



AGENDA

ZONING BOARD OF APPEALS MEETING

October 19, 2020 – 5:00 p.m. via Zoom Meeting

1. Call to Order and Attendance
2. Public Comments – Agenda Items Only
3. Review Minutes of September 21, 2020
4. Old Business
5. Tabled Applications
 - 176 Denison Pkwy. E., density, setback and parking
6. New Business
 - 399 Lower Delevan Ave., shed
— PUBLIC HEARING
 - 117 Reynolds Ave., curb cut
— PUBLIC HEARING
7. Public Comments – Any Item
8. Adjourn Meeting

Next Regular Meeting Date: **November 16, 2020**

Minutes of the Zoning Board of Appeals Meeting
September 21, 2020

Present: John Brown, Member
Sam Koseba, Member
Ken Leath, Member
Mary-Ann Morehouse, Member
David Moses, Chairperson

Also Present: Steve McDaniel, Code Enforcement Officer
Jennifer Miller, Planning & Economic Development
Deb Thurston, Secretary Planning & Economic Development

Absent: Dixon Arnett, Alternate Member

Visitors: Michael Lanahan, 12 Jackson Circle
Aaron Moultrup, Fieldstone Acres (127-131 W Market St.)

The roll was called, and a quorum of regular members was present with no alternate member seated. The meeting was called to order at 5:00 p.m.

Public Comments: None

Chairman Moses called for the review of Minutes of the August 17, 2020 meeting.

MOTION

By Brown
Seconded by Koseba

To approve Minutes of the August 17, 2020 meeting.

Roll Call: Brown, Koseba, Leath, Morehouse, Moses - Aye

Absent:

MOTION CARRIED

Old Business: None

Tabled Applications:

176 E. Denison Parkway-tabled at July 20, 2020 meeting

Jennifer Miller, Director of Planning and Economic Development, stated the applicant did not submit any materials by the deadline for this meeting. The applicant has indicated they will have a submission in for the October ZBA meeting.

The application will remain tabled.

New Business:

12 Jackson Circle, deck with rooftop overhang

Michael Lanahan, homeowner, presented his application to add a front deck and roof overhang. He stated the contractor working on his house had to remove the front deck to repair rot damage. He would like to replace it with a porch with roof overhang.

The Chairman opened the public hearing regarding application for setback and accessory building variances at 12 Jackson Circle at 5:03 p.m.

There were no public comments.

The Chairman closed the public hearing at 5:04 p.m.

The Commission further discussed the application.

MOTION

By Brown

Seconded by Leath

The Board grants relief from **Article IV, §240-18(C), and the Density Control Schedule which states: Front yard setback minimum is 25 feet.** A variance of 15 feet for a front yard setback of 10 feet is granted.

Roll Call: Brown, Koseba, Leath, Morehouse, Moses - Aye

Absent:

MOTION CARRIED

MOTION

By Brown

Seconded by Leath

The Board grants relief from **Article VII, §240-42, which states: No building shall hereafter be erected or altered... to have a smaller front yard.** A variance to allow a smaller front yard than specified for the district is granted.

Roll Call: Brown, Koseba, Leath, Morehouse, Moses - Aye

Absent:

MOTION CARRIED

MOTION

By Brown

Seconded by Leath

The Board grants relief from **Article IX, §240-61(A)2(a), which states** Accessory buildings not attached to principal buildings shall comply with the following: R1, R2, MR, RT

Districts: Side yard and rear yard: minimum of six feet. A variance of 4.7 feet to allow for a 1.3-foot setback is granted.

Roll Call: Brown, Koseba, Leath, Morehouse, Moses - Aye Absent:
MOTION CARRIED

MOTION

By Brown
Seconded by Leath

The Board grants relief from **Article IX, §240-61(A)3, which states** Accessory buildings shall be located no closer to any other building than 10 feet or a distance equal to the height of each accessory building, whichever is greater. A variance of 9 feet to allow for a 1-foot setback is granted.

Roll Call: Brown, Koseba, Leath, Morehouse, Moses - Aye Absent:
MOTION CARRIED

127-131 West Market Street, signage

Aaron Moutrup presented the application for signage above the second story of the west façade. Jennifer Miller, Director of Planning and Economic Development, stated this application was approved by the Design Review Committee. During that Committee meeting it was discovered the letter height on the capital letters was 3 inches higher than the 6 inches permitted by code.

The Chairman opened the public hearing regarding application for signage variances at 127-131 West Market Street at 5:15 p.m.

There were no public comments.

The Chairman closed the public hearing at 5:16 p.m.

The Commission further discussed the application.

MOTION

By Brown
Seconded by Morehouse

The Board grants relief from **Chapter §180-16(D), which states** Façade signs shall be located no higher than the windowsill line of the 2nd story windows. A variance of 3 feet, 6 inches to permit a height of 17 feet, 6 inches to the bottom of the sign and 21 feet, 6 inches to the top of the sign is granted.

Roll Call: Brown, Koseba, Leath, Morehouse, Moses - Aye Absent:
MOTION CARRIED

MOTION

By Brown

Seconded by Leath

The Board grants relief from **Chapter §180-16(A), which states** Maximum 6-inch letter height for awning valance lettering. A variance of 3 inches to permit a height of 9 inches for capital letters only is granted.

Roll Call: Brown, Koseba, Leath, Morehouse, Moses - Aye

Absent:

MOTION CARRIED

198 Canisteo Street, fence height

The Chairman opened the public hearing regarding Application for fence height variance at 198 Canisteo Street at 5:23 p.m.

There were no public comments.

The Chairman closed the public hearing at 5:24 p.m.

The Board discussed the application. There was concern with obstruction of view and consideration was made to limiting the type of fencing used to a more see-through type of fence.

MOTION

By Morehouse

Seconded by Koseba

The Board grants relief from **Article IX, §240-62(D), which states** Maximum 4-foot-high fence permitted in front yard. A variance of 2 feet to allow for a 6-foot-high fence in the front yard is granted.

Roll Call: Brown, Koseba, Leath, Morehouse, Moses - Aye

Absent:

MOTION CARRIED

Public comments – Any Item: None

Adjourn: 5:36 p.m.

The next scheduled meeting will be on **October 19, 2020 at 5:00 p.m. in the Second Floor Central Conference Room.**