



**Zoning Board of Appeals
City of Cortland
Regular meeting of January 14, 2019**

A regular meeting of the Zoning Board of Appeals was held on Monday, January 14, 2019 at 5:30 PM in the Mayor’s Conference Room at City Hall.

Present: Commissioners Scott Steve, Juliene Ray, Abigail Cleary, Karen Leahy, and Thomas Larson

Excused: Commissioner Maria Manning

Staff: Zoning Officer Bob Rhea, Chief William Knickerbocker, and Confidential Secretary Devon Rainbow

Item #1 – Elect Chair of the ZBA

The elected chair for ZBA is Commissioner Scott Steve.

Motion: Comm. Leahy

Second: Comm. Cleary

Approved: Ayes – 4

Nays – 0

Item #2 – Elect Vice-Chair of the ZBA

The elected vice-chair is Commissioner Maria Manning.

Motion: Comm. Larson

Second: Comm. Ray

Approved: Ayes – 4

Nays – 0

Item #3 – Appoint Devon Rainbow as the Secretary for the ZBA

Devon will continue to be the ZBA secretary.

Motion: Comm. Ray

Second: Comm. Leahy

Approved: Ayes – 4

Nays – 0

Item #4 – 211 S Main St (Cortland Plastics) – Area Variance (G)

➤ Additional signage

Ron from Charles signs was present to speak and explain the signage. The square footage of the sign does not exceed allotment. On the front of the building there is a sign that is lower, and there is an upper sign with a name on it. The size is 4’x8’ double sided, with HBU carved.

Motion to close the public hearing:

Motion: Comm. Ray
Second: Comm. Larson

Approved: Ayes – 4
Nays – 0

The ZBA reviewed the questions determining whether or not to grant the area variance. With the responses, the ZBA decided that the area variance could be granted.

Motion to approve:

Motion: Comm. Larson
Second: Comm. Leahy

Approved: Ayes – 4
Nays – 0

Item #5 – 52 Clayton Ave (Pace) – Interpretation (R-1)

Mark Pace was present to speak. On his application, there was an appeal for the violation of students vs. a functional family. Mark handed out paperwork showing that the house has been inspected. Mark referred to a 1978 law, but said that Cortland is using a 2003 date. Mr. Pace explained that he had spoken with Chief Glover and had a form been filled out, it would equal a functional family. 52 Clayton has students living in the surrounding homes near the property. Mr. Pace was telling horror stories of past tenants. He explained how difficult it was to get people out. Mr. Pace had done some other work to the property without having gotten permits, but he claims everything is correct. He had 2 bedrooms added on over the summer, by adding walls. This item is presented to be decided whether it constitutes as a family, however, Commissioner Steve explained that Mark is arguing that the code city chapter 100 and 102 rental permit states no owner should buy a rental building structure unless it holds a valid rental permit. Bob supplied another violation notice given to Mark. It was discussed that a functional family does not plan to disperse at a given time, but these tenants have indicated that they will. Also, for 300-2 all the criteria must be met, not just the majority. Also, their driver’s licenses and the addresses on them indicated that the tenants are not permanent residents.

Motion to close the public hearing:

Motion: Comm. Cleary
Second: Comm. Leahy

Approved: Ayes – 4
Nays – 0

Motion to uphold the ZOD:

Motion: Comm. Cleary
Second: Comm. Larson

Approved: Ayes – 4
Nays – 0

Item #6– 16 Owego St (Barden) – Area Variance (R2)

The previously tabled item for 16 Owego needs to be tabled again due to the owner ill in the Hospital.

Motion to table for a second time:

Motion: Comm. Larson
Second: Comm. Cleary

Approved: Ayes – 4
Nays – 0

Item #7– 201 Tompkins St (Blood) – Special Use Variance (R1)

The item will be pulled.

Motion: Comm. Cleary
Second: Comm. Leahy

Approved: Ayes – 4
Nays – 0

Approval of minutes

Motion to approve the minutes as amended:

Motion: Comm. Larson
Second: Comm. Leahy

Approved: Ayes – 4
Nays – 0

Adjournment

Motion: Comm. Cleary
Second: Comm. Larson

Approved: Ayes – 4
Nays – 0

I, SCOTT STEVE, CHAIR MEMBER OF THE ZONING BOARD OF APPEALS FOR THE CITY OF CORTLAND, NY, DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE CITY OF CORTLAND, HELD ON THE 14TH DAY IN JANUARY IN THE YEAR 2019.

SCOTT STEVE, ZBA CHAIR MEMBER