

STATE OF NEW YORK
ONONDAGA COUNTY
ZONING BOARD OF APPEALS

MINUTES OF MEETING
TOWN OF CICERO ZONING BOARD OF APPEALS

DATE: JUNE 2, 2008

PLACE: CICERO TOWN HALL

TIME: 7:00 P.M.

The Regular Meeting of the Zoning Board of Appeals was held Monday June 2, 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
	Robert Wilcox:	Board Member, AdHoc
	Richard Griola:	Board Member
	Mark Rabbia:	Board Member
OTHERS PRESENT:	Wayne Dean:	Director of Planning & Development
	Nancy G. Morgan:	Secretary
	Vernon Conway:	Councilman, Liaison
ABSENT:	Donald Stewart:	Board Member
	Michael Stassi:	Board Member
	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. Wilcox, seconded by Mr. Griola, to approve the minutes of the Special May 21, 2008 Zoning Board of Appeals meeting.

Motion was put to a vote, resulting as follows:

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

Motion duly carried.

Motion was made by Mr. Natali, seconded by Mr. Stanton, 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. Wilcox:	Yes
Mr. Stanton:	Yes
Mr. Natali:	Yes

Motion duly carried.

AREA VARIANCE FOR WILLIAM BARRY, 8839 BEACH ROAD, TO ALLOW CONSTRUCTION OF A GARAGE 20 FT. FROM THE FRONT PROPERTY (30 FEET IS REQUIRED), 21 FEET FROM THE REAR (30 FT. IS REQUIRED) AND SIDE SETBACKS OF 4 FT. ON THE WEST AND 5 FT. OF THE EAST (MINIMUM 6 FT. IS REQUIRED (TOTAL OF 15 FT. REQUIRED)).

Mr. Barry was not in attendance.

Mr. Barry's neighbor to the west asked to speak.

Lynn Anderson, 8842 Beach Road: This is the second meeting I have come to and Mr. Barry is not here again. I want to disagree with this variance.

Mr. Natali: We're as surprised as you are Sir. I don't want to open the public meeting at this point. I'll make sure if the Code Office knows if he is coming and we'll address you. You are listed on the application. We will notify you when Mr. Barry is coming to the meeting.

Mr. Dean: Also, the agenda and the meeting minutes are posted on the Town website. Our office will call you.

AREA VARIANCE FOR VALVOLINE, 7970 BREWERTON ROAD, TO ALLOW THE INSTALLATION OF 116.1 SQUARE FEET OF SIGNS ON THE PROPERTY WHERE 77.8 SQ. FT. IS ALLOWED BY TOWN CODE.

Representative: Joe Schindler, Owner

Mr.Schindler: The problem for us is we have a 96 sq. ft. street sign and we're proposing a 76 sq. ft. free standing sign and a 40 sq.ft. sign on the building so we have 116 sq. ft. So we need a variance of 38 sq. ft. Our building sits so far back from the road, we really don't have that much visibility. We need everything we can get at the street. Dunkin Donuts and Rite Aid have good visibility. Another thing that would improve things there is a 20 ft. setback for the free standing sign.

Mr. Natali: Are you saying you only want 10 ft. setback from the front?

Mr. Schindler: We're firmly 10 ft.

Mr. Natali: But you could go back 20 ft.?

Mr. Schindler: We can go back 20 ft.--it won't hurt us.

Mr. Wilcox: Will this be lighted at night?

Mr. Schindler: Yes.

Mr. Rabbia: Just so I'm clear--you want to take down the current road sign, which is 96 sq. ft. and enlarge it to 116 sq. ft.?

Mr. Schindler: No. What we want to do is put a 76 sq.ft. free standing sign out front and a 40 sq.ft. on the building.

Mr. Rabbia: So you're going to drop the size of the sign out front and make the sign on the building a little bigger?

Mr. Schindler: I'm not sure what we've got on the building now--they're channel letters--but it's roughly the same size.

Mr. Wilcox: How high did you say this is?

Mr. Schindler: About 24 ft., the same restriction you have now.

Mr. Griola: A little smaller for the road side sign?

Mr. Schindler: It will be smaller.

Mr. Griola: How does that increase visibility?

Mr. Schindler: The problem is we had an old sign there we can't use. We have a new graphic system.

Mr. Rabbia: What you're doing is changing your graphics.

Mr. Natali: Did you have a variance for this when you first moved in? Or was that part of the site plan when you wanted to build it?

Mr. Schindler: That was before my time there.

