

STATE OF NEW YORK  
ONONDAGA COUNTY  
ZONING BOARD OF APPEALS

MINUTES OF MEETING  
TOWN OF CICERO ZONING BOARD OF APPEALS

DATE: JULY 7, 2008  
PLACE: CICERO TOWN HALL

TIME: 7:00 P.M.

The Regular Meeting of the Zoning Board of Appeals was held Monday July 7, 2008 at 7:00 P.M. at the Cicero Town Hall, 8236 South Main Street, Cicero, NY 13039.

MEMBERS PRESENT:	Gary Natali:	Board Chairman
	Charles Stanton:	Board Member
	Michael Stassi	Board Member
	Richard Griola:	Board Member
	Mark Rabbia:	Board Member

OTHERS PRESENT:	Wayne Dean:	Director of Planning & Development
	Nancy G. Morgan:	Secretary

ABSENT:	Robert Wilcox:	Board Member Ad Hoc
	Melissa DelGuercio:	Attorney

In as much as there was a quorum present, the meeting opened at 7:00 p.m.

Mr. Natali pointed out the fire exits and requested that pagers and cell phones be turned off. He then read the following statement: The Cicero Town Board acknowledges the importance of full participation in public meetings, and therefore, urges all that wish to address those in attendance to utilize the microphones in the front of the room.

Motion was made by Mr. Rabbia, seconded by Mr. Griola, to approve the minutes of the June 2, 2008 Zoning Board of Appeals meeting, with the following corrections: both on Page 13. Second paragraph, fourth line, add: #3- The Variances----. Sixth line, second paragraph, add: #4- When you're looking----.

Motion was put to a vote, resulting as follows:

Mr. Rabbia:	Yes
Mr. Griola:	Yes
Mr. Stassi:	Abstain
Mr. Stanton:	Yes
Mr. Natali:	Yes

Motion duly carried.

Motion was made by Mr. Natali, seconded by Mr. Rabbia, that all actions taken tonight are Type II Unlisted Actions and have a negative impact on the environment, unless otherwise indicated.

Motion was put to a vote resulting as follows:

Mr. Rabbia:	Yes
Mr. Griola:	Yes
Mr. Stassi:	Yes
Mr. Stanton:	Yes
Mr. Natali:	Yes

Motion duly carried.

AREA VARIANCE FOR PATRICK AND MARGARET PALMER, 6255 ISLAND ROAD, TO ALLOW CONSTRUCTION OF A DETACHED GARAGE ON A 1/2 ACRE AGRICULTURAL PROPERTY WHERE ONE ACRE IS REQUIRED. A; OTHER BULK REGULATIONS ARE COMPLIANT.

Representatives: Patrick and Margaret Palmer, Owners

Mr. Palmer: I would like to build a 24 ft. X 60 ft. garage where my shed is now. Will move the shed.

Mr. Natali: Will it be one story?

Mr. Palmer: Yes. It will have the same color vinyl siding as the house, one side door and one window.

Mr. Rabbia: Is the garage 35 ft. from the west property line?

Mr. Palmer: Yes.

Mr. and Mrs. Palmer discussed the drawings with the Board.

Mr. Palmer: It will be 22 ft. from the house.

Mr. Dean: I get 19 ft. between the two structures.

Mr. Natali: Mr. Dean needs a new drawing.

Mr. Natali opened the public portion of the hearing at 7:14 P.M.

FOR:	NONE
AGAINST:	NONE

Hearing was closed at 7:15 P.M.

Mr. Rabbia reviewed the 5 factors considered for the Area Variance Findings and Decision. There being no objections, Mr. Rabbia made a motion, seconded by Mr. Stassi, to approve the Area Variance for Patrick and Margaret Palmer, 6255 Island Rd., to allow construction of a detached garage on a half acre agricultural property where one acre is required. All other bulk regulations are compliant.

Motion was put to a vote, resulting as follows:

Mr. Rabbia:	Yes
Mr. Griola:	Yes
Mr. Stassi:	Yes
Mr. Stanton:	Yes
Mr. Natali:	Yes

Motion duly carried.



