

Minutes of the Meeting of the
Syracuse Board of Zoning Appeals
City Hall, Syracuse, New York
September 15, 2011

I. Summary of cases discussed herein:

V-11-31	V-11-36	V-11-37	V-11-39
V-11-40	V-11-42	V-11-43	

II. Members Present

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

Staff Present

Heather Lamendola	- Yes
Megan McLees	- Yes
Melissa Sanfilippo	- Yes

III. Meeting called to order at 1:05 p.m. by Ms. DeFichy (LD, NP, CED, MS, CT)

A motion was made by Mr. Thomas and seconded by Ms. Evans-Dean to adopt the minutes from the August 25, 2011 meeting. Motion carried 5-0-1.

IV. Public Hearings

1. V-11-31

Lazaro Rios and Delia Garcia
904 Northway Street
Area Variance

To convert a garage into living space and therefore creating a parking area within the required front yard setback, on property located within a Residential, Class A-1 zoning district.

The proposal was presented by the applicant, Lazaro Rios who explained the request and the need for the waivers.

There was no one speaking in favor or against the proposal. A neighbor, Edward Black of 916 Northway Street, attended the meeting to ask for clarification on the proposal. Mr. Black stated that he had no objections to the proposal as long as the driveway was not being expanded.

After further discussion regarding the driveway, a motion was made to deny by Mr. Stanton, there was no second. A second motion, to approve, was made by Mr. Thomas and seconded by Ms. Evans-Dean. The motion carried 4 to 1.

2. V-11-36

Arnaldo and Rita Antinarella
240 Cleveland Avenue
Area Variance

To establish (maintain) a 10 foot deep by 31 foot wide parking area within the required front yard setback by waiving the maximum driveway width and the required front yard setback on property located within a Residential, Class A zoning district.

The proposal was presented by the property owner, Mr. Antinarella, who explained the request and the need for the waivers.

There was no one speaking against the proposal. An e-mail showing support for the proposal was presented to the board.

After further discussion regarding the driveway width, a motion was made to approve by Mr. Petragnani and seconded by Ms. Evans-Dean. The motion carried 4 to 1.

3. V-11-37

Fatima Aljowfi
932-934 North Salina Street
Area Variance

To waive the off street parking requirements for a residential dwelling unit, on property located within a Commercial, Class A zoning district.

The proposal was presented by the Sheila Weed, the applicant's architect, who explained the request and the need for the waivers. Ali Almakaleh, the applicant's husband also explained the proposal and answered the board's questions regarding the property.

There was no one speaking in favor or against the proposal.

After further discussion, a motion was made to approve by Mr. Stanton and seconded by Ms. Evans-Dean. The motion carried unanimously.

4. V-11-39

Darlene Bender
937 Comstock Avenue
Area Variance

To expand a driveway to 20 feet in width within the required front yard setback on property located within a Residential, Class A-1 zoning district.

The proposal was presented by the property owner, who explained the request and the reasons for the waivers, specifically the safety concerns.

No one spoke in favor of or against the proposal

After further discussion, a motion was made to approve by Mr. Stanton and seconded by Ms. Evans-Dean. The motion carried unanimously.

5. V-11-40

Clare Woods
341 South Edwards Avenue
Area Variance

To Construct (maintain) an above ground pool with it appurtenances and deck, having less than five (5) feet of yard space on all sides, on property located within a Residential, Class A-1 zoning district.

The proposal was presented by the property owner, who explained the request and the reasons for the waivers.

No one spoke in favor of or against the proposal

After further discussion regarding the permitting process for the pool and the responsibility of the pool installer, a motion was made to hold the proposal by Mr. Stanton and seconded by Ms. Evans-Dean, until staff could discuss with the Division of Permits why the permit was issued when there was not enough space to accommodate the pool with the required yard space. The motion carried unanimously.

6. V-11-42

Jean Cohen
913 Euclid Avenue
Area Variance

To waive the required parking, driveway width, and parking within the required front yard setback, on a property that requires a Certificate of Suitability situated within a Residential, Class A zoning district.