Mr. Natali: How many feet is it from the bottom of the sign to the ground?

Mr. Schindler: I'd say roughly 10 ft.

Mr. Dean: You have the reader board on the bottom. I discussed with you that it is not an electronic reader board that changes and flashes. Just manual that you put letters on.

Mr. Natali opened the public portion of the hearing at 7:10 P.M.

FOR: NONE

AGAINST: NONE

Hearing was closed at 7:12 P.M.

Mr. Rabbia: I don't think it will produce an undesirable change in the neighborhood. He's going smaller with the sign so it's not substantial. I don't think it will have an adverse affect on the area and I don't think this was self created. I make a motion that we approve the Area Variance for Valvoline, 7970 Brewerton Road, to allow installation of total 116.1 sq. ft. of signs where 76.1 sq. ft. is the pylon sign by the road and 40 sq. ft. is the signage on the building. We will allow that where 77.8 sq. ft. is allowed by the Town Code.

Mr. Griola seconded the motion.

Mr. Griola asked if this was within the "wobble room"?

Mr. Natali: We have been very generous with business, which is a custom here in Cicero. The rule of thumb is one lineal foot. It does sit back pretty far. We have made exceptions in this area. Especially, Home Depot because of how far back it is.

Motion was put to a vote, resulting as follows:

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

Motion duly carried.

AREA VARIANCE FOR RICHARD BARBER, 7887 OWASCO AVE., TO ALLOW CONSTRUCTION OF AN ADDITION AND A GARAGE ON A NON-CONFORMING LOT. THE LOT IS APPROXIMATELY 7000 SQ. FT. WHERE 10,000 SQ.FT. IS REQUIRED AND IS ONLY 117 FT. DEEP WHERE 125 FT. IS REQUIRED. THE ADDITION WOULD HAVE A REAR SETBACK OF 29 FT. WHERE 30 FT. IS REQUIRED.

Representative: Richard Barber, Owner.

Mr. Barber: I'd like to build an addition on the house for a bedroom and a garage. The bedroom would be 12 ft. X 22 ft. and the garage would be 26 ft. X 40 ft. The garage would attach to the house.

Mr. Rabbia: I'm looking at your survey. I'm trying to understand. I see there are multiple lots here.

Mr. Barber: There are six lots there and they're merged into one lot now.

Mr. Rabbia: From the back-- the southwestern portion of your proposed addition to your western property line. Is that the 29 ft. there to the property line?

Mr. Barber: Yes, the line goes at an angle.

Mr. Rabbia: Would you agree Wayne, that's the 29 ft.?

Mr. Dean: Yes.

Mr. Natali: When I spoke with your wife today, she wasn't sure what you were going to do with the entrance on the north side. Is that going to be incorporated into the garage?

Mr. Barber: Right, a side door. When I first talked to Mr. Dean, he gave me an idea--one main 16 ft. door on the front, then an entrance door on the side. I thought that was a good idea.

Mr. Wilcox: Are you going to build both the garage and the addition at the same time?

Mr. Barber: I wanted to but I think I'll do the garage first.

Mr. Natali: On the west side of the property-- the wooded section seems pretty dense. Do you know who owns that?

Mr. Barber: No, I don't.

Mr. Rabbia: Will there be any living area above the garage?

Mr. Barber: No, absolutely not.

Mr. Griola: Is it a 16 ft.X 8 ft. door? How high is the building?

Mr. Barber: Yes, a regular residential door. It will be 10 ft. tall. I need 9 ft. 6 in. for the door opener.

Mr. Rabbia: Are you going to follow the line of the building for your bedroom addition?

Mr. Barber: Yes.

Mr. Griola: The plan that was submitted accurately reflects what is going to be there?

Mr. Barber: Exactly.

Mr. Natali opened the public portion of the hearing at 7:16 P.M.

FOR:	NONE
AGAINST:	NONE

Hearing was closed at 7:18 P.M

Mr. Rabbia: He's looking for a couple different things. The lot size is 7000 instead of 10,000 sq.ft.--that's doable. The depth of his lot is 117 ft instead of 125 ft. It's kind of an odd shaped lot, he has a lot of frontage. The rear setback is not substantial at all, I don't think it alters the character of the neighborhood.

Motion was made by Mr. Stanton, seconded by Mr. Wilcox, to approve the Area Variance for Richard Barber, 7887 Owasco Ave., to construct an addition and a garage on a non-conforming lot. The lot is approximately 7000 sq.ft. where 10,000 sq.ft. is required and is only 117 ft. deep where 125 ft. is required. The addition would have a rear setback of 29 ft. where 30 ft. is required.

