

Zoning Board of Appeals
City of Cortland
Monday, October 20, 2014

A regular meeting of the Zoning Board of Appeals was held on Monday, October 20, 2014 at 5:00 PM in the Mayor’s Conference Room at City Hall.

Present: Chair, Mary Kay Hickey, Commissioners David Funk, Dave Dovi, Scott Steve

Absent: Comm. Christine Place, Phyllis McGinley

Staff: Deputy Fire Chief, William Knickerbocker; Zoning Officer, Bob Rhea; Secretary, Shellie Blaisdell

The meeting was called to order at 5:00 pm

Item #1 – 6-10 Riverview Ave – (R4) – (Catholic Charities/Taw) – Area Variance

Parking lot and side yard buffer strip

Chair Mary Kay Hickey has introduced the County Planning Board report for review with this application.

Applicant: Jeff Taw (architect) representing Catholic Charities proposed a 39-unit-two-story wood frame structure to be located at 6-10 Riverview Ave. The property, currently owned by Catholic Charities, has two very well maintained houses (12 tenants). It has two parcels which it is in the process of combining into one tax parcel. The structure will have 39 units which is determined by the number of units required to be economically viable, i.e. construction, maintenance, operation and funding.

The developer, Christopher Communities, has done a number of similar projects and recommends the parking ratio of 1/1 to work well for this type of community. Applicant anticipates 25-28 cars for tenants, staffing and visitors noting that 42 spaces would rarely be used-therefore requesting a variance for parking. Due to the size of the structure and the parking with the City issued mandates for setback, side yard setback and the buffer zone requirements.

The buffer zones on both sides will be well landscaped. The entrance and exits are to be illuminated for the sidewalk. Parking space dimensions are code dimensions.

A motion was made by Comm. Funk to close the public hearing and was seconded by Comm. Dovi.

Approved: Ayes – 4
Nays – 0

Motion to approve the Area Variance was made by Comm. Funk and seconded by Comm. Dovi with a decrease in the number of parking spaces to 42, a reduction in the side yard to 12 feet on the west side and 7 feet on the east side and contingent on meeting all the requirements of the County Planning Commission.

Approved: Ayes – 4
Nays – 0

Item #2 – 91 Lincoln Ave (Reeners) – (R2) – Area Variance

9' wide parking spaces (required for multi-family unit)

Mr. Reeners explained his proposal of 6 parking spaces, 9 feet wide instead of the required 10 feet indicating 95% of the tenants drive compact or sub compact cars. That would keep parked cars out of the floodway and would allow for snow removal.

A motion was made by Comm. Funk to close the public hearing and was seconded by Comm. Steve.

Approved: Ayes – 4
 Nays – 0

A motion was made by Comm. Funk to approve the Area Variance for six 9-foot parking spaces at 91 Lincoln Ave. with the motion being seconded by Comm. Steve.

Approved: Ayes – 4
 Nays – 0

Item # 3 – 120-124 Tompkins Street – (R1) – (Starkwood, LLC) – Use Variance and Area Variances

Proposed use as professional office (not a permitted use in R1), area variances to reduce buffer zones on east and west sides and to reduce required front yard green space.

County Planning has approved with conditions. Jim Baranello (attorney for the applicant) said that the Code requires 23 parking spaces, not 25. This is many more spaces than this business needs. Tompkins Street is no longer a residential area. Only 31% of the R1 district properties are currently used for single family homes; 69% is multi family or commercial. There is currently a dental office at 120 Tompkins (use variance granted in 1990) and the use variance before the ZBA would allow the applicant to use the adjacent parcel for the purpose of constructing a new, larger office. The adjacent property was once a funeral home, destroyed by fire many years ago, and used for parking since that time.

The applicant has more than addressed the financial hardship with the appraisal previously presented. In addition to Use Variance Application there are three (3) Area Variances needed.

A motion to close the public hearing was made by Comm. Steve and seconded by Comm. Dovi.

Approved: Ayes – 4
 Nays – 0

A SEQR review was completed for the application. A motion was made by Comm. Funk finding no significant environmental impacts and was seconded by Comm. Steve.

Approved: Ayes – 4
 Nays – 0

A motion was made by Comm. Steve to approve the Use Variance application for a professional office based on the plans submitted. The motion was seconded by Comm. Dovi.

