

ONEONTA, NEW YORK – JUNE 24, 2013 - 7:00 P.M.
REGULAR MEETING ZONING AND HOUSING BOARD OF APPEALS PG. 1

PRESENT: Chair Ed May
Commissioner Joseph Ficano
Commissioner Karen Geasey
Commissioner Louis Shields
Commissioner John Rafter
Commissioner Paul Robinson
Council Member Bob Brzozowski
ABSENT: Commissioner Robert Lawson

Chair May called the regular meeting to order and asked the Clerk to call the roll.

Chair May acknowledged City Clerk Koury's contributions to the City of Oneonta and thanked him for the support given to the Zoning Board through the years.

CORRESPONDENCE

City Clerk Koury stated there was no correspondence.

APPROVAL OF MINUTES

MOTION, made by Commissioner Geasey and seconded by Commissioner Rafter, that the board approves the Zoning and Housing board of Appeals minutes of the regular meeting held April 22, 2013.

Voting Ayes: Chair May
Commissioner Ficano
Commissioner Geasey
Commissioner Rafter
Commissioner Robinson

Noes: None

Absent: Commissioner Lawson
Commissioner Shields

MOTION CARRIED

AGENDA ITEMS

Chair May stated there was only one item on the agenda as follows:

Fred Kobuszewski is requesting an extension of a non-conforming use to enclose an existing rear 1st floor porch. The enclosed porch will be added to the living space in the left side apartment of this 2-family dwelling which is currently occupied by the property owner.

The Notice of Public Hearing appeared in The Daily Star on June 18, 2013 and 60 letters were sent to adjoining property owners within a 300' radius of the property in question.

Chair May began the discussion by providing a summary of the changes that had occurred with the Zoning Code, which did not now allow Mr. Kobuszewski to do what he wanted to do. He explained to Mr. Kobuszewski that what he was asking for was an expansion of a non-conforming use, which the Zoning Task Force purposely wanted to achieve. He stated the applicant could reconstruct his deck and/or enclose it but it could not be habitable space, as he intended it to be. Chair May also explained that since the applicant was asking for an expansion of a non-conforming use, it would require the granting of a use variance which is very difficult to do, since there are many parameters that have to be satisfied.

After a lengthy discussion and consensus by board members, the board was not willing to grant the use variance and the expansion of the non-conforming use. The following motion was presented to deny the request.

ONEONTA, NEW YORK – MAY 20, 2013 - 7:00 P.M.
REGULAR MEETING ZONING AND HOUSING BOARD OF APPEALS PG. 2

MOTION, made by Commissioner Robinson and seconded by Commissioner Ficano, that the board deny the extension of a non-conforming use to enclose an existing rear 1st floor porch located at 74-76 Dietz Street owned by Mr. Fred Kobuszewski.

Voting Ayes: Chair May
Commissioner Ficano
Commissioner Geasey
Commissioner Rafter
Commissioner Robinson

Noes: None

Absent: Commissioner Lawson
Commissioner Shields

MOTION CARRIED

There being no further business to come before the board, Chair May adjourned the regular meeting at approximately 7:40 p.m.

JAMES R. KOURY, City Clerk

/jrk