

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

October 16, 2019

A motion to approve the minutes of the September 2019 meeting was made by Phil Cady and seconded by Anthony Pauldine; minutes unanimously approved.

Chairman Clavelli made a motion that all actions taken tonight are excluded, exempt or Type II actions for the purpose of the State Environmental Quality Review Law unless otherwise stated. Motion seconded by Mark Brunschweiger, unanimous approval.

Chairman Clavelli welcomed Michael Nicholson to the Zoning Board. He said he is an alternate but will be voting tonight.

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 19-141

IN THE MATTER OF: Anna Cheung

WHEREAS, Anna Cheung, owner of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 6th Ward of the City of Oswego, New York, with address 180 East Albany Street, being Tax Map Number: 128.58-05-02, has applied for a Special Permit in accordance to Section 280-55(B) of the City of Oswego Code, to allow front yard parking and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 16th day of October 2019 and the applicant having appeared and no one appearing in opposition.

Michael Wood of 180 East Albany Street was present for the discussion. Mr. Wood said he is trying to expand his driveway over. He said because of the zoning laws there is a certain amount of feet that he can be from the center line of the street so they are doing a cut off. He said his driveway will come down at a slant to prevent having front yard parking. He said he wants to go from a single car to a double wide so his wife can park and safely get their child in and out of the car seat. Mark Brunschweiger asked if there is gravel there. Mr. Wood said the previous owner used to have a boat and he put gravel down to park it there. Jeff McGann said there is gravel all the way to the sidewalk. He said they are not only cleaning it up but also reducing the space where the gravel is now. Chairman Clavelli asked if he will be making it lawn in the front. Mr. Wood said yes. Chairman Clavelli said he doesn't want to see it stay gravel. Mr. Wood said it will be grass. Councilor Tesoriero said he can't see any issue with it. He said it will only improve the looks of it and they will be gaining green space. Jeff McGann said he talked to 4-5 neighbors and they are all okay with it. Chairman Clavelli asked if there was anyone for or against this application and no one came forward. He said he had a memo from Adele Trinka of 257 Elm Street who stated she was in favor of the project. Mr. Reynolds read the criteria for a special permit. The Board agreed the criteria had been met. Chairman Clavelli asked when he planned to have this completed. Mr. Wood said he would like to have it done before winter. Jeff McGann suggested a little more time in case the weather didn't cooperate. A completion date of July 1, 2020 was agreed upon.

RESOLVED, that a Special Permit be granted to allow front yard parking with a completion date of July 1, 2020.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Chairman Clavelli

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 19-143

IN THE MATTER OF: Kenneth Murphy

WHEREAS, Kenneth Murphy, owner of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 2nd Ward of the City of Oswego, New York, with address 163 East Twelfth Street, being Tax Map Number: 128.42-04-14, has applied for a Special Permit in accordance to Section 280-55(B) of the City of Oswego Code, to allow front yard parking and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 16th day of October 2019 and the applicant having appeared and no one appearing in opposition.

Kenneth Murphy of 163 East Twelfth Street was present for the discussion. Mr. Murphy said he would like to widen the driveway on East Oneida Street by one vehicle width. Jeff McGann said he went to the Planning Board and received a favorable approval. He said because of the location they had to notify the County and the State DOT. He said there were no concerns and they said it should be decided as a local issue. Chairman Clavelli read both letters into the record. He asked if there was anyone for or against this application and no one came forward. He read 280-55 of the zoning law which states "Open parking areas may be permitted in front yards by special permit if it can be shown to the satisfaction of the Board of Appeals that such areas will benefit the public, not impede pedestrian movement, be aesthetically suitable and be adequately landscaped". Chairman Clavelli asked if he will have it landscaped properly. Mr. Murphy said yes. He said Lawn King does all his lawn work. Chairman Clavelli asked if there was anyone for or against this application and no one came forward.

