

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

February 19, 2020

A motion to approve the minutes of the January 2020 meeting was made by Mark Brunschweiger and seconded by Richard Lafond; minutes unanimously approved.

Mark Brunschweiger 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 Anthony Pauldine, unanimous approval.

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-26

IN THE MATTER OF: Shelly Spaziano

WHEREAS, Shelly Spaziano, contract purchaser of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 1<sup>st</sup> Ward of the City of Oswego, New York, with address 136 West Schuyler Street, being Tax Map Number: 127.60-05-09, has applied for a Special Permit in accordance to Section 280-13(B) of the City of Oswego Code, to allow proposed group home and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 19<sup>th</sup> day of February 2020 and the applicant having appeared and no one appearing in opposition.

Shelly Spaziano of 192 West 6<sup>th</sup> Street was present for the discussion, as well as Joe Musumeci of 192 West 1<sup>st</sup> Street and Eric Bresee of 5711 State Route 104. Mr. Musumeci said they are at the Zoning Board to propose some of the conditions that need to be met. He said they have put together a rendering for parking that they were told was required by the Planning Board. He said they also have a letter from Ms. Spaziano stating they are committed to the other condition of having a security system in place that will potentially connect to the police department for the safety of the clients. He said the other condition was to bring a copy of the lease rules that are signed by the clients. Mr. Musumeci said he is going to talk about the 138 property first. He said they are still waiting to close and a lot of it is contingent upon the decision of the Zoning Board. He said they are looking to pave up the center of 136 and 138 driveway all the way to the back of the 138 property to be able to allow enough room for six parking spots. He said these residents coming in are starting from scratch and don't have vehicles. He said they are not applying for parking at 136 because they are now going to reseek a standard permit to not put Kristina's House of Hope clients in 136. He said their intention to start Kristina's House of Hope was to get the first property up and running. He said this deal came as a package deal. He said they may have to go back to the Planning Board but they are really intent on getting that one house at 138 started. He submitted a drawing for a parking plan. He said 54' would allow for six parking spaces measuring 18'x 9'. Jeff McGann said if they were to leave 136 as a single family rental property it would require two spots. He said the group residence requires three spots plus one for every room that is going to be rented out. He said anything that would be less than that requires a reduction in parking. He said if there are six rooms to be rented out that would require nine spots. He said it is a Planning Board decision to reduce parking. He said he doesn't know if they would need a variance. He said likely not for coverage but he doesn't know if they can maintain the 3 feet off the property lines. Mr. Musumeci said he did indicate the 3 feet. Anthony Pauldine said he isn't sure because he thinks it is only 10 feet between the houses. Jeff McGann said they would have to hold the 3 feet on

both houses or they would need a variance. He said they would need to do this even though they own both properties. Ms. Spaziano asked where they get the variance. Jeff McGann said it is a Zoning Board decision but obviously they don't have it on for tonight. He said that would be something they would have to address if that is the route they are going. He said if they are only going to provide six parking spaces then they would have to put it back in front of the Planning Board for a reduction in parking. Mr. Bresee said they are learning the process here and none of them have ever done this before. Anthony Pauldine asked why the vacillating between two houses and now maybe one house. He asked if they are buying two but only using one. Ms. Spaziano said they are buying two. Mr. Musumeci said they are going to use 136 as a regular rental. He said because it was a package deal they are continuing with a package deal and they are going to seek a standard permit for 136. He said if there's a point in time when the growth is substantial they would have to come back and reapply before they could put anyone in there. He said they had to make that decision based on how everything was stacking up in startup. He said there are people still in the other one and there are a whole bunch of things they are trying to get through. He said they've been going back-and-forth with the seller and trying to get approval from the city. He said that approval is contingent on whether or not they are going to close the deal. Jeff McGann said if they are just going to seek a regular rental permit for 136 he would recommend the cases that involved 136 be tabled indefinitely. He said they will need to address the parking for both houses. He said if they are going to rent out 136 as just a rental they will need two parking spaces. He said they are saying there is a driveway on the other side so they are within regulation on that. He said if two years from now they decide they want to do the same thing with 136 they would then have to submit a parking plan because the parking would increase. Mr. Musumeci asked when the next Planning Board meeting is. Jeff McGann said the next Planning Board meeting is March 3<sup>rd</sup> but the deadline has already passed for that. He asked how many rooms they are looking to rent in 138. Ms. Spaziano said there are six rooms. She said they don't think anyone will have a car but there may be. She said they were thinking having three parking spaces which would be half the amount of rooms and then two more for staff. She said there will only be one staff member at a time. Jeff McGann said if there's a change from what the zoning law says it has to go back to the Planning Board. He said if they are asking to turn 138 into a six room group home they would need nine spots. He said if they agree to put nine spots in there then they wouldn't have to go back to the Planning Board. He said if they want to ask for a reduction then that is a Planning Board action to get that reduction. Ms. Spaziano asked about the driveways in between. She said they would ask the Zoning Board for a variance to pave the driveway in between the two houses. Jeff McGann said if it goes within 3 feet then they would need a variance. Ms. Spaziano asked which board deals with that. Jeff McGann said a variance is the Zoning Board but it was not on the docket for tonight so there is no case for that right now. Mr. Musumeci said he thought the Planning Board put the contingency and they were told that they had to address that at this meeting and that is why they put the rendering together. He said he doesn't understand why the parking situation that they just put in plan wouldn't be adequate. Anthony Pauldine asked if they told the Planning Board they were only going to do one house and they were going to rent the other and everything was going to change. Jeff McGann said part of the issue is no one has been provided the survey until today so no one had the dimensions. He said no one can make a decision without the information in front of them. Ms.

