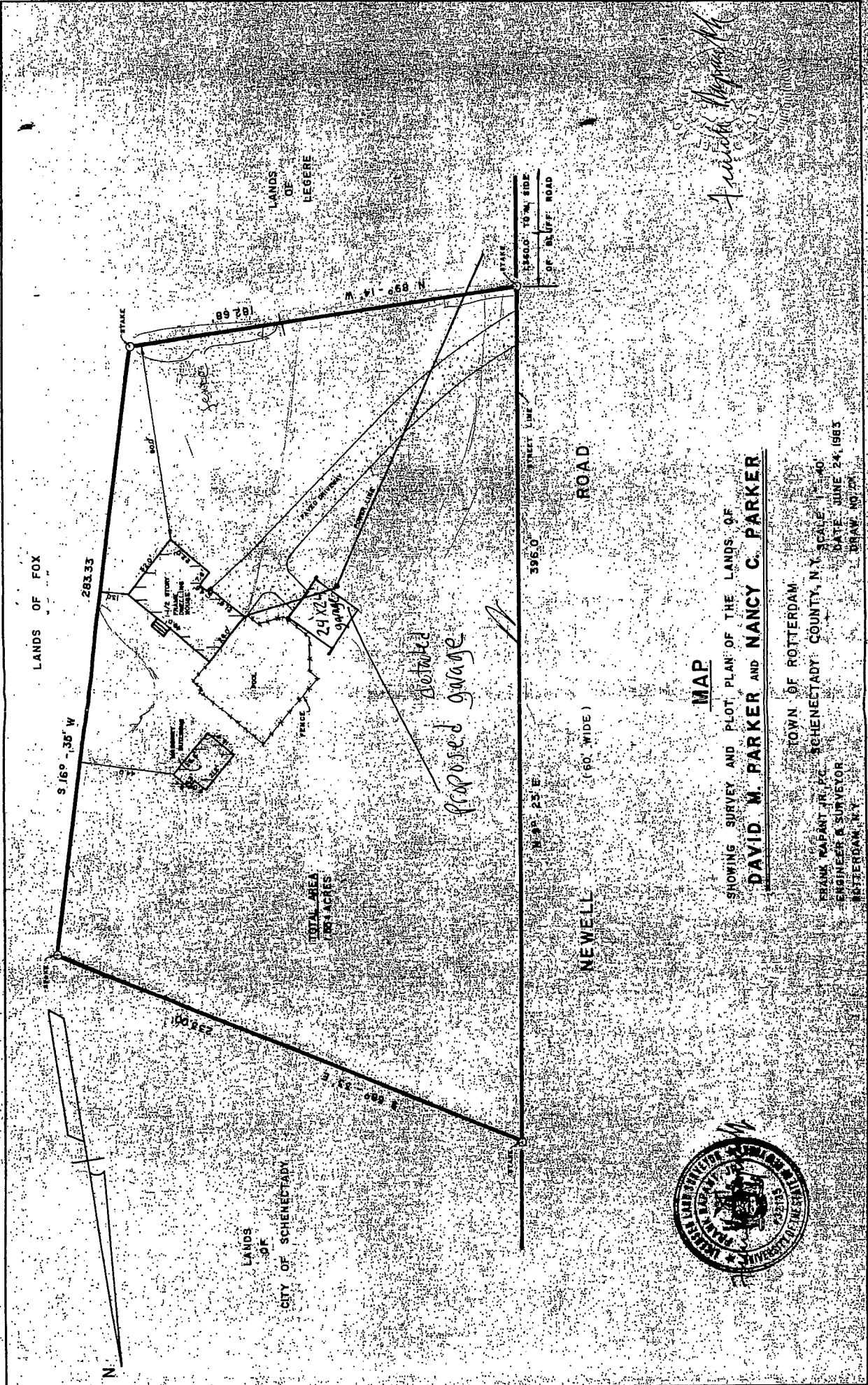
**Tammy L. Whelan**  
Notary Public, State of New York  
Certified Schenectady County  
# 01WH6261330  
Commission Expires 5/7/24

Notary Public in and for the State of New York

Residing at:

226 Stiffords Church Rd

My appointment expires: 5/7/24



*David M. Parker*

**MAP**

SHOWING SURVEY AND PLOT PLAN OF THE LANDS OF  
**DAVID M. PARKER AND NANCY C. PARKER**

FRANK PAPART, JR., P.E.  
 ENGINEER & SURVEYOR  
 ROTTERDAM, N.Y.

TOWN OF ROTTERDAM  
 SCHENECTADY COUNTY, N.Y. SCALE 1"=40'  
 DATE JUNE 24, 1983  
 DRAW NO. 22

