

Zoning Board of Appeals  
City of Cortland  
**Monday, August 8, 2016**

A regular meeting of the Zoning Board of Appeals was held on Monday, August 8, 2016 at 5:00 PM in the Mayor’s Conference Room at City Hall.

Present: Chair David Funk, Commissioners Scott Steve, Juliene Ray, Dave Dovi (5:15), and Karen Leahy

Excused: Beau Harbin

Absent: Phyllis McGinley

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

The meeting was called to order at 5:00 pm

**Item #1 – 24 Summit St. (Babcock) – Area Variance – (R1)**

- Area Variance for front yard setback on Summit St. and Liberty Ave.

Mr. Norton was present to speak regarding the application. He explained that there is a 17ft setback on the Liberty side and a 21ft setback on the Summit side. The proposed is a 2 story 2400 sq. ft. home with 2 bedrooms and a garage. The garage door opening will be on Liberty St. It was explained that this is for the owner and his father to reside in.

Many of the surrounding neighbors were present to voice their concerns. There have been many rumors as to what is going to be on the property and they cannot seem to get any straight answers. There have been some issues in the past between the neighbors and Mr. Babcock. They are concerned with his work truck being parked there and the odor that comes from it. They are afraid that it will be turned into a home for college students to rent.

The Commissioners would like to see a detailed Site Plan to scale including the driveway, sidewalk, steps and buffers.

A motion to table this application till the next meeting was made by Comm. Funk and seconded by Comm. Leahy.

Approved: Ayes – 5  
Nays – 0

**Item #2 – 77 West Main St. (Johnson) – Area Variance – (R1)**

- Area Variance for fence in front yard facing West Main St.

ZEO Bob Rhea read an email between himself and Mr. Funk regarding some confusion on the placement of the fence. The building permit that was issued stated the fence starts at the top left corner of the house and the ZBA decision stated parallel to garage and to omit the fence on West Main St. Neither allows 6ft fence in the front yard. The code reads that front yard fences are limited to 4ft and the fence is 6ft. Mr. Johnson presented a statement signed by surrounding neighbors stating they are ok with the fence as is. There are 10ft post put in with concrete around the fence posts to help support it.

Commissioners were concerned that procedures were not followed properly. There was no call to the Code department to come inspect the holes before proceeding with the project. No call was made to Dig NY.

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

Approved:   Ayes – 5  
                  Nays – 0

The board members reviewed the test questions to determine whether the variance should be considered for granting or denial.

A motion was made to table by Comm. Funk and seconded by Comm. Steve.

Approved:   Ayes – 5  
                  Nays – 0

**Item #3 – 165-177 Main St. (Yaman) – Area Variance – (GI)**

- Area Variance for number of parking spaces for project

Mr. Yaman was present to speak regarding the parking spaces, size and numbers for 165-177 Main Street. He explained his request to change the parking spots from 10x18 to 9x18. This would create more spaces for people to park. The building will be multipurpose. The third floor will be occupied as loft-style apartments, second floor would be space for a business rental, and lastly, storage on the bottom floor. The idea for parking would be shared use for day and night parking. During the day the parking would be available for the workers of the businesses. During the night the parking would be available for the tenants living in the apartments. Mr. Yaman figured there would be 170 parking spaces total.

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

Approved:     Ayes – 5  
                  Nays – 0

The board members reviewed the test questions to determine whether the variance should be considered for granting or denial.

A motion was made to approve the application as presented by Comm. Steve and seconded by Comm. Leahy.

Approved:     Ayes – 5  
                  Nays – 0

**Minutes**

Approval of June 13, 2016 minutes as amended, motion by Comm. Steve and seconded by Comm. Ray

Approved:     Ayes – 5  
                  Nays – 0

**New/Old Business**

**Adjournment**

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

Approved:     Ayes – 5  
                  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 8<sup>th</sup> DAY OF AUGUST IN THE YEAR 2016.**

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**DAVID FUNK, ZBA MEMBER**