

Zoning Board of Appeals
City of Cortland
Monday, April 11, 2016

A regular meeting of the Zoning Board of Appeals was held on Monday, April 11, 2016 at 5:00 PM in the Mayor’s Conference Room at City Hall.

Present: Chair David Funk, Commissioners Juliene Ray, Scott Steve, Karen Leahy

Excused: Commissioners Dave Dovi, Phyllis McGinley, Beau Harbin

Staff: Zoning Officer Bob Rhea; Deputy Chief William Knickerbocker,
Secretary Devon Rainbow

The meeting was called to order at 5:27 pm

Item #1 – 126 Pendleton St. (Skodzinsky) – Area Variance – (R1)

- Construction of a single family residence on a nonconforming lot
- AV for front yard setbacks – two front yards

Mark Skodzinsky was present to talk about the application. The lot is nonconforming at 60’ wide by 102’ deep. An area variance is required for the area, width, and front yard depth. The lot area is 6,120 Square feet. It’s required that the front yard is 15’ on Huntington St. The lot in question is considerably larger than the adjacent lots.

Jim Reeners lives on Hickory Lane and is a developer. If any of the existing buildings burned, there would be no houses that could go there. Single family homes should be able to make any changes on them to remain single family homes.

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

Approved: Ayes—4
Nays—0

A motion to approve was made by Comm. Steve and seconded by Comm. Ray.

Approved: Ayes – 4
Nays—0

Item #2 – 16 Harrington Ave. (Mwanika) – Area Variance – (R1)

- Construction of a single family residence on a nonconforming lot
- AV for width and lot area

Rich Mwanika explained that the property was demolished, and neighbors stated they would take care of it. The property became a community parking lot and storage, with construction equipment parked there. The equipment was moved and now it seems like a permanent parking lot, even though there is a sign that says no parking. The sign is still there but people keep parking. A Cornell-based architect wants to use the lot to build a single-family home even though it is a nonconforming lot. Rich hopes to sell the lot to the architect and a faculty member.

Needs county planning approval because it's within a certain distance that is in the government referral area, on a county road.

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

Approved: Ayes—4
Nays—0

A motion was made to table until May by Comm. Ray and seconded by Comm. Leahy

Item #3 – 4 Joseph St. (Bushnell) – Area Variance – (R1)

- Replacing front stoop with new deck
- AV for side yard setback

Joseph Bushnell is looking for an area variance for a setback to build a deck to replace the steps on the front of the home. They currently have to use the side door because the steps are a challenge. The deck would be pressured-treated wood.

A motion to close the public hearing was made by Comm. Ray, seconded by Comm. Steve.

Approved: Aye—4
Nay—0

A motion was made by Comm. Ray to table until May in order to get the proper permits and seconded by Comm. Leahy.

Approved: Aye – 4
Nay – 0

Item #4 – 16 Fifth Ave. (Lynch) –Area Variance – (R1)

- Install an above ground pool with a deck
- AV for side yard setback

Nick Lynch was present to apply for an AV setback to install a 24” above ground pool he would like to attach to the deck of his house. He will not be tearing down any part of the deck, but instead will be extending the uncovered portion of the deck to the property line.

There is a law that says no fence higher than 6 feet, and the pool fence will be higher than 6 feet. He will have to come back to get approved for the fence.

A motion to close the public hearing was made by Comm. Steve, seconded by Comm. Leahy.

Approved: Ayes—4
Nays—0

A motion was made by Comm. Steve to table requiring an amended application until May and seconded by Comm. Leahy.

Approved: Ayes—4
Nays—0

Item #5 – 235 Port Watson St. (Carter) – Area Variance – (GB)

- Addition to existing building
- AV for side and rear setbacks

Ric Carter wants to put an addition on existing building that will extend about 15 feet and extend the roof as well. It won't be for business, just private use.

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

Approved: Ayes—4
Nays—0

A motion to table was made by Comm. Ray and seconded by Comm. Leahy.

Approved: Ayes—4
Nays—0

Item #6 – 4 Monroe Height (Pace) – Area Variance – (R4)

- Replacement of existing 4 unit residential building with a 6 unit
- AV for width, parking spaces, buffer, drive lane width

Brent Cross was present to speak on behalf of Keith Pace. He passed around a surveyor's map of existing structure and parking, as well as the existing layout and condition of the building.

Some of the existing conditions are no longer compliant which is why they must go through process with ZBA. There are five points in making the application:

1. Lot width of 61', need a minimum of 105.
2. Parking space width of 9', marked.
3. Reduce buffer to allow parking lot at rear of lot.
4. AV for driveway width
5. AV for 4' vegetative strip on south property line

Discussion on Planning Board approval before ZBA approval. Can still pursue a variance from them, but ZBA will be required to approve as well.

Motion to table until May was made by Comm. Ray and seconded by Comm. Steve.

Approved: Ayes—4
Nays—0

Item #7 – 21 Reynolds Ave (DelVecchio) – Interpretation – (R2)

- Interpretation of ZEO's request for an Area Variance.

Applicant pulled agenda item till next month due to only having 4 board members present

A motion to table until May was made by Comm. Funk, seconded by Comm. Leahy

Approved: Ayes – 4
Nays – 0

Item #8 – SEQR on 115 Port Watson St.

A SEQR was done on the 115 Port Watson St Alpha Auto business with negative environmental impact.

A motion was made to accept the SEQR by Comm. Steve and seconded by Comm. Ray.

Approved: Ayes – 4
Nays – 0

Minutes

Approval of February 8, 2016 minutes as presented, motion by Comm. Funk and seconded by Comm. Steve

Approved: Ayes – 4
Nays – 0

New/Old Business

Adjournment

On the motion of Comm. Ray and Seconded by Comm. Leahy, voted and carried to adjourn meeting.

Approved: Ayes – 4
 Nays – 0

I, DAVID FUNK, 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 11th DAY OF April IN THE YEAR 2016.

DAVID FUNK, ZBA MEMBER