Spaziano said they can't close on the house until they get some sort of OK. Anthony Pauldine said it's not possible to approve their plan with a last minute change. He said there is a variance that they need that they haven't asked for. Mr. Musumeci said they assumed the variance could be done here. He said because they've change the 136 property, it is hindering the Zoning Board's decision. He asked if that is true. Anthony Pauline said he would have a ton of questions about the two houses in the application because of the three foot rule. He said the alderwoman has some concerns and she is under the impression of a certain thing, the Planning Board is under the impression of a certain thing and now they are the last step and they have come in with all these changes and a last-minute survey. Mr. Musumeci said he doesn't know any other way they could provide parking if they don't use that area. Ms. Spaziano said that is the driveway. Jeff McGann said when they came in a few weeks ago they had a plan to turn both houses into this. He said they are coming in tonight with a completely different plan. He said the Planning Board approved two houses with the conditions they approved and now the plan is being changed today. He said that is what the Zoning Board is trying to tell them that they have changed what the Planning Board approved. Mr. Bresee questioned that even though they are separate actions on the agenda they have to have them together. Jeff McGann said the other problem is at the 11th hour they got the survey that showed they required a variance. Anthony Pauldine said if they had come in weeks ago with their survey and told Jeff they were going to do one house, he would've looked at their survey and told them immediately that they needed a variance for the three foot rule for the setback. He asked if this is a nonprofit organization and was told yes. He suggested they get advice on renting the one house because he is not sure that would be nonprofit status if it is a for-profit rental like any other landlord. Mr. Bresee said there are a lot of nonprofit organizations that rent houses. Anthony Pauldine said a lot of those are getting turned over because they are for-profit. He said he just bought a building from a church that was renting it out to a contractor. He said because they were renting it the city put them on the tax roll for a church because it's for-profit. Ms. Spaziano said they came in here for two properties. She asked if they were still saying they wanted 136 to be part of Kristina's House of Hope then they still have a driveway in between two houses. Matthew Brancato says they aren't saying they can't get a variance but they have to do it the right way and they can't just skip it. Anthony Pauldine said they need to apply for the variance, notice has to go out to their neighbors, the alderwoman would have to know, and the Board would have to have it on its docket. He said they legally can't vote on something that they don't have. Ms. Spaziano asked what they are on the docket for. Jeff McGann said they should have the cases right in front of them. He said there is not a case on there for a variance. Ms. Spaziano said she was told she had to pave for so many parking spaces. She asked how she would pave back there without going up the driveway. Anthony Pauldine said everything was predicated on two houses and a total program. He said it would be like her buying a property for a daycare and deciding at the last moment that she wanted to put in a bar. He said it is a total change of their project. Ms. Spaziano said the driveway is on the one property. Mr. Bresee said even if they were still moving forward with two properties they would still need the variance to meet the expectations of the Planning Board. Anthony Pauldine said unless they bought the properties and had them merged. Mr. Bresee said the new information is they got the survey today showing how many feet are between the two houses and that is throwing a wrinkle in the whole plan to get parking to meet the Planning Board's expectations. Matthew

