

**Zoning Board of Appeals  
City of Cortland  
March 11, 2013**

A regular meeting of the Zoning Board of Appeals was held on **Monday, March 11, 2013 at 5:00 p.m.** in the Mayor's Conference Room at City Hall.

Present: Chair Mary Kay Hickey, Comm. Stephen Brown, David Funk, Christine Place and Michael Stoll

Staff: Zoning Officer Bruce Weber, Deputy Chief William Knickerbocker

The meeting was called to order at 5:00 PM

Item #1 – 122-124 Tompkins Street – (Starkwood, LLC) R1 – Use and Area Variance Chapter 300-11, 65A,B, 73,92A

To speak was James Baranello, attorney for Dick and Cheryl Reygers in submitting applications for a Use Variance and an Area Variance to permit his client to construct a new professional office building. The property is currently a parking lot and was previously a funeral home for years. Cheryl Reygers has a dental office next to the property and she needs more office space. Mr. Baranello distributed to the Board a rendition of what the proposed plan was. The County Planning Board gave their approval with conditions and referred the applicant back to the City Planning Commission, who recommended approval of the Use and Area Variances but withheld action on the Site Plan because the applicants did not want to have the City Engineer review the Site Plan before this Board took action.

Chair Hickey reviewed the history of the property received from the Planning Board and asked for clarification of the boundary lines. The Board questioned when the property was purchased, the value of the property, and other concerns.

The parking lot is definitely an eyesore with a deteriorating wood frame barn and the neglected parking lot that was previously used by the Church across the street. The amount of green space would be increased and the maximum permitted lot coverage would be less than the existing lot coverage.

Zoning Officer Bruce Weber explained that the West side buffer is less than the required ten feet and the East side requires a four foot vegetative strip.

The property is in an R1 district, but it would be extremely unlikely that it would sell to someone to build a single family residence.

Also to speak regarding the proposed variance was John Hoeschele, President of the Board of Trustees for the Cortland Rural Cemetery. The Cemetery was supportive of a viable, esthetically pleasing structure being built on the parking lot.

Chair Hickey noted that all four criteria items for a use variance must be met, and if the Board feels they should not make a decision today, the hearing could remain open until next month's meeting.

The Board had reservations on items 1 and 4 of the Use Variance criteria.

Mr. Baranello stated that the alleged hardship was not created by his client, it was created by the Church.

Chair Hickey suggested that the applicants return with financial proof of hardship.

*The public hearing was left open.*

On the motion of Comm. Funk, seconded by Comm. Stoll, voted and carried to table the application for a Use Variance until the April 22, 2013 meeting.

Approved:                      Ayes – 5  
   Nays - 0

Item #2 – 20 Sands Street – The applicant requested that the item be tabled for the next meeting.

On the motion of Comm. Stoll, seconded by Comm. Place, voted and carried, to table the item for the next meeting.

Approved:                      Ayes – 5  
   Nays - 0

Item #3 – 50 Crandall Street – R2 – Area Variance – Access Ramp

To speak was Carlton Anthony, a representative from the EZ Access Company who contracts with the Veteran's Administration to install handicap ramps. The ramp is owned by the Veteran's Administration and when the applicant no longer needs the ramp, it will be removed. Putting the ramp in the front of the house was the only feasible site.

On the motion of Comm. Place, Seconded by Comm. Funk, voted and carried,  
the Public Hearing was closed.

The criteria for an Area Variance were reviewed.



Comm. Funk noted on the last page, it should be Comm. Funk who seconded the minutes.

On the motion of Comm. Stoll, seconded by Comm. Funk, voted and carried to accept the minutes of the February 11, 2013 minutes as amended.

New Business

Comm. Place asked if some direction could be given to the clerk in regards how the agenda should be prioritized.

Adjournment

On the motion of Comm. Funk, seconded by Comm. Stoll, voted and carried.

Approved:                      Ayes – 5  
   Nays – 0

**I, MARY KAY HICKEY, CHAIRPERSON 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 11<sup>th</sup> of MARCH, 2013.**

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**MARY KAY HICKEY, CHAIRPERSON**