Motion was put to a vote, resulting as follows:

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

Motion duly carried.

AREA VARIANCE FOR PATRICK J. HONORS, 8880 BEACH ROAD, TO ALLOW CONSTRUCTION OF AN ADDITION AND A GARAGE ON A NON-CONFORMING LOT. THE LOT WIDTH IS 44 FT. WHERE 75 FT. IS REQUIRED. THE TOTAL SIDE SETBACK IS 13 FT. 4 IN. WHERE 15 FT. IS REQUIRED. THE MINIMUM SIDE SETBACK IS 4 FT. 2 IN. WHERE 6 FT. IS REQUIRED. THE FRONT SETBACK IS 21 FT. 6 IN. WHERE 30 FT. IS REQUIRED. THE REAR SETBACK IS 9.5 FT. WHERE 30 FT. IS REQUIRED.

Representative: Patrick Honors, Owner.

Mr. Honors: I purchased a modular home from American Homes. I want to have a crane place the house on top of a two car garage, to make the most of the room that I have. The garage would be on a slab with footers.

Mr. Griola: You want to put a house on top of a garage?

Mr. Honors: Yes, two 9 ft. X 9 ft. garage doors with a "man door" on the side so I can park underneath the house. It's a modular chalet. The Board has some pictures of it.

Mr. Rabbia: Is the garage designed to accept the house?

Mr. Honors: Yes, I had it designed. It will be ICF blocks, arched block building system with styrofoam blocks filled with concrete. In-floor heating will be installed so there won't be a furnace in the garage or home. It will be radiant tech tubing in the floor of the garage as well as the rafters of the underside of the home--the first floor level.

Mr. Griola: What will the height of the entire structure be?

Mr. Honors: I believe it's 34.2 ft. I'm under the 35 ft. requirement.

Mr. Rabbia: Do you own two lots?

Mr. Honors: Yes, I do. I own the one next to it -#8876. I own 2 lots deeded on both sides of the road.

Mr. Rabbia: The house is going on the other side, not the lake side, right?

Mr. Honors: Right, the house will be across the road from the lake.

Mr. Rabbia: Is the lakeside lot the one where the dirt or stones is?

Mr. Honors: There was an old fallen down home there that was taken down. I want to leave that as lawn.

Mr. Stanton: It seems like you're picking the smallest portion of your property to build on. What is your thinking not to build on the lake?

Mr. Honors: I believe the lot is the same width on both sides of the street and about 20 ft. shorter.

Mr. Griola: The depth is greater on the lake side.

Mr. Honors: I have a great view out to the lake and no trees on the lot. With the style of home I purchased, with big arched windows on the front living room area, I think it offers great views out to the lake. I thought it would be better than sticking the house right on the water.

Mr. Stanton: So you wouldn't build out?

Mr. Honors: No.

Mr. Wilcox: Will the lot be vacant forever?

Mr. Honors: As far as I know and I own it. I can't guarantee that forever.

Mr. Natali: So you own the house next to it?

Mr. Honors: Yes.

Mr. Natali: But you're going to leave the lot blank forever and ever because you're going to exceed the coverage variance if we allow you to build a house that's a two story A frame on top of a garage?

Mr. Honors: I'm not understanding your question. Yes, the A frame is going on top of a garage.

Mr. Natali: But you didn't ask for that in your request for a variance. Were you aware of that Mr. Dean? That he's putting a 2 story house on top of a garage so now he has a 3 story building?

Mr. Dean: Yes, I was aware of that.

Mr. Natali: It doesn't say that in your request.

Mr. Honors: In regards to a 3 story building is not allowed?

Mr. Natali: I don't know what your footage is--what you're going to exceed. 35 ft. is the limit for residential.

Mr. Honors: I'm going to be lower than that.

Mr. Stanton: He said he was 23 ft. 2 in. with the garage.

Mr. Honors: Not including the garage. I got the information from Mr. Dean that it's 35 feet max and I'm going to be under that. He informed me not to apply for a height variance, that I was under so I did not need it.

Mr. Rabbia: What's the lot depth on the lot where you are building? Is it 100 feet?

Mr. Dean to Mr. Rabbia: The way I'm reading the survey, it's similar to the Barry survey. It's 100 ft. measured from the center line of the road.

Mr. Honors to Mr. Dean: I have it 100 ft. from the edge of the road to the back of the lot.