Mr. Rabbia:	Yes
Mr. Griola:	Yes
Mr. Stassi:	Yes
Mr. Stanton:	Yes
Mr. Natali:	Yes

Motion duly carried.

Mr. Shupe: Just to set the record straight regarding "self-created difficulty", the interpretation of building on a pre-existing lot has recently been changed. Therefore, the variance request has to be made for any lot under 75 ft.

AREA VARIANCE FOR MICHAEL BRAGMAN, JR. , TO ALLOW CONSTRUCTION OF A SINGLE FAMILY HOUSE ON A 0.514 +/- ACRE LOT WHERE ONE ACRE IS REQUIRED. THE EXISTING LOT MATCHES THE REQUIRED MINIMUM LOT DEPTH OF 200 FT. AND EXCEEDS THE 100 FT. MINIMUM BUILDING LINE (WIDTH) AT 112 FT. (8278 THOMPSON ROAD)

Representatives: Hal Romans, Surveyor  
Michael Bragman, Jr., Owner

Mr. Romans: The lot is 112 ft. X 200 ft. Mr. Bragman wants to build a single family, 2 story home. The lot is bordered on the north and east sides by the Henryk Woods development. There was a house there but it burned down.

Mr. Natali: There is no mail box or no sign there.

Mr. Romans: Randy Wilson's property is on the south side of the lot.

Mr. Natali: What is the square footage of the house you want to build?

Mr. Romans: 2200 Sq. Ft.

Mr. Natali opened the public portion of the hearing at 7:30 P.M.

AGAINST:

Carol Colaicco, 6202 Henryk Woods Rd.: Our land backs up to that property, which has beautiful woods. We don't want to see anything built on it. Mrs. Colaicco showed the Board a picture showing her property in relation to the wooded lot.

Mr. Natali to Mr. Romans: It's 118 ft. from the back of the house to the property line/ woods. He asked Mr. Romans where the house was going to be located on the property and to show him in a photo of the property that he has. Mr. Romans pointed out where the house would be built.

Mr. Bragman: I will not clear cut the lot. I can't guarantee that someone else might not do that years later.

FOR:

Randy Wilson, 8276 Thompson Rd.: I have no problem with it. I knew someone would build a house there someday. My one request is for sewers.

Mr. Natali asked Mr. Bragman about installing sewer lines.

Mr. Bragman: Hopefully, we will get sewers. I will work with the Town Engineers.

Hearing was closed at 7:41 P.M.

Mr. Stassi review the 5 factors considered for the Area Variance Findings and Decision. There being no objections, Mr. Stassi made a motion, seconded by Mr. Griola, to approve the Area Variance for Michael Bragman, Jr., 8278 Thompson Rd., to allow construction of a single family house on a 0.514 +/- acre lot where one acre is required. The existing lot matches the minimum lot depth of 200 ft. and exceeds the 100 ft. minimum building line (width) at 112 feet.

Motion was put to a vote, resulting as follows:

Mr. Rabbia:	Yes
Mr. Griola:	Yes
Mr. Stassi:	Yes
Mr. Stanton:	Yes
Mr. Natali:	Yes

Motion duly carried.

AREA VARIANCE FOR KENNETH E. BAXTER, 7554 E. TAFT ROAD, TO ALLOW A RESIDENCE TO BE CONSTRUCTED ON A NON-CONFORMING LOT. THE LOT IS .302 ACRE WHERE 1 ACRE IS REQUIRED, 75 FT. WIDE WHERE 100 FT. IS REQUIRED AND 175.25 FT. DEEP WHERE 200 FT. IS REQUIRED. THE TOTAL SIDE YARD SET-BACK IS 23 FT. WHERE 30 FT. IS REQUIRED.

Representatives: Hal Romans, Surveyor  
Kenneth Baxter, Owner

Mr. Romans: Mr. Baxter's trailer home that was there burned down. The pad is still there. He can't add to the property. The lot is 75 ft. X 175 ft. He wants to build a one story ranch, 52 ft. X 28 ft.

