



**Zoning Board of Appeals  
City of Cortland  
Regular meeting of August 13, 2018**

A regular meeting of the Zoning Board of Appeals was held on Monday, August 13, 2018 at 5:02 PM in the Mayor’s Conference Room at City Hall.

Present: Commissioners Scott Steve, Maria Manning, Abigail Cleary, Karen Leahy [arrived 5:10pm], Juliene Ray, and Thomas Larson

Excused: Commissioner Geoffrey Peppel

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

**Item #1 – 31 Greenbush St (Melice) – Area Variance (R4)**

- Nobody was present at the time of item introduction. Motion to move to the bottom of the agenda. When returning to the item, none were present to speak.

Motion to move item to the bottom of the agenda:

Motion: Manning

Second: Larson

Ayes – 5

Nays – 0

- Front yard setback for awning; awning would start at the sidewalk. Request for variance for parking had been withdrawn.

Motion to close the public hearing:

Motion: Cleary

Second: Ray

Ayes – 6

Nays – 0

Motion to approve of the variance as presented for awning only:

Motion: Cleary

Second: Manning

Ayes – 6

Nays – 0

**Item #2 – 65 River St (Suben) – Area Variance (R1)**

- Mark Suben was present to speak.

- Reduction of 4ft vegetative strip on south side for parking. This would be the left side (south side), less than four feet. North end would be in line with the house.
- The shed will remain as is.

Motion to close the public hearing:

Motion: Ray  
Second: Manning

Ayes – 6  
Nays – 0

Motion to approve the variance with the north side to line up with the house, keeping the south side within a twelve inch minimum.

Motion: Larson  
Second: Cleary

Ayes – 6  
Nays – 0

**Item #3 – 36 Taylor St (CHAC) – Area Variance (R1)**

- Tim Buhle was expected to speak, but not present.

Motion to move this to the end of the agenda:

Motion: Larson  
Second: Leahy

Ayes – 6  
Nays – 0

- Tim Buhle was present to speak at the end of the meeting, during the second consideration of the item following 21 West Main St.
- Reduction of required front yard for ramp/gaining green space.

Motion to close the public hearing:

Motion: Manning  
Second: Larson

Ayes – 6  
Nays – 0

Motion to approve of the variance as requested:

Motion: Larson  
Second: Manning

Ayes – 6  
Nays – 0

**Item #4 – 15 Townley Ave (Barrett) – Area Variance (R1)**

- Brian Barrett was present to speak; there was a fence, but the neighbors had taken it down.
- 6ft fence in front yard; fence is the same surface on both sides. He would like to put it up again on his current property. It would be six feet from bushes back to the other fence.

Motion to close the public hearing:

Motion: Cleary

Second: Ray

Ayes – 6

Nays – 0

Motion to approve of the variance, given the fence height is four feet from the corner of the garage, two feet from the sidewalk, and six feet from the garage (back to back fence):

Motion: Ray

Second: Cleary

Ayes – 6

Nays – 0

**Item #5 – 27 James St (White) – Special Use Permit (R1)**

- Orville White was present to speak; the county reviewed and passed his proposal for a Home occupation of cooking class. This would include four cooking stations, yielding a maximum of eight people per station.
- The classes would take place one night during the week from 4:00pm to 8:00pm/9:00pm, with open opportunity for weekend use.
- The county suggested that the hours of operation should be limited to Saturday OR Sunday from 9:00am to 1:00pm OR 12:00pm to 4:00pm. The residents of the dwelling would be the only persons employed to operate the home occupation. No more than 200 square feet of the dwelling may be used for the conjunction of the home occupation, including storage. No unwanted or offensive noise, odors, fumes, dust, heat, electronic interference, waste, etc. may emanate from the property.
- White has spoken with neighbors, who have no issues with this plan.
- White possesses three parking spaces on his property, as well as an industrial ventilation system. Parking concerns were discussed.
- SEQR test and results resolved that there would be zero impact.

Motion to close the public hearing:

Motion: Leahy

Second: Ray

Ayes – 6

Nays – 0

Motion to approve of the variance, with the change that the operational hours must be weeknights 4:00pm-9:00pm and weekends (Saturday and Sunday) 10:00am-5:00pm with a maximum of two four-hour classes per month.

Motion: Leahy

Second: Manning

Ayes – 6

Nays – 0

**Item #6 – 27 James St (White) – Area Variance (R1)**

- Orville White Parking – application has small discrepancy that is technically insignificant.

Motion to close the public hearing:

Motion: Manning

Second: Larson

Ayes – 6

Nays – 0

Motion to approve of the area variance:

Motion: Larson

Second: Ray

Ayes – 6

Nays – 0

**Item #7 – 15 Church St (Kruman) – Special Use Variance (R4)**

- Van Kruman was present to speak and read recommendations from Cortland County Planning.
- Commercial indoor Lodging is sought for a large five-bedroom edifice in an R4 district. Knickerbocker found no issues with the space. Total acreage is equal to .142 acres.
- The property possesses four parking spaces.
- SEQR resulted in a passed test and no further questions.

Motion to close the public hearing:

Motion: Larson

Second: Leahy

Ayes – 6

Nays – 0

Motion to approve as requested:

Motion: Manning

Second: Cleary

Ayes – 6

Nays – 0

**Item #8 – 21 W. Main St (Fairbanks) – Area Variance (R1)**

- Ron Ferri was present to speak, close friend of Fairbanks; requests a reduction of required front yard for a handicap wood ramp. Possible other designs were discussed.

- The ramp will be ADA compliant; the distance between the sidewalk and the porch stairs is twenty-four feet. This application is hoping to allow the ramp to avoid being too close to the sidewalk; it needs to be twelve-feet from the sidewalk.

Motion to close the public hearing:

Motion: Ray

Second: Manning

Ayes – 6

Nays – 0

Motion to approve of the variance with the condition that a minimum of a twelve-foot setback from the sidewalk exists, alongside new drawings to be submitted, and a letter of authorization to represent Mr. Fairbanks.

Motion: Ray

Second: Leahy

Ayes – 6

Nays – 0

### **Minutes**

Motion to accept and approve of the minutes:

Motion: Manning

Second: Cleary

Ayes – 6

Nays – 0

### **Old/New Business**

- June agenda: 206 Tompkins St. had been withdrawn. Motion to accept this pull.

Motion: Steve

Second: Manning

Ayes – 6

Nays – 0

- June Agenda: 8 Summit had been withdrawn. Motion to accept this pull.

Motion: Steve

Second: Leahy

Ayes – 6

Nays – 0

### **Adjournment**

Motion: Steve

Second: Manning

Ayes – 6

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 13<sup>th</sup> DAY OF AUGUST IN THE YEAR 2018.**

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**SCOTT STEVE, ZBA CHAIR MEMBER**