Brancato said they probably want to table it and sit down with Jeff McGann. He said he will tell them every variance they will need. Anthony Pauldine said this survey is dated March 4, 1987. Ms. Spaziano said they don't have a survey because they haven't bought the house. Mr. Musumeci said this was the best they could get with the limited time they had. Ms. Spaziano asked if they think the land has changed. Matthew Brancato said they have no way to tell them that. Mr. Musumeci said the 136 property actually has a pool back there on the survey and there is no pool back there. Matthew Brancato said it sounds like they need an updated survey and then come in and see Jeff McGann. Mr. Musumeci said they are caught between a rock and a hard spot with the seller. He said without a commitment from the city they may end up losing this deal. He said after the great article in the newspaper about this permit it would be a crying shame if they pull on them. He said they are trying to avoid the seller pulling out of this deal. He said they are doing everything they can to learn what they need to learn to get the cooperation and help from the city to get through these issues. He said it was tough to overcome the Planning Board with the resistance they had. He said the Planning Board was very gracious in approving this deal. Anthony Pauldine said there is a wonderful purpose for both Boards. He said there is a process and that is where City Hall will hopefully help them to navigate. He said they just sit here as a Board with the information that comes forward. Ms. Spaziano said they are saying the Planning Board for March is full and they can't get on there. Jeff McGann said the deadline has passed and they can't add after the deadline because of the legality of it. He said public notice has to go out. Ms. Spaziano said they will have to wait until April. She asked if the Planning Board said they wanted them to pave but there is only ten feet would there be any reason why someone would say they can't pave the driveway to make a parking lot. Anthony Pauldine said they have barely scratched the surface. He said he wouldn't sit there and say it would fly and that was the only hindrance. Jeff McGann said that is a question that none of them could answer. Ms. Spaziano asked what kind of questions do they ask. Anthony Pauldine said he would want to know ownership – are they actually buying, land contract, a bank. He asked are they going to be in their name. He said it concerns him with having one of them as a for-profit rental and them not knowing the repercussions. He said it is their duty to protect the neighborhood and go by the law. He said he has some concerns with what the alderwoman said. He said he would want to make sure they he wouldn't regret if this passed and it turned out to be a bad thing for the city or neighborhood. He said he isn't saying it would. He said he is just saying it needs to be scrutinized to a certain degree. He said they have only scratched the surface. Ms. Spaziano said she thought they were at the Zoning Board to get the permit that the city told them they could do with these contingencies. She asked what the Zoning Board does. She said they want to know who owns the property and what bank is financing it. Anthony Pauldine said he isn't saying what bank is financing it. He said they came with a plan for two houses and then they said they were doing one house. He said it wasn't clear right away what they were doing with the other house so immediately he was wondering what was going on with the other house. He said if they approve this and then they decide they aren't going to buy that house now the former owner is a landlord that has a house next to this new type of facility three feet away from it. He said he would want to know how that seller would feel. He said he has a lot of questions in his mind because what they proposed to the Planning Board is nothing like they are proposing here. Mr. Musumeci said if they didn't change a thing and propose parking for both properties, where does it say that it