Approved: Ayes – 4
 Nays – 0

A motion was made by Comm. Funk to approve the Area Variance for the front yard as shown due to there being no real other way to feasibly lay out the property to meet requirements – the west side is not that significant and the east side is not really altering the character of the neighborhood. The motion was seconded by Comm. Steve.

Approved: Ayes – 4
Nays – 0

Item # 4 – 17 N. Franklin Street – (R2) – (Recor) – Area Variance

New front stairs with small landing

Scott Recor, property owner is proposing a deck 30'x6 – 4x8 – 18 ft. rd., 12 ft. of yard with the intention of trying to make the landing a little bigger and extend a little farther. Still needs variance increasing the degree of non-conformity. Will to go off the side.

A motion was made by Comm. Steve to close the public hearing and was seconded by Comm. Funk.

Approved: Ayes – 4
Nays – 0

A motion was made by Comm. Funk to approve the Area Variance application with the stairs to go towards the driveway not the street. The motion was seconded by Comm. Steve.

Approved: Ayes – 4
Nays – 0

Item #5 – 126 Elm Street – (GI) – (Stauber) – Area Variance

New Building; setback of 30' to 5'

Gary Stauber explains he has a three phase project and due to National Grid having a right of way 25 feet away from the outer upper wires – the future 2 sided in center.

Mary Bordwell (neighbor) has no objection to the project but would like to request he maintain the fence line and clear out overgrown vegetation.

A motion was made to close the Public Hearing by Comm. Dovi and seconded by Comm. Funk.

Approved: Ayes – 4
Nays – 0

A motion was made by Comm. Funk to approve the Area Variance Application as presented with the stipulation that the fence be restored and maintained and that buffer zones and yards on the whole property be kept clear. The motion was seconded by Comm. Steve.

Approved: Ayes – 4
Nays – 0

Item #6 – 19 Squires Street – GI – (Compagni) – Area Variance

Additional parking (for additional employees)

Rich Compagni proposes his five additional parking spaces due to the tenant (Cortland Transit and J.M. Murray Center) of hiring additional employees. There is question as to the property line, fence line and the street line. It appears that the proposed spaces may be in the City right of way.

A motion was made by Comm. Funk and seconded by Comm. Dovi to leave the public hearing open and table the application for an Area Variance pending updated survey to identify the street line.

Approved: Ayes – 4
 Nays – 0

Item #7 – 67 Greenbush Street (McCaskill) – (R1) – Area Variance

Building porch over existing concrete steps and landing

David McCaskill (owner) proposes to extend the steps closer to the sidewalk. The street line to the curb – steps now at 18 ½' from the sidewalk. 6x10 steps.

A motion was made by Comm. Steve to close the public hearing and was seconded by Comm. Funk.

Approved: Ayes – 4
 Nays – 0

A motion was made by Comm. Funk to approve the application as submitted and was seconded by Comm. Dovi.

Approved: Ayes – 4
 Nays – 0

Item #8 – 158 Groton Ave (Bilodeau) – (R1) – Area Variance

Extending a fence line, building 6' tall stockade fence

An Area Variance is requested by the Applicant Ryan Bilodeau. It is a double lot deep on Groton Ave – the front lawn raised. Down Helen Ave, the fenced area – front wall of fence closer to the curb. Keep 6' privacy fence-replace with new. Make pedestrian traffic line of site.

A motion was made by Comm. Funk to close the public hearing and was seconded by Comm. Steve.

Approved: Ayes – 4
 Nays – 0

A SEQR review was completed for the application. A motion was made by Comm. Funk finding no significant environmental impacts and was seconded by Comm. Steve.

Approved: Ayes – 4
 Nays – 0

A motion was made by Comm. Funk to approve the application as submitted and conforming to the County Planning recommendations. It was seconded by Comm. Dovi.

Approved: Ayes – 4
 Nays – 0

Minutes

The minutes from September 8, 2014. A motion by Comm. Funk to accept the minutes of September 8, 2014 as amended and seconded by Comm. Dovi.

Approved: Ayes – 4
 Nays – 0

Adjournment

On the motion of Comm. Funk and seconded by Comm. Steve, voted and carried to adjourn meeting.

Approved: Ayes – 4
 Nays – 0

I, MARY KAY HICKEY, 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 20th DAY OF OCTOBER IN THE YEAR 2014.

MARY KAY HICKEY, ZBA MEMBER