

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

June 19, 2018

Chairperson Sweet 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 Frank Clavelli, Jr., unanimous approval.

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-50

IN THE MATTER OF: Sarah Hoefler

WHEREAS, Sarah Hoefler, owner of property situate in a Residential, R3 Zoning District in the 7<sup>th</sup> Ward of the City of Oswego, New York, with address 27 Gerritt Street, being Tax Map Number: 146.31-02-15, has applied for a Special Permit in accordance to Section 280-24(A) 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 19<sup>th</sup> day of June 2018 and the applicant having appeared.

Sarah Hoefler of 27 Gerritt Street was present for the discussion, as well as Councilor Corradino. Chairperson Sweet said this is a new application and will be heard as a new case. Mrs. Hoefler said she is requesting a special permit for a home occupation to do professional, personal one-on-one training in her home. She said they would discuss fitness goals and meal planning and nutrition. She said it would be for 30 to 45 minutes. She said there would be no outside signage. Chairperson Sweet asked if she will advertise for this. Mrs. Hoefler said it is all by word of mouth. She said since the last meeting she took down her business page. Chairperson Sweet asked what kind of equipment she has. Mrs. Hoefler said she has dumbbells, treadmill, elliptical, free weights, and medicine balls. Chairperson Sweet asked if she has specific clientele. Mrs. Hoefler said anyone that reaches out to her. Chairperson Sweet asked how it would be spread out. Mrs. Hoefler said it would be one individual at a time scheduled. She said one person would be there at a time for 30-45 minutes. Chairperson Sweet asked about the hours of operation. Mrs. Hoefler asked if there are guidelines. Chairperson Sweet said no. Mrs. Hoefler said it is sporadic. She said it varies based on the client's schedule. She said it is typically daytime. She said the latest would probably be around 7:00. Chairperson Sweet asked if she has a driveway. Mrs. Hoefler said she has a driveway but she also lives in the city where there is public parking. She said there are no parking restrictions on the street. Chairperson Sweet said she has applied for a home occupation. She said they will reiterate what is allowed in an R3. She said she is applying under 280-24 Special Permit Uses. She said what is allowed are home occupation, public utility facilities, outdoor recreations, community centers, hospitals, nursing homes, convalescent homes, assisted living homes, independent living facilities and clinics, clubs – nonresident, philanthropic institutions, barbershops, beauty parlors and tanning salons, professional, medical and dental offices, funeral homes, additions to owner occupied two-family dwellings, tourist homes, parking, new two-family dwellings, antique sales, miscellaneous storage buildings, internal conversions. She said permitted uses are one-family dwellings, schools, religious institutions, and accessory uses. She said the definition of home occupation is accessory use of a service character conducted within a