has to be paved for a group home. He asked if it is really a law that it has to be paved. Jeff McGann said yes. He said the stipulation that the Planning Board put on there was their plan for the parking and for the site to clean it up. He said people had concerns with how rough the backyard looked because it was all gravel, weeds growing up through and trash in the backyard. He said none of that was their issue because they are coming into that but they can certainly put stipulations on that to bring the property up to what it should be. Anthony Pauldine asked what would happen if they bought this property, did their renovations and failed to pave or do one of the conditions they agreed to. He asked if they would get a certificate of occupancy. Jeff McGann said the conditions of the permit would have to be met. Mr. Musumeci said they understood that. Jeff McGann said the other house sits as a single family rental with a permit that is good through April 12<sup>th</sup>. He said 136 has a permit that can be renewed. He said the driveway as it exists is grandfathered in just the way it is. He said it has had rental permits consistently on it and they are not changing the use of it. He said 138 is a totally different situation. He said they are looking at a two-family house that has been a two-family rental. He said there are existing rental permits on it so the parking is grandfathered in. He said when they come in and ask for something different they then have to meet the standards of what that is or ask for a reduction. He said he thinks they have met with some confusion as things changed and as the survey came in at the 11<sup>th</sup> hour. He said they can't vote on a variance that is not on the schedule tonight. He said there is no case for it and no legals have been put out on it. He said he understands their frustration but they can't give them a variance that none of them knew they needed before today. Ms. Spaziano asked if they had both houses as Kristina's House of Hope, they would give them a variance for paving the driveway. Jeff McGann said not tonight. Mr. Bresee said that variance would have to be on the agenda for this Board to take action. Jeff McGann said the only action they can take is on what is on their agenda tonight that they knew about before the deadline. He said anything that just came about by them just getting the survey or them changing the plan can't be voted on tonight. Mr. Musumeci said if they had come in with 17 spots paved on these two properties that could have been voted on even though they have the variance for the driveway up the middle. Jeff McGann said they would still need a variance to pave that. Ms. Spaziano said there was no way they could have done anything tonight. Jeff McGann said they didn't come here knowing that. Mr. Musumeci said he understands that. Mr. Bresee said it sounds like the most appropriate option is to table this and get their plan updated. Jeff McGann said he can't tell them what to do but it seems like it may be the smart thing to do. He said the whole plan is different from what they proposed at the Planning Board. He said they can get all their ducks in a row and go back to the Planning Board with exactly what they are going to do for both houses, if they are going to ask for a reduction in parking, and knowing that they need a variance for the driveway. He said then they would go from Planning Board to the Zoning Board. Ms. Spaziano said they were only looking for one house. She said then they found the houses that went together and they got on the Planning Board just in time. She said everything has happened quickly and they didn't know anything about what everyone does in the city. She said they are learning. Mr. Musumeci said they are hoping they can convince the seller to close on the fact that the city conditionally gave them a permit on both places. Ms. Spaziano asked if they could go ahead and buy because the major thing is the Planning Board has allowed them to have Kristina's House of Hope on West Schuyler Street. Anthony Pauldine said he would caution them that in changing it and going

back to the Planning Board, it may be rubber stamped or they may look at it completely differently. He said it may not be in their best interest. Mr. Bresee said it sounds like everything gets flushed out at the Planning Board to get a plan and then it comes to the Zoning Board for final approval to make sure it is in accordance with the laws or if variances are needed. Jeff McGann said that is a pretty fair assessment. Anthony Pauldine said he wouldn't make any assumptions. Jeff McGann said when you change the plan like that it might still come through with a vote 6-0 or they may look at it completely differently. He said they can't tell them that. He said it is now two different purposes and two different parking arrangements. He said everything is completely different. He said it is impossible for them to tell them how it is going to go. Mr. Bresee said they can follow up with Jeff McGann. Jeff McGann said he can get them back on the docket for April. Mr. Bresee requested to table.

RESOLVED, that Case #20-26 be tabled.

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: 20-29

IN THE MATTER OF: Shelly Spaziano

WHEREAS, Shelly Spaziano, contract purchaser of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 1<sup>st</sup> Ward of the City of Oswego, New York, with address 138 West Schuyler Street, being Tax Map Number: 127.60-05-08, has applied for a Special Permit in accordance to Section 280-13(B) of the City of Oswego Code, to allow proposed group home and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 19<sup>th</sup> day of February 2020 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that Case #20-29 be tabled.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Anthony Pauldine



CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-32

IN THE MATTER OF: Susette Berlin/Margaret Stachowicz

WHEREAS, Susette Berlin/Margaret Stachowicz, contract purchaser of property situate in a TB, Traditional Business Zoning District in the 3<sup>rd</sup> Ward of the City of Oswego, New York, with address 145 West Bridge Street, being Tax Map Number: 128.61-01-60, has applied for a Rear Yard Setback Area Variance in accordance to Section 280-17(C) of the City of Oswego Code, to allow for the conversion and renovation of a 4,700 sf. existing commercial building and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 19<sup>th</sup> day of February 2020 and the applicant having appeared and no one appearing in opposition.