Mr. Dean: I don't believe so.

Mr. Honors: I have an updated survey from Scott Whitaker.

Mr. Rabbia: You're still shy about 25 or 30 ft. I think we've got a coverage issue also, which wasn't in the variance.

Mr. Natali: Not overall.

Mr. Honors: Not overall because of the lot across the street--is what I was instructed.

Mr. Natali: It's unusual that someone would give up lakefront. You should understand, if we give you this variance, you're not going to be able to put another living quarters on that lot or split it off or sell it. It won't be allowed.

Mr. Honors: I was informed that I could not split it but that I could put a similar size structure, if I ever wanted to, on that lakeside. Then it would be turned into an in-law living space across the road. Not that I have plans to do that right away or ever anyway. I was just trying to make sure all my bases are covered. Mr. Dean and I did the square footage as to coverage -- without having to apply for a coverage variance directly across the road.

Mr. Rabbia: Directly across the road?

Mr. Dean: Yes

Mr. Rabbia: He can put 2 residences on one piece of property?

Mr. Dean: That's what I made clear, that he couldn't. It's zoned single family residential. If he had members of the same family living in both of those houses it would be fine--similar to an in-law apartment.

Mr. Honors: I don't have any intention of renting it out. I have enough rental property elsewhere. I have no intentions of doing it that way.

Mr. Rabbia: The dimension I have the problem with is the 21 1/2 ft. from the front of the house to the road line/pavement. It's pretty tight when you start adding in lengths of pickup trucks and whatever. Is there a reason why you only picked 9 1/2 ft. to the back? from the house or could you go closer.

Mr. Honors: I guess my reason for that is because my pole barn currently on my #8876 lot is actually closer than the 21 1/2 ft., so I don't have that driveway on that property. I was basically going to line them up along the back.

Mr. Rabbia: The pole barn has been there for a while, right?

Mr. Honors: 5 or 6 years. Sam Bartorillo used to own it. I know he got a variance for off the back. The buildings will line up and they're similar distance off the back

Mr. Rabbia: Do you have wetlands in the back?

Mr.Honors: Correct. But my property does not border the wetlands.

Mr. Stanton: Have you confirmed that with the D.E.C.?

Mr. Honors: Yes.

Mr. Dean to Mr. Rabbia: That 21 1/2 ft. is to the edge of the right-of-way but the edge of the pavement is not the edge of the R.O.W. It's probably 10 or 12 ft. from there.

Mr. Griola: How much higher is this structure going to be than the adjoining neighbors?

Mr. Honors: I don't remember the exact height of my pole barn. The home at #8875 on the other side of my pole barn is about 39 ft. I think they're a little over the 35 ft. I think they applied for a variance when they built their 3 story modular on top of a garage-- quite large.

Mr. Dean: I would like to bring to your attention that there will be an 8 ft. deck on the front. It will cantilever over the driveway and be 10 ft. up in the air.

Mr.Stanton: But it's going to cantilever--not have any structural support, right?

Mr. Honors: My architect designed that to be supported with beams from GPW.

Mr. Dean: Did you change that after I talked with you because we talked about putting columns on the edges?

Mr. Honors: I haven't decided what will be the best aesthetically looking--depending what

I finish the face of the house with--it may be done with stone instead of vinyl siding. If I do stone on the front, I may cover the columns with stone--just so they don't look like columns.

Mr.Natali: Mr. Honors, we're looking at an extremely small lot, 44 ft. We don't by Code, have to grant you any variance. One of the criteria you've heard tonight is "will it change the character of the neighborhood". Do you think a 3 story house with a lawn on the lakeside will change the character of the neighborhood?

Mr. Honors: I don't think so. I think it will be a nice looking home and lawn and will be an improvement to the Beach Rd. neighborhood. I tore down the falling-down house and cleaned up the property substantially.

Mr. Natali: There was a structure there. Basically, you're allowed to build in that footprint only. That's how the Code is designed. #2- Can this be achieved by any other method? Certainly you don't need to ask for a variance. You could put it on the other lot. It would definitely make it more attractive. #3- The variances you're asking for are excessive. You're asking for 44 ft. where 75 ft. is required. You're looking for a 46 % variance. That's excessive on a non-conforming lot. #4- When you're looking at the physical and environmental possibilities, I have no idea what the eaves are going to do to that property. You're awful close to the neighbors so drainage is a concern. Drainage is your ultimate responsibility to make sure that it drains properly. #5-Is your situation self created? You bought the property knowing it was only 44 ft. In the scheme of things, you could build a magnificent home between your two lots and have a beautiful lakefront. So you have some other choices. I have a problem that we can't tell where that 100 ft. line is. I'd like to make a recommendation that you ask your surveyor to show us exactly where those lines go to the road. Some of our calculations show that it might be only 75 ft. Also, I'd like to see something from the D.E.C. that they're in agreement with what you propose.