dwelling by residents thereof which is clearly secondary to dwelling use for living purposes and does not change the character or have any exterior evidence of such use and which conforms to the following additional conditions: A) "Home occupations" shall be carried on wholly within the dwelling or an accessory building to the equivalent of one-third (1/3) the ground floor area of the dwelling. Not more than one nonresident person outside the family shall be employed. There shall be no exterior storage of materials used in the occupation and no storage in any location of merchandise available for sale on the premises. B) "Home occupation" includes artists, babysitting, cooking, drafting, dressmaking, laundering, upholsterer, photographer, professional residence-office and other trades and businesses of a similar nature. C) "Home occupation" shall not include animal hospitals, antique or other retail sales involving merchandise for sale on the premises, barber or beauty shops, clinics, commercial stables or kennels, convalescent homes, garages or repair of motor vehicles, electrical, radio and television repair, furniture refinishing, mortuary, music or dancing instruction in groups, restaurants, woodworkings, machine shops, pattern making, sheet metal shops, tinsmithing shops, animal grooming, contracting offices and other trades and businesses of a similar nature. Frank Clavelli, Jr. asked if she could read the definition of professional, medical and dental offices. Chairperson Sweet said it states "a commercial use or building where personal services, as distinguished from the practice of a trade or business, are rendered by a practitioner of the learned professions, such as a lawyer or a physician, chiropractor, dentist, optometrist, architect, landscape architect, engineer or public accountant." Anthony Pauldine asked if that is allowed or not allowed. Chairperson Sweet said it is allowed in an R3. Mr. Caraccioli discussed the criteria for home occupation. He said it needs to be carried on wholly within the dwelling or an accessory building equivalent to 1/3 the ground floor. He said the last time she was here that was pretty much established. He asked if it is still confined to the garage. Mrs. Hoefler said yes. Mr. Caraccioli asked if there will be any outdoor activity. Mrs. Hoefler said it is all confined inside. Mr. Caraccioli said it will be only one individual at a time. Mrs. Hoefler said yes. Mr. Caraccioli said previously she had said that could be up to four at a time and then with crossover it would look like up to eight people. Mrs. Hoefler said that is no longer. Mr. Caraccioli said it is just herself and there are no other employees. Mrs. Hoefler said it is just her. Mr. Caraccioli said there will be no exterior storage of materials and no selling of merchandise. Mrs. Hoefler said that is right. Mr. Caraccioli said in his opinion A of the definition was met. He said the question is whether B and C can be met. Anthony Pauldine said this is a new application. He asked if that means regarding any prior knowledge this is a totally clean slate. Mr. Caraccioli said they can't erase their mind of what they have heard in the past. He said Mrs. Hoefler has now resubmitted her application with a new plan. He said she has to be judged on that new plan. He said clearly neighbors have concerns. He said she is entitled to a fair hearing. Chairperson Sweet asked about the groups she did in the past. Mrs. Hoefler said it was a challenge for the new year. She said after the last meeting she ended the groups. She said she has rethought what will happen next year. She said if she thinks about doing a challenge again it will not be in her home. She said she has friends that own dance studios. She said she is sticking with the one-on-one for her business. She said that is what works for her, her family, and her busy schedule. Chairperson Sweet asked if there was anyone in favor of this application and Carrie Penoyer of 1 Elizabeth Street came forward. Ms. Penoyer said she has known the Hoeflers for over 10 years. She said she has trained one-on-one with Mrs. Hoefler for

1½ years. She said the gym is in the garage and you wouldn't know anything was going on there unless you were inside or made it your job to watch. She said at no time are there any issues with noise. She said Gerritt Street does not have any parking restrictions. The next to come forward was Stacy Roberts of 51 Varick Street. Ms. Roberts said Mrs. Hoefler's home is safe and orderly. She said she doesn't live far from a currently registered CrossFit facility and she enjoys driving by admiring motivated individuals choosing a better lifestyle. She said they need more of this type of presence in their neighborhoods. She said she knows that Mrs. Hoefler will conduct herself in a professional manner and work with those around her to see that everyone is happy. The next to come forward was Bill Galloway of Century 21. He said he has trained with Mrs. Hoefler in the past. He said he thinks it is important for the alderman to jump in and bring them together because he thinks a lot of things can be worked out. He said millennials are working from home. He said they are going to see a lot more of this in the future. The next to come forward was Kelly Allen Daby of 140 Liberty Street. She said the service that Mrs. Hoefler provides is an asset to the community. She said she is promoting health, wellbeing, and fitness. Mr. Caraccioli said they received letters of support from Kelly Allen Daby, Mary Lou Heintz, Stephanie Kingsley, Sara & Craig Rebeor, Jaime Gregory, Brenda Davis, Sarah Warner, Kellie Donovan, Alissa Canale, Helen & David Carroll, and Carrie Penoyer. Chairperson Sweet asked if there was anyone opposed to this application and Bill Jones of 32 Gerritt Street came forward. Mr. Jones said he attended the last meeting to let them know that classes were still going on. He said she was told not to do classes. He said he informed Jim Bell and Jim Bell sent a letter which she disregarded and still kept doing classes. He said it was a disrespect to the neighborhood and to the Zoning Board by not abiding by the rule. He said she did two more classes today. He said the only time she actually observed their order was when she was away. He said even during that time some of her clients were there more than one at a time. He said there has been no good faith put forth by her. He said if she does one-on-one then that would be ok. He said he has been a member of this neighborhood for 47 years and he felt disrespected. He asked what will happen if she is turned down and she continues the classes because she didn't listen before. The next to come forward was Kathy Izyk of 34 Gerritt Street. She said this isn't a character hearing. She said it is about running a business in a residential area. She said her concern is how this is going to be monitored if she is granted this. The next to come forward was Aaron Dehm of 4618 County Route 4. He said there are no restrictions on parking on this street. He said they could have just as much traffic there if you had a house with ten kids in it. He said he hopes it can work out for her and her small business. Councilor Corradino said he visited the garage. He said it is exactly as described. He said probably more than four or five people would make it unusable. He said it is not feasible to have too many people there. He said he can also see the side of those that spoke against this. He said if there was a business next door to his house he would be upset if it was causing a lot of traffic. He said he can see both sides of this. He said she is doing good things and if she did it without disrupting the neighborhood and having excess traffic then it could be done. He said he has gotten numerous emails. He said one was from someone that is not here tonight. He said other than those three people he hasn't gotten any complaints. Anthony Pauldine asked if he is in favor or against. Councilor Corradino said he can see both sides. Anthony Pauldine it is important to him to know where he falls on the issue. Councilor Corradino said he wouldn't want a business causing a lot of traffic in his neighborhood. He said all this started when she