RESOLVED, that a Special Permit be granted to allow front yard parking with a July 1, 2020 completion date.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Matthew Brancato

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 19-146

IN THE MATTER OF: Lucie Manzinni

WHEREAS, Lucie Manzinni, mother of owner of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 5th Ward of the City of Oswego, New York, with address 47 Singleton Street, being Tax Map Number: 127.84-03-13, has applied for a Special Permit in accordance to Section 280-13(B) of the City of Oswego Code, to allow a home occupation and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 16th day of October 2019 and the applicant having appeared and no one appearing in opposition.

Jessica Jimenez of 47 Singleton Street was present for the discussion. Chairman Clavelli said they have a form authorizing Ms. Jimenez to speak for Lucie Manzinni. Ms. Jimenez said her mother wants to open a business and do colon hydrotherapy while she stays with her. She said she lives in Florida and would be up here during hurricane season. Chairman Clavelli said this is a relatively new process. Ms. Jimenez said it has been around for a while. Chairman Clavelli asked if there was anyone for or against this application and Mary Scanlon Ludwigsen came forward. She said they bought this house a month and a half ago because of the quiet neighborhood. She said they were curious as to how busy this business would be and the hours of operation. Mr. Jimenez said she sees maybe three clients a day in Florida where there is a demand for this. She said they don't know if she is going to have that many clients here. She said when she has clients it will be one on one. She said there will only be one person at the house at a time. Mrs. Ludwigsen said she would be okay with 15 clients per week. Chairman Clavelli said there is off-street parking. Mark Brunschweiger said there is parking in the driveway for four cars and the family doesn't have that many cars. Mr. Reynolds said one of the requirements of home occupation is the hours of operation can only be from 8:00 am to 8:00 pm. Ms. Jimenez said she makes her own schedule and she doesn't work very long. Chairman Clavelli asked if she was in agreement with 8:00 am to 8:00 pm. Ms. Jimenez said yes. Jeff McGann said her mother is in Florida during the winter months. He suggested they consider giving her a little more time to complete the project. Chairman Clavelli said November 1, 2020.

RESOLVED, that a Special Permit be granted to allow a home occupation with the completion date of November 1, 2020.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Mark Donabella

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 19-147

IN THE MATTER OF: Alex Farley

WHEREAS, Alex Farley, owner of property situate in a TN1, Traditional Neighborhood 1 Zoning District in the 5th Ward of the City of Oswego, New York, with address 76 Varick Street, being Tax Map Number: 146.22-06-08, has applied for a Front Yard Setback Area Variance in accordance to Section 280-12(C) of the City of Oswego Code, to allow proposed 18'x6' new porch and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 16th day of October 2019 and the applicant having appeared and no one appearing in opposition.

Alex Farley of 76 Varick Street was present for the discussion. Mr. Farley said he wants to put the stairs going into the entry of his house in front. He said they are old and starting to fall apart. He said he would like to come out a little further and have a deck that is the width of the front of his house which is a little over 18'. He said he would want the actual sitting space to be a 6' platform porch. Chairman Clavelli asked if there was anyone for or against this application and no one came forward. He asked if a July 1st timeframe would work and Mr. Farley said yes. Mr. Reynolds said since this is more than a 50% variation in the setback requirements perhaps there should be a statement that the porch will be no closer to the property line than average porches in the neighborhood so it is nothing unusual. Mr. Farley said there are side porches in the neighborhood. He said there are really not front porches. He said this will allow him to have nicer green space. Chairman Clavelli said he isn't going to come out obtusely to the front. Mr. Farley said no. He said he would just come out 6' to allow enough room for two chairs and a little table. Mr. Reynolds said it looks like there should still be 11' between the front of the porch and the property line. Jeff McGann said a lot of porches in the city are on public space. He said he is fortunate enough to have the room to go forward and still be on his own property. He said they are just cleaning up the variance for the setback.

RESOLVED, that a Front Yard Setback Area Variance be granted with a completion date of July 1, 2020.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Mark Donabella