Daniel Manning of 225 Wilkinson Street, Syracuse was present for the discussion. Mr. Manning said he is representing Susette Berlin who has a purchase offer on 145 West Bridge Street, the former Stone's Candy. He said they went before the Planning Board and the Planning Board made recommendations that they have incorporated into the drawings. He said the property at 145 West Bridge Street will be combined with 147 and 149 West Bridge Street to create the entire parcel that is being developed. He said this requires two variances. Mark Brunschweiger asked if he has a form stating he is representing Susette Berlin. Mr. Manning said the whole application is with Jeff McGann. Mark Brunschweiger said he will ask him when he comes back. Mr. Manning said one of the variances is a result of the existing Stone's building. He said a piece of the building is over the rear property line. He said the attorney has gotten an easement encroachment but they still have to go through the process of getting the rear yard setback reduced. He said the variance is a matter of formality because it exists and they have a change of occupancy. He said it is a 4,700 square foot building. He said the entrance is currently on Bridge Street and they are going to move the entrance to the side and create a small canopy addition that doesn't require any variances. He said they will leave the existing canopy and the existing footprint on 104 as is. He said they are proposing a small area for outdoor seating. He said they aren't changing the existing curb cut but they are providing for 15 parking spaces. He said they are also going to leave an area for snow storage. He said they negotiated with the Planning Board that instead of a dumpster there will be containers inside the garage and the trash removal service will have automated access to that to remove it on a daily basis. He said the Planning Board had him pick out a vinyl barrier fence even though it is fairly heavily vegetated. He said the Planning Board also asked him to take photometric shots at night. He said they aren't proposing any additional lighting in the parking lot but just lighting on the building at the entrances. He said they submitted that to the Planning Board for their review. He said there is more than adequate lighting on the street to provide enough

ambient light for the parking throughout the entire site. He said there will be room in the front of the building for 20 people. He said it will be a pickup/delivery area in the front. He said there will be an open pizza oven, open counter and seating in the back for 60 people. He said the whole outside will be totally redone. He said the existing storefront will be replaced with arch-topped windows and synthetic stucco on the exterior of the building. He said they are only increasing the height slightly at the parapet area on the corner of the building for the sign. He said in order to get the required amount of parking they need to pave 61% of the site. He said they are requesting a variance for lot coverage. Mark Brunschweiger asked Jeff McGann if there is an authorization for Mr. Manning to speak for Susette Berlin. Jeff McGann said yes. Anthony Pauldine asked why they need a rear variance for an existing building. Jeff McGann said there is a small section of retaining wall that would be added within the setback. Anthony Pauldine asked if it will be one story. Mr. Manning said yes. Mark Brunschweiger asked if there was anyone for or against this application and no one came forward.

RESOLVED, that a Rear Yard Setback Variance be granted to allow for the conversion and renovation of a 4,700 sf. existing commercial building.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Anthony Pauldine

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-33

IN THE MATTER OF: Susette Berlin/Margaret Stachowicz

WHEREAS, Susette Berlin/Margaret Stachowicz, contract purchaser of property situate in a TB, Traditional Business Zoning District in the 3<sup>rd</sup> Ward of the City of Oswego, New York, with address 145 West Bridge Street, being Tax Map Number: 128.61-01-60, has applied for a Maximum Paved Area Area Variance in accordance to Section 280-17(C) of the City of Oswego Code, to allow for the conversion and renovation of a 4,700 sf. existing commercial building and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 19<sup>th</sup> day of February 2020 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Maximum Paved Area Variance be granted to allow for the conversion and renovation of a 4,700 sf. existing commercial building.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Anthony Pauldine

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-19

IN THE MATTER OF: John Comerford

WHEREAS, John Comerford, owner of property situate in a TN1, Traditional Neighborhood 1 Zoning District in the 5<sup>th</sup> Ward of the City of Oswego, New York, with address 36 West Albany Street, being Tax Map Number: 128.71-01-32, has applied for a Rear Yard Setback Area Variance in accordance to Section 280-12(C) of the City of Oswego Code, to allow for proposed 20x12 extension to an existing one (1) story shed and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 19<sup>th</sup> day of February 2020 and the applicant having appeared and no one appearing in opposition.