expanded her class to more than one or two people. He said if she could confine herself to one or two people then he could see that working. He said if it was more than one or two people then it would disrupt the neighborhood and he wouldn't support it. Anthony Pauldine said if the parking had an adverse effect on the neighborhood then that is something the Board would decide whether it would be parking on one side of the street or no parking in the street. Mr. Caraccioli submitted the thirty or more emails that Mr. Jones submitted to Jim Bell for the record. He asked Mrs. Hoefer when she stopped the classes. Mrs. Hoefer said the meeting was on 4/17 and she did not have another class after that. She said she had clients over to explain what was going on. She said she was gone for the month of May. She said as to the pictures of cars parked in front of her house she has friends, people watching her house, and she let someone live at her house for the month that she was gone. She said she has six very busy children. She said she has people that will pull up at her house, load up six or seven kids and carpool to events. She said she has not been able to work with a lot of the clients that wrote letters on her behalf since the last meeting. Chairperson Sweet said they cannot take testimony in speculation. She said they cannot speculate what may happen if she does not comply. Mr. Caraccioli said it is an enforcement issue. Councilor Tesoriero said the Traffic Advisory Board deals with traffic issues so that shouldn't be a concern for their decision. Chairperson Sweet said under special permits one part of the requirement is that it cause no undue congestion or create an unnecessary traffic hazard. She said Mrs. Hoefer has come back and renewed her application for a home occupation with no signage. She said she is supplying a service to individuals and consulting with individuals for a healthy lifestyle. She said the Board has to decide whether this falls under a home occupation. Mark Brunschweiger asked if there is a parking requirement for home occupation. Mr. Caraccioli said no. Mark Brunschweiger asked how many cars will be there for this occupation. Mrs. Hoefer said one but maybe one replacing it. She said there may not be just one car parked in front of her house. She said she has kids that drive that have their own vehicles and friends that come over. Frank Clavelli, Jr. said if this passes he is going to put the onus on Councilor Corradino to get to the Traffic Board and make the neighbors happy. He said they need to make the parking 100' away from her house. Matthew Brancato asked Councilor Corradino if he is willing to put up signs if parking becomes an issue. Councilor Corradino said that is up to the Traffic Advisory Board to decide. He said he can put it on the agenda but they would need to decide. Frank Clavelli, Jr. said he could get the ball rolling. Mrs. Hoefer said she is not against working with her neighbors. She said she had no idea any of this was an issue until the last meeting. She said Mr. Jones was still snow blowing her driveway in February. She said she would love for there to be peace in the neighborhood and for him to stop taking pictures of her house and children and family. Chairperson Sweet said they need to decide if this is under the definition of home occupation. She asked if they agree that it is a business of a similar nature. The Board agreed. Chairperson Sweet said the criteria for a special permit are A) Be appropriately located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities. B) Be in accordance with the City Master Plan and provide any appropriate conditions and safeguards in harmony with the general purpose of this chapter. C) Cause no undue traffic congestion or create an unnecessary traffic hazard. D) Include traffic access, interior circulation and parking and loading spaces, adequate in location and design. E) Not have a substantially adverse effect upon the character of or property values in the area. F)

