

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

May 21, 2019

A motion to approve the minutes of the April 2019 meeting was made by Anthony Pauldine and seconded by Chairman Clavelli; 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.

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 19-66

IN THE MATTER OF: Paul Zaryski

WHEREAS, Paul Zaryski, owner of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 7<sup>th</sup> Ward of the City of Oswego, New York, with address 31 Burden Drive, being Tax Map Number: 146.32-04-01.2, 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 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

Jeff McGann said the zoning change switched between last meeting and this meeting. He said on the agenda the old zone is listed and the new district. He said in this case it went from an R3 to a TN2. He said the section reference is listed in the old zoning. He said as each case comes up he will speak to it as to if there is a change. He said in this case 280-55(B) remains the same. Paul Zaryski of 31 Burden Drive was present for the discussion. Mr. Zaryski said he is here to seek a special permit for front yard parking 8'x26' along existing parking pad. Jeff McGann said in the area he is, there is not a sidewalk. He said his property line goes right up to the road. He said it is front yard parking and not green space public parking. Mr. Zaryski said there is no curb cut there. 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.

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: 19-68

IN THE MATTER OF: Richard Mulcahey

WHEREAS, Richard Mulcahey, 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 53 West Eighth Street, being Tax Map Number: 128.45-04-18, 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 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

Jeff McGann said the section reference remains the same. He said the new district is TN1. Richard Mulcahey of 53 West Eighth Street was present for the discussion. Mr. Mulcahey said he is looking for front yard parking to put a concrete driveway in. He said he wants to change it from a gravel driveway to a concrete driveway. Jeff McGann said he is not expanding the driveway. He said he has an existing gravel driveway that he is looking to pave. 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.

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: 19-69

IN THE MATTER OF: Richard Mulcahey

WHEREAS, Richard Mulcahey, 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 53 West Eighth Street, being Tax Map Number: 128.45-04-18, has applied for a Side Yard Setback Area Variance in accordance to Section 280-55(A) of the City of Oswego Code, to allow for a new 9'x31' paved driveway and 10'x10' paved apron and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

Jeff McGann said the section reference remains the same. Mr. Caraccioli questioned the 3' dimensional requirements. Jeff McGann said that is a Side Yard Setback. He said unlike a building that is 6 feet, a driveway is 3 feet.

RESOLVED, that a Side Yard Setback Variance be granted.

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: 19-77

IN THE MATTER OF: Robert Day

WHEREAS, Robert Day, owner of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 5<sup>th</sup> Ward of the City of Oswego, New York, with address 115 West Albany Street, being Tax Map Number: 128.77-03-08.09, has applied for a Rear Yard Setback Area Variance in accordance to Section 280-13(C) of the City of Oswego Code, to allow for the construction of a 12'x24' shed and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

Jeff McGann said this case goes from a B1 to a TN2. He said the section reference is different. He said in the old code it was 280-31(A). He said in the new code it is 280-13(C) which refers you to the bulk requirements table. Robert Day of 115 West Albany Street was present for the discussion. Mr. Day said he wants to put a 12'x24' shed in and he wants to put it 4 feet from his back property line. Chairman Clavelli asked if there was anyone for or against this application and no one came forward. Councilor Tesoriero said he is sure it will enhance the property and he is in favor.

RESOLVED, that a Rear Yard Setback Variance be granted.

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: 19-78

IN THE MATTER OF: George & Jean Gower

WHEREAS, George & Jean Gower, owners of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 7<sup>th</sup> Ward of the City of Oswego, New York, with address 41 Gerritt Street, being Tax Map Number: 146.31-05-09, has applied for a Height Area Variance in accordance to Section 280-80(A)(1)(2) of the City of Oswego Code, to allow for fifteen (15) foot of six (6) foot high fence and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

Jeff McGann said this case is going from an R3 to a TN2. He said the reference remains the same. George Gower of 41 Gerritt Street was present for the discussion. Mr. Gower said they want to put in a 6' privacy fence on the eastside of their property. He said it would be 15' total length starting 4' from the sidewalk. Chairman Clavelli asked if there was anyone for or against this application and no one came forward. Mr. Caraccioli said there is a bush there. Mr. Gower said the fence will start on the other side of the lilac bush heading toward the cedar trees.

RESOLVED, that a Special Permit be granted to allow front yard parking.

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: 19-79

IN THE MATTER OF: Christopher Stupp

WHEREAS, Christopher Stupp, owner 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 71 Bronson Street, being Tax Map Number: 127.52-01-01, has applied for a Front Yard Setback Area Variance in accordance to Section 280-13(C) of the City of Oswego Code, to allow for proposed 6'x21'4" new front porch and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

Jeff McGann said this case is going from an R3 to a TN2. He said the there is a section reference change from 280-25(A) to 280-13(C) which refers you to the bulk requirements table. Christopher Stupp of 71 Bronson Street was present for the discussion. He said he wants to add a 6'x21' front porch on the Bronson Street side. Chairman Clavelli asked if there was anyone for or against this application and no one came forward. Councilor Tesoriero said he has seen what he has done with this property. He said he is in support.

RESOLVED, that a Front Yard Setback Variance be granted.