Mr. Honors: I don't own any of the property that borders the D.E.C. The gentleman next door to my pole barn owns the property in back of my pole barn, I don't. He borders the wetland, I don't.

Mr. Natali: Have you contacted the D.E.C. if there's wetlands there?

Mr. Honors: I was informed I didn't need to contact them.

Mr. Natali: Wouldn't you want to be sure?

Mr. Honors: I spoke to the D.E.C. myself. They said I was all set and I didn't border the wetlands. That's from a friend of mine that works at the D.E.C. Office. This is all new to me--I tried to cover all my bases and tried to find out about the wetlands. That's what he informed me--if I don't border the wetlands, I'm not required to file any paperwork with the D.E.C.

Mr. Rabbia: When you go back to your surveyor, could you have him mark the pavement edge? I'm most concerned about how much space you have from the front of your garage to the pavement edge.

Mr. Honors: I have the same, if not less on my pole barn, which is existing.

Mr. Natali opened the public portion of the hearing at 7:41 P.M.

FOR: NONE
AGAINST: NONE

Hearing was closed at 7:42 P.M.

Mr. Natali made the motion to adjourn Mr. Honors' request until the July 7, 2008 meeting when we get a current survey, as previously requested, that would include exactly where the road starts to the back property line in detail. Also, the front. We're not clear where that 100 ft. goes. We think it goes to the center line and we're not even sure of that. We want to see the dimensions that say the house will be exactly the same dimensions as the garage.

Mr. Honors: I have that. It's 44 ft. X 27.03 ft.

Mr. Stanton: Will the deck be covered with a roof?

Mr. Honors: No. The deck will wrap around the house and have stairs down the side of the house. The steps are the reason for the side variance.

Mr. Rabbia: How close is the structure to the west property line?

Mr. Dean: You may want to request the height of the garage.

Mr. Natali: What is the height of your garage?

Mr. Honors: I don't have that information.

Motion was seconded by Mr. Griola.

Motion was put to a vote, resulting as follows:

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

Motion duly carried.

Mr. Honors: I know I have to come back. I'd like a list of exactly what I need.

Mr. Natali: Have an arrow for every number you have.

Mr. Stanton: The typical surveyor practice is to go from angle point to angle point. That's what's leading us to believe it's 100 ft. from the back of your property to the center line of the road.

Mr. Honors: So you want to know if it's from the center of the road or edge of the road for the 100 ft.

Mr. Natali: Whatever the pins are--we're going to look for the pins. That's what you paid for. We want the height of the proposed garage also.

Mr. Honors: I have the figures.

Mr. Dean: I was saying the height of the existing garage on his parcel of property. You asked him how it compares to the other property. That's what I meant.

Mr. Honors: 34ft. 5 1/2 in. is the total height of the proposed building.

Mr. Natali: How tall is your existing pole barn?

Mr. Honors: I don't know.

Mr. Natali: We'd like to know that also.

Mr. Rabbia: We'd like the measurement from the front of the house to the edge of the pavement. I think you have more space from the R.O.W. to the edge of the pavement.

Mr. Natali: I'd suggest that you contact the D.E.C. We have a case right now that has a problem with the D.E.C.

Mr. Honors: What do you want me to ask the D.E.C.?

Mr. Natali: If it was my property, I'd want something in writing that I could build exactly where I wanted to build.

Mr. Stanton: Just to clarify, I'd ask them to write a letter stating it was alright for you to build there and that there's no wetlands that would cause a problem if you build there. I think it's better to have a letter. Mr. Barry is another one that's been hit with the "D.E.C. hammer". Just cover yourself.

Mr. Griola: Do we measure building height from the top of the structure to the low point of the grade?

Mr. Dean: Lowest point of the front of the building to the highest point of the roof.

AREA VARIANCE FOR ADAM HILL, 8889 SHELLMAN DRIVE, TO ALLOW CONSTRUCTION OF AN ADDITON TO A HOUSE ON A NON-CONFORMING LOT. THE FRONTAGE IS 50 FT. WHERE 75 FEET IS REQUIRED.