Incorporate adequate safeguards, screening fences and landscaping to protect and maintain the harmony of the surrounding area. G) Not otherwise impair the public health, safety and general welfare. The Board was in agreement that it meets the criteria. Anthony Pauldine asked if they should put in the motion that it will be one-on-one. Mr. Caraccioli said that would be his recommendation. He said part of the definition of what is not home occupation is music or dancing instruction in groups. He said that is key here. He said Mrs. Hoefler tailored her reapplication specifically as a result of comments last time. He said she is now on record saying she is going to train, instruct, advise, and coach one-on-one. He said that doesn't mean two-on-one or three-on-one or four-on-one. He said any approval should be predicated on that representation. He said if she has a trainee at 9:00 and one at 9:30 and the 9:30 shows up 10 minutes early there may be a traffic issue there. He said three and four group instruction creates more of a congestion problem.

RESOLVED, that a Special Permit be granted to allow a home occupation for individual coaching/workout one-on-one.

MOTION MADE BY ZONING BOARD MEMBER: Chairperson Sweet

SECONDED BY ZONING BOARD MEMBER: Mark Brunschweiger

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-73

IN THE MATTER OF: National Grid

WHEREAS, National Grid, owner of property situate in an Industrial, IN Zoning District in the 1<sup>st</sup> Ward of the City of Oswego, New York, with address 261 George Washington Boulevard, being Tax Map Number: 127.59-01-01, has applied for a Side Yard Setback Variance in accordance to Section 280-40(A) of the City of Oswego Code, to allow for the construction of a new 50'x80' control 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 June 2018 and the applicant having appeared and no one appearing in opposition.

Ben Wisell, Senior Counsel for Niagara Mohawk Power Corporation doing business as National Grid, Rachel Gibson, project manager for National Grid, Aaron Dehm, Senior Engineer for Substation Engineering, and Bill Hopkins, Lead Structural Engineer were present for the discussion. Mr. Wisell said they are here to request a Side Yard Setback variance. He said they need a variance of two feet. He said in 1999 they sold a portion of the property to NRG. He said they retained ownership of three existing substations. He said the controls for the substations are on NRG property. He said they are looking to replace the equipment because it is old. He said by locating the control house on the property they are going to be able to access the equipment as soon as possible. He said if there is an emergency their employees will not have to go onto NRG's property. He said this will be 1,270' from George Washington Blvd., 506' from Sixth Ave., and 810' from Third Ave. so based on these distances they will have essentially no impact on adjoining properties. Mr. Dehm said it is centrally located within the property that used to be owned completely by Niagara Mohawk. He said there would be no setbacks if they still owned the entire property. Mr. Wisell said they tried to locate the control house a minimum of 12' from the side yard but this is the safest and only location for the control house on the substation property. He said it will be a typical industrial building. Mark Brunschweiler asked if the control building is required by NERC or FERC. Mr. Dehm said this is to take their controls out of NRG's building. He said it can create a significant time delay when they need to get to the controls during outages. Frank Clavelli, Jr. asked if their property is locked now. Mr. Dehm said their electricians and operators have keys to the site gate. He said to go into their actual building they need to get permission. Mr. Wisell said the location where the controls are located is poorly lit and does not meet National Grid's safety standards. Councilor Tesoriero said this will also protect if there is a change of ownership. Mr. Caraccioli said public utilities like to have control of their own assets and right now there is an issue there that they are trying to correct. Chairperson Sweet asked if there was anyone in favor of this application and no one

came forward. She then asked if there was anyone opposed to this application and again no one came forward.

RESOLVED, that a Side Yard Setback Variance be granted to allow for the construction of a new 50'x80' control building.

MOTION MADE BY ZONING BOARD MEMBER: Frank Clavelli, Jr.

SECONDED BY ZONING BOARD MEMBER: Anthony Pauldine



CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-74

IN THE MATTER OF: Chuck Miller

WHEREAS, Chuck Miller, owner of property situate in a Residential, R3 Zoning District in the 7<sup>th</sup> Ward of the City of Oswego, New York, with address 91 Ellen Street, being Tax Map Number: 146.23-05-18, has applied for a Side Yard Setback Variance in accordance to Section 280-25(A) of the City of Oswego Code, to allow for the construction of a new 12'x19' covered porch 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 June 2018 and the applicant having appeared and no one appearing in opposition.