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: 19-81

IN THE MATTER OF: Josh Solazzo

WHEREAS, Josh Solazzo, owner of property situate in a TN1, Traditional Neighborhood 1 Zoning District in the 6<sup>th</sup> Ward of the City of Oswego, New York, with address 319 East Ninth Street, being Tax Map Number: 128.74-01-01, has applied for a Height Area Variance in accordance to Section 280-80(A)(1)(2) of the City of Oswego Code, to allow for 119 lineal feet of 6 foot high fence and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

Josh Solazzo of 319 East Ninth Street was present for the discussion. He said he lives on the corner of Church Street and Ninth Street. He said he would like to fence it in because he has a dog. Jeff McGann said this case went from an R3 to a TN1. He said the section reference remains the same. Chairman Clavelli asked if there was anyone for or against this application and no one came forward. Councilor Tesoriero said he has done a remarkable job with this property. He said this is only going to make the neighborhood better. Mr. Caraccioli said there is an existing fence there. Mr. Solazzo said he is going to add to it. Mr. Caraccioli said the fence that is out back is 6' so this fence will be consistent with what is already there.

RESOLVED, that a Height Variance be granted.

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: 19-82

IN THE MATTER OF: Ed Demm

WHEREAS, Ed Demm, 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 273 West Third Street, being Tax Map Number: 128.79-02-30, has applied for a Side Yard Setback (North) Area Variance in accordance to Section 280-12(C) of the City of Oswego Code, to allow for the construction of a new 10'x14' shed and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

Jeff McGann said the first case went from an R3 to a TN1. He said the original section reference was 280-25(A). He said the new reference is 280-12(C) which refers to the bulk requirements table. He said this applies to the first three cases. He said the last case remains the same. Ed Demm of 277 West Third Street was present for the discussion. He said he owns 273 West Third Street. He said he would like to construct a 10'x14' storage shed at 273 and put a 6' fence around the property. Jeff McGann said he bought the property and demoed the house that was in need of demolition. He said he cleaned the property up and made it a nice piece of green space. He said it is a vast improvement. Chairman Clavelli asked if there was anyone for or against this application and no one came forward.

RESOLVED, that a Side Yard Setback (North) Variance be granted.

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: 19-83

IN THE MATTER OF: Ed Demm

WHEREAS, Ed Demm, 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 273 West Third Street, being Tax Map Number: 128.79-02-30, has applied for a Rear Yard Setback (East) Area Variance in accordance to Section 280-12(C) of the City of Oswego Code, to allow for the construction of a new 10'x14' shed and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Rear Yard Setback (East) Variance be granted.

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: 19-84

IN THE MATTER OF: Ed Demm

WHEREAS, Ed Demm, 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 273 West Third Street, being Tax Map Number: 128.79-02-30, has applied for a Total Side Yard Setback Area Variance in accordance to Section 280-12(C) of the City of Oswego Code, to allow for the construction of a new 10'x14' shed and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Total Side Yard Setback Variance be granted.

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: 19-85

IN THE MATTER OF: Ed Demm

WHEREAS, Ed Demm, 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 273 West Third Street, being Tax Map Number: 128.79-02-30, has applied for a Height Area Variance in accordance to Section 280-80(A)(1)(2) of the City of Oswego Code, to allow for twenty (20) foot of six (6) foot high fence and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Height Variance be granted.

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: 19-86

IN THE MATTER OF: Linda Myer

WHEREAS, Linda Myer, owner of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 5<sup>th</sup> Ward of the City of Oswego, New York, with address 38 Singleton Street, being Tax Map Number: 127.84-01-14.01, has applied for a Front Yard Setback (Singleton) Area Variance in accordance to Section 280-13(C) of the City of Oswego Code, to allow for the construction of a new one-story single family dwelling and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

Jeff McGann said this case goes from R3 to TN2. He said the section reference changed from 280-25(A) to 280-13(C) which refers to the bulk requirements table. He said this is a change for both cases. Linda Myer of 38 Singleton Street was present for the discussion. Ms. Myer said she is looking for an 8' variance to put a home up. She said it is on the corner of Singleton and Albany. Jeff McGann said they are looking to build a new house on a corner so they have two front yards. He said they have a 25' setback in two different directions. He said they are looking to keep the house 17' back which is consistent with the garage they had previously built with approvals. He said recently the neighbor to the north received approval to build a house with the exact same setback so now all three will be in the same setback. He said it will be a nice clean line. Chairman Clavelli asked if the house will have to same siding as the garage. Ms. Myer said yes. Councilor Tesoriero said it is wonderful when anyone wants to build a new home in the City of Oswego. He said he thinks they will do a beautiful job. Chairman Clavelli asked if there was anyone for or against this application and no one came forward.

RESOLVED, that a Front Yard Setback (Singleton) Variance be granted.

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: 19-87

IN THE MATTER OF: Linda Myer

WHEREAS, Linda Myer, owner of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 5<sup>th</sup> Ward of the City of Oswego, New York, with address 38 Singleton Street, being Tax Map Number: 127.84-01-14.01, has applied for a Front Yard Setback (Albany) Area Variance in accordance to Section 280-13(C) of the City of Oswego Code, to allow for the construction of a new one-story single family dwelling and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 21<sup>st</sup> day of May 2019 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Front Yard Setback (Albany) Variance be granted.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Chairman Clavelli