

Minutes of the Meeting of the  
Syracuse Board of Zoning Appeals  
City Hall, Syracuse, New York  
January 6, 2010

I. Summary of cases discussed herein:

V-10-61      V-10-62      V-10-63

II. Members Present

Linda DeFichy                      - Yes  
Stewart Koenig                      - Yes  
Carolyn Evans-Dean                - Yes  
Nicholas Petragani                - Yes  
Michael Stanton                    - No  
Carl Thomas                        - Yes  
Stefanie Noble                      - Yes

Staff Present

Heather Lamendola - Yes  
Nancy Larson        - Yes  
Melissa Sanfilippo - Yes

III. Meeting called to order at 1:03 p.m. by Ms. DeFichy.

A motion was made by Mr. Thomas and seconded by Ms. Evans-Dean to adopt the minutes from the December 9, 2010 meeting. Motion carried 6-0-1.

IV. Public Hearings

1. V-10-61

Michael P. Pasquale  
531 Salisbury Park Drive  
Construct a roof over front stairs  
Area Variance

To construct a roof over existing front stairs within the required front setback on property zoned Residential, Class A-1.

Speaking in favor of the request was Michael P. Pasquale, the property owner, who reviewed the proposal for the Board and explained the need for the request

There was no one who spoke in opposition to the proposal.

After review of the proposal and further discussion a motion was made by Mr. Petragani and seconded by Ms. Evans-Dean to approve the request stating that the proposed roof over-hand has no impact on the neighborhood and does not extend further into the setback than the house next door. The motion carried unanimously.

2. V-10-62

Jason Norton and Thomas Garcia  
917-919 & 923 Caleb Avenue  
Establish (Maintain) a four dwelling units  
Use Variance

Request to establish (maintain) a four dwelling units on property within a Residential, Class A-1 zoning district.

Speaking in favor of the proposal was the property owner Mr. Thomas Garcia of East Circle Drive; Cicero, N.Y. Mr. Garcia explained that the property contained four dwelling units when he purchased it in 2007. Mr. Garcia also answered the board's questions regarding the arrangement of the dwelling units and the existing parking arrangement.

There was no one speaking against the proposal

A motion was made, with a Negative Declaration, by Ms. Evans-Dean and seconded by Ms. DeFichy to approve stating that the apartments appeared have large enough bedrooms and that if the front structure was reduced to a one-family dwelling, that it would contain 10 bedrooms and be very difficult to rent. The motion was approved 5 to 1.

V-10-63

Green Lake Associates LLC.  
429 James Street  
Establish a church  
Area Variance

Establish a church by waiving the required parking in an Office, Class B zoning district

Speaking in favor of the proposal was Dr. William Darkow, a church member, who discussed the proposal and added that the church would be a good fit for the area. Also speaking in favor of the proposal was Tom Voumard, the Real Estate Broker for the property.

There was no one who spoke in opposition to the proposal.

After review of the proposal and further discussion regarding parking, Mr. Koenig made a motion to approve, the motion was seconded by Mr. Thomas. The motion carried unanimously.

V. New Business

1. Modification of 2011 Board of Zoning Appeals Meeting Dates

A new calendar of meeting dates was presented to the Board which removed the December 29<sup>th</sup> meeting date due to the holidays.

A motion to approve was made by Mr. Petragani and seconded by Mr. Koenig. The motion carried unanimously.

2. V-09-46

Marianne Carter  
99 MacDougal Place  
Use Variance  
Time Extension

Request to for a one year time extension.

Melissa Sanfilippo of the Board's staff explained that the applicant has submitted a request for a one year time extension as a result of funding issues.

A motion to approve the extension was made by Ms. Evans-Dean and seconded by Mr. Thomas. The motion carried unanimously.

VI. Old Business

1. V-10-56

Anne T. Garzone Living Trust; c/o Cynthia Garzone Baker  
2426 South Avenue  
Restaurant  
Use Variance

To establish (maintain) a restaurant on property zoned Residential, Class A-1 by waiving the uses permitted.

Melissa Sanfilippo of the Board's staff reminded everyone that this case was heard on December 9, 2010 and the decision was held for further clarification of screening, hours of operation, and entertainment.

Frank Ventre, the applicant's attorney, along with the applicant, appeared to further clarify the issues and concerns the Board had with the proposal. Mr. Ventre discussed the hours of operation and added that additional screening would be installed to buffer the adjacent properties. An updated floor plan was submitted by the applicant that did not include the previously proposed dance floor. It was also discussed that the Board would not consider any outside entertainment.

Additional information was provided by Heather Lamendola, that the property owner had been recently cited for trash and debris and illegal dumping. The applicant was aware and stated that the violations would be corrected.

A motion to approve a Negative Declaration was made by Mr. Petragrani and seconded by Ms. Evans-Dean. The motion carried unanimously.

A motion was made by Mr. Thomas and seconded by Ms. Noble to approve the proposal with the conditions that hours of operation be limited to 11:00 am to 2:00 pm for lunch, 4:00 pm until 10:00 pm for dinner, the establishment may remain open until 2:00 am; any entertainment shall not be permitted past 11:00 pm; entertainment is limited to inside the restaurant; no outside entertainment is allowed; The motion carried unanimously.

1. V-84-34

Syracuse Model Neighborhood Corporation  
1721-1723 South Salina Street  
Modification of a previously approved Variance  
Use Variance

Request to modify a parking plan on a Variance previously approved on June 14, 1984.

Melissa Sanfilippo of the Board's staff reminded everyone that this case was heard on December 9, 2010 but was rescheduled for the January 6<sup>th</sup> meeting due to the lack of a quorum. Ms. Evans-Dean abstained due to her affiliation with the Syracuse Model Neighborhood Corporation and Ms. DeFichy was unable to attend the entire meeting, leaving only three members of the Board who were eligible to vote on the proposal.

A motion to approve the proposal was made by Mr. Thomas and seconded by Mr. Koenig with Ms. Evans-Dean abstaining from the vote. The motion carried 5-0-1.

VII. Public Hearing Authorizations for THURSDAY, January 27, 2011

1. V-10-64

Craig P. Kaplan  
212 Mariposa Street  
Waiver of front yard parking  
**Area Variance**

To establish (maintain) a parking area within the required front setback on property located within a Residential, Class A-1 zoning district. .

VIII. Adjournment

A motion was made by Mr. Petragnani and seconded by Mr. Thomas to adjourn the meeting at 2:00 p.m. Motion carried unanimously.