Chuck Miller of 91 Ellen Street was present for the discussion, as well as Councilor Corradino. Mr. Miller said the front porch is on the side and faces south. He said they want to extend it out and bring it around and make it all one structure. Councilor Corradino said he is in support. Chairperson Sweet asked if there was anyone in favor of this application and no one came forward. She then asked if there was anyone opposed to this application and again no one came forward.

RESOLVED, that a Side Yard Setback Variance be granted to allow for the construction of a new 12'x19' covered porch.

MOTION MADE BY ZONING BOARD MEMBER: Frank Clavelli, Jr.

SECONDED BY ZONING BOARD MEMBER: Chairperson Sweet

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-75

IN THE MATTER OF: Chuck Miller

WHEREAS, Chuck Miller, owner of property situate in a Residential, R3 Zoning District in the 7<sup>th</sup> Ward of the City of Oswego, New York, with address 91 Ellen Street, being Tax Map Number: 146.23-05-18, has applied for a Total Side Yard Setback Variance in accordance to Section 280-25(A) of the City of Oswego Code, to allow for the construction of a new 12'x19' covered porch 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 June 2018 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Total Side Yard Setback Variance be granted to allow for the construction of a new 12'x19' covered porch.

MOTION MADE BY ZONING BOARD MEMBER: Frank Clavelli, Jr.

SECONDED BY ZONING BOARD MEMBER: Chairperson Sweet

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-76

IN THE MATTER OF: Chuck Miller

WHEREAS, Chuck Miller, owner of property situate in a Residential, R3 Zoning District in the 7<sup>th</sup> Ward of the City of Oswego, New York, with address 91 Ellen Street, being Tax Map Number: 146.23-05-18, has applied for a Maximum Lot Coverage Variance in accordance to Section 280-25(A) of the City of Oswego Code, to allow for the construction of a new 12'x19' covered porch 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 June 2018 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Maximum Lot Coverage Variance be granted to allow for the construction of a new 12'x19' covered porch.

MOTION MADE BY ZONING BOARD MEMBER: Frank Clavelli, Jr.

SECONDED BY ZONING BOARD MEMBER: Chairperson Sweet

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-77

IN THE MATTER OF: Donald & Lori Cloonan

WHEREAS, Donald & Lori Cloonan, owner of property situate in a Neighborhood Business, B1 Zoning District in the 5<sup>th</sup> Ward of the City of Oswego, New York, with address 211 West Third Street, Tax Map Number: 128.71-02-22, has applied for a Minimum Side Yard Setback Variance in accordance to Section 280-31(A) of the City of Oswego Code, to allow for the construction of a new 21'x21' addition 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 June 2018 and the applicant having appeared and no one appearing in opposition.

Donald & Lori Cloonan of 211 West Third Street were present for the discussion. Mr. Cloonan said they have a two story home. He said he has been diagnosed with ALS and it will only be a matter of time before he is in a wheelchair. He said they need to put in a handicapped bathroom and bedroom. Chairperson Sweet asked after the addition is on how much room will there be in the back. Mrs. Cloonan said it'll come close to the pool. Chairperson Sweet asked if there was anyone in favor of this application and no one came forward. She then asked if there was anyone opposed to this application and again no one came forward. Councilor Tesoriero said he is in support.

RESOLVED, that a Minimum Side Yard Variance be granted to allow for the construction of a new 21'x21' addition.

MOTION MADE BY ZONING BOARD MEMBER: Frank Clavelli, Jr.

SECONDED BY ZONING BOARD MEMBER: Chairperson Sweet

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-78

IN THE MATTER OF: Donald & Lori Cloonan

WHEREAS, Donald & Lori Cloonan, owner of property situate in a Neighborhood Business, B1 Zoning District in the 5<sup>th</sup> Ward of the City of Oswego, New York, with address 211 West Third Street, Tax Map Number: 128.71-02-22, has applied for a Minimum Side Yard Setback Variance in accordance to Section 280-31(A) of the City of Oswego Code, to allow for the construction of a new 21'x21' addition 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 June 2018 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Minimum Side Yard Variance be granted to allow for the construction of a new 21'x21' addition.

MOTION MADE BY ZONING BOARD MEMBER: Frank Clavelli, Jr.