Representative: Adam Hill, Owner.

Mr. Hill: I want to build straight back off the back of my house towards the road with a 24 ft. addition, no wider than the existing structure.

Mr. Rabbia: Is there a front part of your house that's new as well? Towards Shellman Dr.

Mr. Hill: An addition was put on in 2003.

Mr. Griola: You're surrounded by relatives?

Mr. Hill: Yes

Mr. Rabbia: So it's 24 ft. deep, 24.6 ft. wide, same as the house, coming towards the road side.

Mr. Griola: Is it higher than the existing house?

Mr. Hill: No, same roof line.

Mr. Natali: I noticed that you have an office in the addition. Do you plan on having any kind of a business there?

Mr. Hill: No. It's for personal record keeping, etc. Also, I'm an Accountant and sometimes I can actually work at home instead of commuting.

Mr. Natali: Do you do fishing charters?

Mr. Hill: That's my father's business.

Mr. Natali opened the public portion of the hearing at 7:55 P.M.

FOR: NONE
AGAINST: NONE

Hearing was closed at 7:56 P.M.

Mr. Stanton: # 1- Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created? I would say no. We have other houses in the neighborhood that are similar in closeness to the roadway. #2- Can the benefit sought by the applicant be achieved by some method feasible for the applicant to pursue, other than area variance? No. #3- Is the requested area variance substantial? No. Again, this is comparable to the other houses in the neighborhood. #4- Will the proposed variance have an impact or affect the physical environmental conditions of the neighborhood? I do not see any of those occurring. #5- Was the alleged difficulty self-created? No.

Motion was made by Mr. Stanton, seconded by Mr. Natali, to approve the Area Variance for Adam Hill, 8889 Shellman Dr., to allow construction of an addition to a house on a non-conforming lot. The frontage is 50 feet where 75 feet is required.

Motion was put to a vote, resulting as follows:

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

Motion duly carried.

Mr. Natali: Just a reminder that drainage is your responsibility and the Codes Office will monitor it.

AREA VARIANCE FOR NANCY S. CRAVEN & THOMAS VEDDER, 7891 MAC ARTHUR BLVD., TO ALLOW CONSTRUCTION OF AN ADDITION TO A RESIDENCE ON A NON-CONFORMING LOT. THE LOT IS 65 FEET WIDE WHERE 75 FEET IS REQUIRED.

Representative: Dave Bishop, Contractor for Craven & Vedder.

Mr. Bishop: I want to put a 16 ft. X 16 ft. slab off the rear of their property. It would be living space.

Mr. Natali asked for property dimensions.

Mr. Bishop: From the rear property line, it's 79 ft. to the existing house. 8 ft.2in. off the back corner (fence to the house). 20ft.4in. to where the 16 ft. addition would be. 19ft.5in. on the east side.

Mr. Natali: Do you have the garage size?

Mr. Bishop: 12ft. X 20ft., which is 6 ft. off the fence on the east side, 10 ft. on the rear. The houses are all pretty standard in this area.

Mr. Natali: He's asking for a 10ft variance. 65 ft. instead of 75 ft. across the front.

Mr. Natali opened the public portion of the hearing at 8:01 P.M.

FOR: NONE

AGAINST: NONE

QUESTION: Shirley Deisinger, 7890 Pegler Blvd. wondered why they received a letter about this hearing. I assume it's because our back yards come together.

Mr. Natali: Yes. It's a long way from your fence. All adjoining properties get the letter.

Mrs. Deisinger: We have no objections.

Hearing was closed at 8:02 P.M.

Mr. Wilcox: #1- Would an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties? No. #2- Can the benefit sought by the applicant be achieved by a feasible alternate to the variance? No. #3- Is the requested variance substantial? No. #4- Was the alleged difficulty self-created? No.

Mr. Natali: How long have you owned the property? You didn't have any idea that you bought a non-conforming lot.

Ms. Craven: 9 years.

Motion was made by Mr. Wilcox, seconded by Mr. Rabbia, to approve the Area Variance for Nancy Craven & Thomas Vedder, 7891 Mac Arthur Blvd., to allow construction of an addition to a residence on a non-conforming lot. The lot is 65 ft. where 75 ft. is required.

Motion was put to a vote, resulting as follows:

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

Motion duly carried.

Motion and unanimous approval made to adjourn the meeting at 8:05 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 June 2, 2008 and took minutes of said meeting, do hereby certify that the foregoing is a true and correct transcript.

