

STATE OF NEW YORK
ONONDAGA COUNTY
ZONING BOARD OF APPEALS

SS:

MINUTES OF MEETING
TOWN OF CICERO ZONING BOARD OF APPEALS

DATE: October 6, 2014
PLACE: CICERO TOWN HALL
TIME: 6:00 P.M.

The Regular meeting of the Zoning Board of Appeals was held Monday, October 6, 2014 at 6:00 P.M., at Cicero Town Hall, 8236 Brewerton Road, Cicero, New York 13039

Members Present:	Charles Stanton:	Deputy Chairman
	Gary Palladino	Board Member
	Donald Snyder:	Board Member
	Mark Rabbia:	Board Member
	Rita Wicks	Ad Hoc Board Member

Absent: Gary Natali, Board Chairman

Others Present:

Inasmuch as there was a quorum present, the **meeting opened at 6:00 P.M.**

Deputy Chairman Stanton called the meeting to order and asked for a roll call of Board Members present. He pointed out the fire exits and requested that pagers and cell phones be silenced. He then asked everyone to stand for the Pledge of Allegiance.

Mr. Stanton: Has everyone read the minutes. Do we have any corrections or additions to the minutes of September 3, 2014.

[All parties discussed minute corrections from prior month's meeting. To be submitted separately.]

Motion was made by Mr. Snyder, seconded by Mr. Palladino, to have corrections to September minutes submitted separately.

Motion was put to a vote, resulting as follows:

Mr. Rabbia	Yes
Mr. Snyder:	Yes
Mr. Palladino:	Yes
Mr. Stanton:	Yes
Ms. Wicks	Yes

Mr. Stanton: The Cicero Town Board acknowledges the importance of full participation in all public meetings and, therefore, urges all who wish to address those in attendance to utilize the microphones located in the front of the room.

Motion was made by Mr. Stanton, seconded by Mr. Rabbia, that all actions taken tonight are Type 2 Unlisted and have a negative impact that is no impact on the environment unless otherwise indicated.

Motion was put to a vote, resulting as follows:

Mr. Rabbia	Yes
Mr. Snyder:	Yes
Mr. Palladino:	Yes
Mr. Stanton:	Yes
Ms. Wicks:	Yes

Motion duly carried.

FRED RYAN
9388 BEAR SPRINGS ROAD

AN AREA VARIANCE TO CONSTRUCT AN ADDITION TO A NONCONFORMING GARAGE. THE EXISTING ACCESSORY STRUCTURE IS 2,188 SQUARE FEET WHERE 7Y00 SQUARE FEET IS ALLOWED. THE PROPOSED 672 SQUARE FOOT ADDITION WILL RESULT IN A TOTAL OF 2,860 SQUARE FEET OF BUILDING AREA.

Representatives: Fred Ryan and Phillip Richardson (neighbor)

Mr. Ryan states: A couple of months ago he purchased the house at 9388 Bear Springs Road. States he rents the house in the front and uses the garage in the back for storage, and would like to build the addition to store his motorhome. Understands the setbacks are a concern and he needs to obtain a variance. States he is willing to change the dimensions of the back setback to be flush with the current building.

Mr. Stanton: Request for more information regarding his plans for the garage due to the code outlining 700 square feet.

Mr. Ryan: States structure is 36x60, and would be a costly renovation to get the height he needs. If he added a new roof on the existing structure, therefore he needs to build the addition.

Mr. Snyder: Mentions he has no issues with the garage. States the property has lots of room.

Mr. Stanton: Asks about the length of the addition, and is it necessary.

Mr. Ryan: States, yes his camper will just fit.

Mr. Rabbia: Asks what the rear set back is.

Mr. Stanton: States 26.3 ft., but cannot be verified.

Mr. Palladino: Asks how wide the house is.

Mr. Ryan: States he doesn't agree with the measurements.

Mr. Palladino: Indicates he is attempting to see what the existing garage is.

Mr. Rabbia: Mentions an updated survey with the addition laid out.

Mr. Snyder: Asks when he wants to build.

Mr. Ryan: States the sooner the better. Also mentions the trailer which was in the back has been removed.

Mr. Stanton: States he can vouch for that.

Mr. Palladino: Mentions a surveyor pipe.

Mr. Ryan: Unsure if it's correct.

Mr. Phillip Richardson (neighbor): States the pipe is on the line.

Mr. Stanton: Mentions outline of the dimensions, and a discussion regarding all the variances needed.

Mr. Stanton **opened the Public Hearing**

Those speaking for the variance:

Phillip Richardson speaks for the addition.

Those speaking against the variance:

None

Mr. Stanton asks if there are any further questions.

Mr. Hooper clarifies the building dimensions. Originally requested 16 x 42, a 672 square foot addition. However, changed that to 14 x 42, a 588 square foot addition.

Mr. Stanton **closed the Public Hearing**

Mr. Rabbia: [Discussed the five factors with members and all agree on the following:

Factor 1 – Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created? Answer: No.

All agree.

Factor 2 – Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an Area Variance. Answer: No.

All agree.

Factor 3 – Whether the requested Area Variance is substantial? Answer: No.

All agree.

Factor 4 – Whether the proposed Variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Answer: No.

All agree.

Factor 5 – Whether the difficulty was self-created? Answer: Yes.

Factor 5 -All agreed.

Mr. Rabbia clarified the variances needed:

- Lot area: 25,000 where an acre is required
- Rear set back: 32.3 ft. where 35 is required
- South set back: 8.7 ft. where 10 is required
- Side yard setback: 25.7 where 30 is required
- 588 sf addition, with 2188 sf existing garage for a total of 2776 sf, where 700 is required
- Existing non-conforming structure.

All agreed.

Motion was made by Mr. Rabbia, seconded by Mr. Snyder, that based on the submitted application of 09/04/14, and plan dated 08/28/90 to allow Fred Ryan of 9388 Bear Springs Road to construct a 588 square foot addition to an existing non-conforming structure with the following variances; Lot area: 25,000 where an acre is required, rear set back: 32.3 ft. where 35 is required, south set back: 8.7 ft. where 10 is required, side yard setback: 25.7 where 30 is required, and 588 square foot addition, with 2,188 square foot existing garage for a total of 2,776 square feet, where 700 is required.

Motion was put to a vote

Mr. Rabbia	Yes
Mr. Snyder:	Yes
Mr. Palladino:	Yes
Mr. Stanton:	Yes
Ms. Wicks:	Yes

Motion was duly carried.

Motion and vote was unanimously approved to adjourn the meeting as there was no further business before the Board.

Respectfully submitted,
Rita Wicks, Ad Hoc Board Member
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