SECONDED BY ZONING BOARD MEMBER: Chairperson Sweet

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-78

IN THE MATTER OF: Donald & Lori Cloonan

WHEREAS, Donald & Lori Cloonan, owner of property situate in a Neighborhood Business, B1 Zoning District in the 5<sup>th</sup> Ward of the City of Oswego, New York, with address 211 West Third Street, being Tax Map Number: 128.71-02-22, has applied for a Maximum Lot Coverage Variance in accordance to Section 280-31(A) of the City of Oswego Code, to allow for the construction of a new 21'x21' addition 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 June 2018 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Maximum Lot Coverage Variance be granted to allow for the construction of a new 21'x21' addition.

MOTION MADE BY ZONING BOARD MEMBER: Frank Clavelli, Jr.

SECONDED BY ZONING BOARD MEMBER: Chairperson Sweet

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-80

IN THE MATTER OF: Jesse Vanucchi

WHEREAS, Jesse Vanucchi, owner of property situate in a Residential, R3 Zoning District in the 3<sup>rd</sup> Ward of the City of Oswego, New York, with address 115 West Fourth Street, being Tax Map Number: 128.54-03-42, has applied for a Side Yard Setback Variance in accordance to Section 280-25(A) of the City of Oswego Code, to allow for the construction of a new 10'x28' carport and deck 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 June 2018 and the applicant having appeared and no one appearing in opposition.

Jesse Vanucchi of 115 West Fourth Street was present for the discussion, as well as Councilor Hill. Mr. Vanucchi said he is going to pave his driveway. He said his car got hit by ice so he would like to build a carport to cover it. He said to make it more usable space he would like a deck on top of the carport that he would access from the second story. He said there is a window there that they will change to a door to access the deck. He said the storm water would be pushed to the front of the house to prevent it from going into the side yard. Chairperson Sweet asked if there are windows directly adjacent to the where the deck will be on the carport. Mr. Vanucchi said yes. He said he showed the neighbors the plan and they are all for it. Chairperson Sweet said it is a beautiful home. Mr. Vanucchi said he bought it in 2014 and he is trying to get it back up to par. He said he is working with the Renaissance Association. Frank Clavelli, Jr. asked if he is going to have a railing. Mr. Vanucchi said yes. Councilor Hill said this is a great plan. He said the neighbors are in favor and he has heard nothing against it. He said there is a good deal of space between where the carport will end and the neighbor's house begins. Chairperson Sweet asked if there was anyone in favor of this application and Councilor Tesoriero and Councilor Hill came forward. She then asked if there was anyone opposed to this application and again no one came forward.

RESOLVED, that a Side Yard Setback Variance be granted to allow for the construction of a new 10'x28' carport and deck.

MOTION MADE BY ZONING BOARD MEMBER: Frank Clavelli, Jr.

SECONDED BY ZONING BOARD MEMBER: Chairperson Sweet

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-81

IN THE MATTER OF: Jesse Vanucchi

WHEREAS, Jesse Vanucchi, owner of property situate in a Residential, R3 Zoning District in the 3<sup>rd</sup> Ward of the City of Oswego, New York, with address 115 West Fourth Street, being Tax Map Number: 128.54-03-42, has applied for a Total Side Yard Variance in accordance to Section 280-25(A) of the City of Oswego Code, to allow for the construction of a new 10'x28' carport and deck 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 June 2018 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Total Side Yard Variance be granted to allow for the construction of a new 10'x28' carport and deck.

MOTION MADE BY ZONING BOARD MEMBER: Frank Clavelli, Jr.

SECONDED BY ZONING BOARD MEMBER: Chairperson Sweet



CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 18-82

IN THE MATTER OF: Jesse Vanucchi

WHEREAS, Jesse Vanucchi, owner of property situate in a Residential, R3 Zoning District in the 3<sup>rd</sup> Ward of the City of Oswego, New York, with address 115 West Fourth Street, being Tax Map Number: 128.54-03-42, has applied for a Front Yard Setback Variance in accordance to Section 280-25(A) of the City of Oswego Code, to allow for the construction of a new 10'x28' carport and deck 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 June 2018 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Front Yard Setback Variance be granted to allow for the construction of a new 10'x28' carport and deck.

MOTION MADE BY ZONING BOARD MEMBER: Frank Clavelli, Jr.

SECONDED BY ZONING BOARD MEMBER: Chairperson Sweet