



CITY OF CORTLAND ZONING BOARD OF APPEALS

CITY HALL • THIRD FLOOR • 25 COURT ST. • CORTLAND NY

MEETING: JULY 10, 2023 | 5:30 pm

MINUTES

MAYOR

SCOTT STEVE

ZONING BOARD OF APPEALS

BRETT BARNES, CHAIR

KYLE DAVIS

THOMAS LARSON

RAY PARKER

JULIENE RAY

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LISA HENTY

RECORD OF DECISIONS

RECORD NO. 2023.07.10 - 01

ADDRESS: 37-39 Port Watson St.

APPLICATION: Area Variance

APPLICANT: Paul Gallow

DECISION: Approved with the conditions that:

1. parking stops be placed on the four parking spots on the south boundary of the parking lot (marked 6-9),
2. the fence on the north side of driveway be a minimum of six feet up to where it is required to meet the site triangle;
3. the architectural detail, building material and fencing on the east and south facing sides be consistent with the residential character of the adjacent neighborhood pursuant to Chapter 300 Article X paragraphs D. and E. of the City Administrative Code.



CITY OF CORTLAND ZONING BOARD OF APPEALS

JULY 10, 2023 MEETING MINUTES

CALL TO ORDER AND ROLL CALL

The regularly scheduled meeting of the City of Cortland Zoning Board of Appeals (ZBA) was called to order at 5:33 p.m. in the Common Council Chambers of City Hall, 25 Court St. Cortland NY. The following ZBA members were recorded present:

Brett Barnes
Kyle Davis
Thomas Larson
Ray Parker

The following members were recorded absent:

Juliene Ray

VARIANCE APPLICATIONS

Record of Decision 2023.07.10 - 01 Area Variance Application - 37-39 Port Watson St.

A public hearing was open at 5:33 p.m. The applicant, Paul Gallow seeks a bulk area variance for construction of a multi-unit building. Mr. Gallow submitted an updated map of the proposed project, reflecting changes since the ZBA's June 12, 2023 meeting, along with an engineer's statement in response to questions raised during that meeting. Mr. Gallow stated that four (4) additional parking spaces have been added to the proposed plan. The revised plan also includes changes that address concerns raised by neighbors at the previous meeting. The applicant and Code Enforcement Officer will agree to additional plan changes to ensure compliance with first floor unit access and egress requirements. Henry Zajd, residing at 28 William St., stated that he has not received notification about the matter being considered previously by the ZBA and Planning Commission. Julia Czerwinski, residing at 63 Church St., asked about parking for the existing units and the proposed units. Mr. Gallow said parking spaces will be reserved for tenets. The public hearing was closed at 6:10 p.m.

Board Member Davis stated a concern that the architectural detail, building material and fencing be consistent with the residential character of the adjacent neighborhood. Guidelines for the applicant are referenced at Chapter 300 Article X paragraphs D. and E. of the City Administrative Code. Also recommended are parking stops.

The Zoning Board of Appeals considered and discussed the Area Variance Five Factor test pursuant to City Code, Article XV Section 300-150. The following factors were discussed and answered.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance?
Answer: No
2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance?
Answer: No
3. Whether the requested area variance is substantial?

Answer: Yes

4. Whether the proposed variance will have an adverse effect or impact on the physical environmental conditions in the neighborhood or district?

Answer: No

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board, but shall not necessarily preclude the granting of the variance?

Answer: Yes

Decision: A motion was adopted to approve the Area Variance application with the conditions that:

4. parking stops be placed on the four parking spots on the south boundary of the parking lot (marked 6-9),
5. the fence on the north side of driveway be a minimum of six feet up to where it is required to meet the site triangle;
6. the architectural detail, building material and fencing on the east and south facing sides be consistent with the residential character of the adjacent neighborhood pursuant to Chapter 300 Article X paragraphs D. and E. of the City Administrative Code.

Motioned by: Board Member Barnes

Seconded by: Board Member Parker

Approved: Ayes – 4 [Barnes, Davis, Larson, Parker]
Nays – 0

APPROVAL OF THE MINUTES

A motion was made and approved to accept the minutes of the June 12, 2023 ZBA meeting.

Motioned by: Board Member Parker

Seconded by: Board Member Larson

Approved: Ayes – 4 [Barnes, Davis, Larson, Parker]
Nays – 0

ADJOURNMENT

The meeting was adjourned at 6:38 p.m. on motion of Mr. Parker.

I, ANDREW T. JEWETT, CITY CLERK FOR THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT RECORD OF THE MOTIONS AND PROCEEDINGS OF A REGULARLY SCHEDULED MEETING OF THE CITY OF CORTLAND ZONING BOARD OF APPEALS HELD ON JULY 10, 2023.

ANDREW T. JEWETT, CITY CLERK