The proposal was presented by the property owner, who explained the request and the reasons for the waivers.

No one spoke in favor of proposal.

Mr. Harry Lewis of 935 Lancaster Avenue spoke against the proposal stating that he would like to see the Zoning Ordinance regulations regarding parking upheld.

After further discussion regarding the proposal a motion to approve in part, approving only a 12 foot wide driveway, was made by Mr. Stanton and seconded by Ms. DeFichy. The motion carried unanimously.

7. V-11-43

Near Westside Initiative, Inc.
601 Tully Street
Use Variance

To establish (maintain) a coffee shop within a community center, previously approved by the Board of Zoning Appeals, by waiving the uses permitted on property situated within a Residential, Class AA zoning district.

The proposal was presented by Don Western, a representative for the Near Westside Initiative, 350 West Fayette Street, who explained the request and the reasons for the waivers. Marian Wilson from Syracuse University and Matt Goodard, from Café Kabul also explained the proposal and answered the Boards Questions.

Maria Revelles, President of the Spanish Action League and Christopher Clemons of 422 Marcellus Street spoke in favor of the proposal.

There was no one who spoke against the proposal.

After further discussion a motion to approve was made by Mr. Petrangnani and seconded by Ms. Evans-Dean. The motion carried unanimously.

V. New Business

1. V-10-23

Robert A. Knapp, 207 Loma Avenue, Inc.
207 Loma Avenue
Time Extension

Melissa Sanfilippo, staff to the Board, explained the request for a time extension. The original Use Variance was approved on June 17, 2010 and a one year Time Extension was requested until June 17, 2012.

After further discussion, a motion to approve was made by Mr. Petrangnani and seconded by Mr. Thomas. The motion carried unanimously.

2. V-10-07

University Hill Realty, LLC.
122-124 Dell Street
Use Variance

A request to modify an existing use variance to include the installation of electric automobile charging stations in the parking lot. The original use variance was approved on April 15, 2010.

After further discussion, a motion to approve was made by Mr. Petrangnani and seconded by Ms. Evans-Dean. The motion carried unanimously.

VI. Public Hearing Authorizations for THURSDAY October 6, 2011

1. V-11-35

Mary Robinson
2327 East Fayette
Area Variance

To construct stairs with a roof in the required front yard setback on property located within a Residential, Class A zoning district.

2. V-11-41

Dan Laraby
490 Hickok Avenue
Area Variance

To expand (maintain) a 34 foot wide by 7.5 foot deep parking area situated with the required front yard setback on property located within a Residential, Class A-1 zoning district.

3. V-11-44

Pamela and Thomas Parker
1111 Teall Avenue
Area Variance

To establish (maintain) a 16 foot wide parking area within the required front yard setback by waiving the maximum driveway width and the required front yard setback on property located within a Residential, Class AA zoning district.

4. V-11-45

928 Ackerman Ltd.
928-930 Ackerman Avenue
Use Variance

To establish (maintain) a three-family dwelling by waiving the uses permitted, maximum open parking surface coverage, maximum parking surface coverage, and required parking, on property situated within a Residential, Class A zoning district.

5. V-11-46

Horsaun Underwood
1151 Teall Avenue
Area Variance

To establish (maintain) a 17 foot wide by parking area within the required front yard setback by waiving the maximum driveway width and the required front yard setback on property located within a Residential, Class AA zoning district.

6. V-11-47

Stewart M McGough and Frederick Barken
1107-1109 Teall Avenue
Area Variance

To establish (maintain) a 25 foot wide by parking area within the required front yard setback by waiving the maximum driveway width and the required front yard setback on property located within a Residential, Class AA zoning district.

7. V-11-48

Constantinos Voultios
1621 Lemoyne Avenue
Use Variance

To establish a motor vehicle repair and used motor vehicle sales by waiving the uses permitted on property located within a Business, Class A zoning district.

VII. Adjournment

A motion was made by Mr. Stanton and seconded by Mr. Thomas to adjourn the meeting at 2:55 p.m. Motion carried unanimously.