Mr. Natali: I have a letter from one of the neighbors who is in favor of the variance for Mr. Baxter.

Mr. Romans: The setbacks will be 10 ft. on the east and 12 ft. on the west.

Mr. Rabbia: Are you going to relocate the shed?

Mr. Baxter: Yes. The trailer had additions on the back and front.

Mr. Natali: Will it be a modular home?

Mr. Baxter: No. It will be stick-built. It comes in a kit.

Mr. Natali opened the public portion of the hearing at 7:52 P.M.

FOR:  
Town of Cicero Zoning Board  
Re: Variance

To whom it may concern:

I am writing this letter in regards to the property adjacent to mine owned by Mr. and Mrs. Kenneth Baxter. I received a letter from the Zoning Board making me aware of a meeting being held tonight July 7, 2008 regarding the above mentioned property and a decision being made whether or not to allow Mr. Baxter to build a home on his property after his was destroyed by a fire.

I want the Court to be aware that I have no objections or issues with the proposed building of this home.

I hope you decide in favor of Mr. Baxter and allow him to construct his new home on their property for their family.

Thank you,

Kenneth Johnson, III & Heidi Johnson  
7560 East Taft Rd.  
East Syracuse, NY 13057

AGAINST: NONE

Hearing was closed at 7:53 P.M.

Mr. Griola reviewed the 5 factors considered for the Area Variance Findings and Decision. There being no objections. Mr. Griola made a motion, seconded by Mr. Stassi, to approve the Area Variance for Kenneth E. Baxter, 7554 E. Taft Rd., to allow a residence to be constructed on a non-conforming lot. The lot is .302 acre where one acre is required, 75 ft wide where 100 ft. is required and 175.25 ft. deep where 200 ft. is required. The total side yard setback is 23 ft. where 30 ft. is required.

Motion was put to a vote, resulting as follows:

Mr. Rabbia:	Yes
Mr. Griola:	Yes
Mr. Stassi:	Yes
Mr. Stanton:	Yes
Mr. Natali:	Yes

Motion duly carried.

AREA VARIANCE FOR LESLIE E. EASTWOOD, 5817 McKINLEY RD., TO ALLOW AN ADDITION TO BE CONSTRUCTED ONTO A NON-CONFORMING RESIDENCE. THE FRONT SETBACK IS 49.6 FT. WHERE 75 FT. IS REQUIRED AND THE SIDE SETBACK WILL BE 21.4 FT. WHERE 30 FT. IS REQUIRED.

Representatives: Hal Romans, Surveyor  
Leslie Eastwood, Owner

Mr. Romans: The property is in an Industrial Zone. Rather than buy a new house, Mr. & Mrs. Eastwood want to put a one story addition on. The addition is on the back of the house, not the road side.

Mr. Romans reviewed the 5 factors considered for the Area Variance Findings and Decision. There were no objections or suggestions.

Mr. Romans: It will be 21 ft. from the west property line.

Mr. Natali opened the public portion of the hearing at 7:58 P.M.

FOR: NONE  
AGAINST: NONE

Hearing was closed at 7:59 P.M.

Motion was made by Mr. Rabbia, seconded by Mr. Griola, to approve the Area Variance for Leslie E. Eastwood, 5817 McKinley Rd. , to allow an addition to be constructed onto a non-conforming residence. The front setback is 49.6 ft. wide where 75 ft. is required and the side setback will be 21.4 ft. where 30 ft. is required. Also, it is to be no closer than 21 ft. to the west property line.

Motion was put to a vote, resulting as follows:

Mr. Rabbia: Yes  
Mr. Griola: Yes  
Mr. Stassi: Yes  
Mr. Stanton: Yes  
Mr. Natali: Yes

Motion duly carried.

Motion and unanimous approval made to adjourn the meeting at 8:01 P.M.

I, Nancy G. Morgan, stenographer for the Zoning Board of Appeals of the Town of Cicero, Onondaga County, State of New York, and the person who attended a meeting of the said Board of Appeals, held July 7, 2008 and took minutes of said meeting, do hereby certify that the foregoing is a true and correct transcript.