Ann Comerford, John's wife, and Dustin Barbera were present for the discussion. Mark Brunschweiger said he has an authorization form for Dustin Barbera to speak for John Comerford. Mr. Barbera said there is a shed already attached to the house. He said they would like to take the back wall off and extend it out 12' and make it the same width. He said it would be 20' wide extended out 12'. He said they would go out the full 12', put 6x6 posts in the ground, come back with 2x6 framing, ¾ inch subflooring, reframe the two side walls, replace the back wall, and put a new roof on. Mark Brunschweiger asked the purpose of the shed. Mr. Barbera said workshop. Jeff McGann read a letter into the record from Esther Rogers of 34 West Albany Street stating she is not opposed because of the location of the addition. Anthony Pauldine asked when they are building it. Mr. Barbera said as soon as the weather breaks. He said late March or early April. Anthony Pauldine asked if it'll be done this season. Mr. Barbera said it'll be done within a week of starting. Anthony Pauldine asked if they are putting in any bathrooms or kitchens. Mr. Barbera said no. He said no electrical either. Mark Brunschweiger asked if there would be plumbing. Mr. Barbera said no. He said there will be one 6' wide overhead door on the end, an awning window and the existing side door that goes down to the basement. Mark Brunschweiger asked if there was anyone for or against this application and no one came forward.

RESOLVED, that a Rear Yard Setback Variance be granted to allow for proposed 20x12 extension to an existing one (1) story shed.

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: 20-20

IN THE MATTER OF: John Comerford

WHEREAS, John Comerford, owner of property situate in a TN1, Traditional Neighborhood 1 Zoning District in the 5<sup>th</sup> Ward of the City of Oswego, New York, with address 36 West Albany Street, being Tax Map Number: 128.71-01-32, has applied for a Maximum Lot Coverage Area Variance in accordance to Section 280-12(C) of the City of Oswego Code, to allow for proposed 20x12 extension to an existing one (1) story shed and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 19<sup>th</sup> day of February 2020 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Maximum Lot Coverage Variance be granted to allow for proposed 20x12 extension to an existing one (1) story shed.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Anthony Pauldine

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-34

IN THE MATTER OF: David Thompson

WHEREAS, David Thompson, owner of property situate in a TN1, Traditional Neighborhood 1 Zoning District in the 1<sup>st</sup> Ward of the City of Oswego, New York, with address 8 West Second Street, being Tax Map Number: 128.38-04-03, has applied for a Front Yard Setback Area Variance in accordance to Section 280-12(C) of the City of Oswego Code, to allow for proposed construction and renovation of existing commercial property and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 19<sup>th</sup> day of February 2020 and the applicant having appeared and no one appearing in opposition.

David Thompson of 19 Candlewood Drive was present for the discussion. Mr. Thompson said he wants to put an addition on 8 West Second Street which is the tavern. He said he owns 33 West VanBuren Street. He said he wants to build an addition from the tavern to the house. He said the house will be turned into a kitchen for a restaurant. He said he purchased eight feet in front of the building from the city. He said he is looking to come out the eight feet that he purchased halfway down the house. Mark Brunschweiger said the house on the corner is staying. Mr. Thompson said the house will be the kitchen for the restaurant. Jeff McGann said they were originally separate parcels and he is merging those together. Mark Brunschweiger said he is building right up to the property line. Mr. Thompson said yes. Jeff McGann said on the Second Street side. Mark Brunschweiger asked if there was anyone for or against this application and no one came forward.

RESOLVED, that a Front Yard Setback Variance be granted to allow for proposed construction and renovation of existing commercial property.

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: 20-35

IN THE MATTER OF: David Thompson

WHEREAS, David Thompson, owner of property situate in a TN1, Traditional Neighborhood 1 Zoning District in the 1<sup>st</sup> Ward of the City of Oswego, New York, with address 8 West Second Street, being Tax Map Number: 128.38-04-03, has applied for a Maximum Lot Coverage Area Variance in accordance to Section 280-12(C) of the City of Oswego Code, to allow for proposed construction and renovation of existing commercial property and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 19<sup>th</sup> day of February 2020 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Maximum Lot Coverage Variance be granted to allow for proposed construction and renovation of existing commercial property.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Matthew Brancato