

Zoning Board of Appeals
City of Cortland
Monday, July 20, 2015

A regular meeting of the Zoning Board of Appeals was held on Monday, June 20, 2015 at 5:00 PM in the Mayor’s Conference Room at City Hall.

Present: Chair Mary Kay Hickey, Commissioners Christine Place, Scott Steve, and Dave Funk

Absent: Comm. Phyllis McGinley, David Dovi

Staff: Zoning Officer Bob Rhea; Secretary Shellie Blaisdell

The meeting was called to order at 5:00 pm. Applicant for item #1 was not present so it was moved down and will be heard later in the meeting.

Item #2 – 154 Clinton Avenue – (CB) – (Sweeney) – Area Variance

*Install two building signs and one pylon sign insert
Area Variance for second sign, and sign size*

Chris Sweeney (part of the Express Mart franchise, presents his application to add “Express Mart” on the peak of sign with LED above the window. It is 11 sq. ft. and fits perfectly in the peak. Will be adding express Mart to the pylon sign. Their brand is important of Mobil, Dunkin Donuts, and Express Mart – the same manufacturer with other signs. It is still visible from the road. All three signs internally lit. This is over by 25% for signage.

The Zoning Board Commissioners feel this specific part of the city needs difference signage regulations.

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

Approved: Ayes – 4
Nays – 0

A motion was made by Comm. Place to approve the request for signage as present with the condition the “Price” sign meet the clearances required from the ground up for visual (300-104(h)2. The motion was seconded by Comm. Steve.

Approved: Ayes – 4
Nays – 0

Item #3 – 71 Vanhoesen Street (Scofield) – (R1) – Area Variance

Area Variance for vegetative strip

Applicant Larry Scofield is proposing to widen his driveway – the general green space 65% is required and proposed is 62&+%. The lot coverage is fine. The edge match in the sidewalk – straight back to the road - to the right the row of trees - plenty of room to the left. The two trees can be moved. Compelling reason – already existing driveway – comes straight out to the road – curb cut – permission by DPW but the curb is worn down. Raised vegetable garden and is now grass. Push sow – drain issues with

neighbor's driveway the setbacks for reasons split the difference = tree close to road. Three hangs over driveway.

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

Approved: Ayes – 4
 Nays – 0

A motion was made by Comm. Place to approve the application and allow the driveway of the dimensions – under green space but has to maintain the 4 foot vegetative strip. The motion was seconded by Comm. Funk.

Approved: Ayes – 4
 Nays – 0

Item # 1 – 16 Ellwood Avenue – (R1) – (Bischoft) – Area Variance

Wood fence construction

Area Variance for fence height

Zoning Officer Bob Rhea has no problem with the fence location and the lot-line. It is a new fence. It is 16ft – posts – the post to use are between 20 posts of fence (to hold planters) and is a 4ft fence with a riser – 12" higher than the fence. The Top rail has to be at 6ft (lower 6").

A motion was made by Comm. Funk to table the application and was seconded by Comm. Place.

Approved: Ayes – 4
 Nays – 0

Item # 4 – 91 Lincoln, 112 Groton, 7 Woodruff Street – (R2/GB) – (Weber) – Interpretation

Regarding decision of Zoning Officer

Zoning Officer Bob Rhea provided a summary of review and indicates that essentially there is no need for variances. He has consulted with several resources who concur. The Planning Commission approved based on the analysis and made an informed decision.

At the recommendation of Corporation Counsel, the applicant for the Interpretation, Bruce Weber has no standing as he is the mortgage holder and due to the value of his financed property is not impacted by this property. Corporation Counsel advises to not get into the substance of the application. Simply deny_[m1] based on No Standing.

A motion was made by Comm. Funk to deny the Interpretation Application due to lack of standing on advice from Corporation Counsel. The motion was seconded by Comm. Place

Approved: Ayes – 4
 Nays – 0

***Due to scheduling conflicts the August ZBA meeting will be moved to August 17, 2015. Notification to the public will be issued.**

Adjournment

On the motion of Comm. Funk and seconded by Comm. Place, 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 JULY IN THE YEAR 2015.

MARY KAY HICKEY, ZBA MEMBER