

Minutes  
Board of Zoning Appeals  
Common Council Chambers, City Hall  
Thursday October 3, 2019  
1:00 PM

I. Meeting was called to order at 1:02 p.m. by Mr. Koenig

Members Present

Stewart Koenig, Chairman	Yes
Nicholas Petragnani	Yes
Michael Stanton	Yes
Michael Cheslik	Yes
Kristy Brightman-Frame	No
Honora Spillane	Yes

Staff Present

Heather Lamendola	Yes
Lisa Welch	Yes
Kathryn Ryan	Yes

Summary of applications discussed herein:

I-19-25      V-19-24      V-19-26

II. Adoption September 12, 2019 Meeting Minutes

A motion was made by Mr. Cheslik and seconded by Mr. Stanton to adopt the September 12, 2019 meeting minutes. The motion carried 4-1 with Mr. Petragnani abstaining as he wasn't present at that meeting.

III. Adoption September 12, 2019 Resolutions

A motion was made by Mr. Cheslik and seconded by Mr. Stanton to adopt the resolutions from the September 12, 2019 meeting. The motion carried 4-1 with Mr. Petragnani abstaining as he wasn't present at that meeting.

IV. Public Hearings

1) I-19-25 (Continuation from September 12, 2019)

Interpretation

Non-Enumerated Use within a Local Business, Class A District

Dental Laboratory

Salina 1st, LLC (Petitioner)

An Interpretation of a proposed non-enumerated use (dental laboratory) within a Local Business, Class A zoning district, pursuant to Part B, Section III, Article 2 of the Zoning Rules and Regulations, as amended.

Presenting on behalf of the petitioner was Brody Smith, Esq., One Lincoln Center, Syracuse, NY 13202

No one spoke in favor, or in opposition to the petition.

Recognizing that at the time of the adoption of the City of Syracuse Zoning Rules and Regulations, the proposed dental laboratory was not a use that was in existence, and, therefore, was not contemplated by the drafters of the regulations, Mr. Stanton made a motion that a "dental laboratory" is akin and substantially similar to the types of industries already permitted in a Local Business, Class A zoning district as enumerated in Part B, Section III, Article 2, Paragraph 2, subparagraph i (the following industries are

also permitted), and that for purposes of determining the number of manufacturing operators, only those individuals who are directly engaged in the physical act of manufacturing the product are considered manufacturing operators. Mr. Petragrani seconded the motion. Following further discussion the motion carried unanimously.

- 2) V-19-24  
Appeal – Screening Device Waiver Denial  
525 Carbon Street  
Install (Maintain) a 10 Foot High Stockade Fence  
Eric and Christina Chapman (Owner/Applicant)  
Residential, Class A

An Appeal of a Screening Device Waiver denial for a request to install (maintain) a 10 foot high stockade fence located at 525 Carbon Street, owned by Eric and Christina Chapman, zoned Residential, Class A, pursuant to Part C, Section I, Article 6 (Screening Device Regulations) of the City of Syracuse Zoning Rules and Regulations, as amended.

Presenting the application was Christina Chapman, owner/applicant.

No one spoke in favor, or in opposition to the application.

A motion to approve the appeal of the Screening Device Waiver denial, with the condition that the fence materials be made uniform, was made by Mr. Petragrani and seconded by Mr. Cheslik. Following further discussion, the motion carried 4-1, with Mr. Stanton voting against the motion.

- 3) V-19-26  
Use Variance – Permitted Uses  
1917 Burnet Avenue  
Establish (Maintain) a Five-Family Dwelling  
Greater Syracuse Property Development Corporation (Owner/Applicant)  
Residential, Class A-1

A Use Variance request to establish (maintain) a five-family dwelling by waiving the uses permitted on property located at 1917 Burnet Avenue, owned by Greater Syracuse Property Development Corporation, zoned Residential, Class A-1 pursuant to Part B, Section I, Article 1 of the City of Syracuse Zoning Rules and Regulations, as amended.

Terri Luckett presented on behalf of the owner, Syracuse Land Bank, 431 East Fayette Street, Syracuse, NY 13202.

Mary Bingham of 1911 Burnet Avenue spoke in opposition of the variance request and also provided comments on the history of the property as well as existing conditions, including the overall management and condition of the property, and more specifically on the deteriorated condition of a rear brick retaining wall and the subsequent slope erosion on her property which should be addressed if approved.

Andrew Mrozienski of 530 Hillsdale Ave also provided comments on the deteriorated condition of a rear brick retaining wall and the subsequent slope erosion on his property that has undercut his chain link fence which should be addressed if approved.

A motion to approve, with the condition that the deteriorated rear brick retaining wall, and the subsequent erosion and undercut fencing, be addressed was made by Mr. Cheslik and seconded by Ms. Spillane. The motion carried unanimously.

V. New Business Items

None

VI. Authorizations for October 23, 2019.

None

VII. Correspondence

The Syracuse City Common Council, acting as Lead Agency under SEQR for the proposed new zoning ordinance, made a determination of significance and issued a positive declaration, initiating the development of a Draft Environmental Impact Statement (DEIS).

VIII. Meeting Adjourned

A motion was made by Mr. Petragani and seconded by Ms. Spillane to adjourn the meeting at 2:29 p.m. Motion carried unanimously.