

# TOWN OF ONONDAGA

## ZONING BOARD OF APPEALS

JOHN ELLEMAN, CHAIRMAN  
MITCHELL CARMODY  
BÉNÉDICTE DORAN  
RONALD RYAN  
CAROL SCHATTNER  
ELLEN PRIEST, ATTORNEY  
PENELOPE ABRAM, SECRETARY

### Minutes of March 7, 2023

#### **Present:**

John Elleman  
Ronald Ryan  
Mitchell Carmody  
Bénédicte Doran  
Carol Schattner

Attorney: Ellen Priest

Secretary: Penelope Abram

Chairman John Elleman, called the meeting to order on Tuesday, March 7<sup>th</sup>, 2023, at 7:00PM.

#### **Hearing:**

##### **1. Julian, Lori**

##### **Area Variance**

303 Smith Avenue (043.-02-12.0)

- The application of **Lori Julian, as owner**, for an Area Variance under §285-11 of the Zoning Law of the Town of Onondaga to allow construction of a single family house on a 9,600 square foot lot meeting all required setbacks, instead of the required 12,000 square foot lot required by the Zoning Law of the Town of Onondaga at the property known as 303 Smith Avenue in the Town of Onondaga in a residential district (R<sub>3</sub>).

Chairman Elleman stated that the Posting Notice was published in the Post Standard on Sunday February 26<sup>th</sup>, 2023. The Short Form Environmental Form was completed and if this application is approved, there would be no adverse effect. There are no referrals required. Four neighbors, although some not adjoining the property, signed a letter written by Ms. Julian that explained her application, all were in favor of the project. They were as follows; Larry Delamarter of 125 Worden Avenue, and Kellie McMahon of 128 Hudson Avenue, Helen Birch of 307 Smith Avenue, and Elizabeth Burton of 213 Smith Avenue.

Ms. Julian appeared with no opposition and Gatlin Stark and Sarah Matuszczak appeared in favor. Ms. Julian described her project as a “tiny home” replacing a previously burned down home on the property before she became an owner. The residence will be around 384 square feet and she plans to do a cedar shake siding. Ron Ryan said that the intent is to meet all required setbacks, and Chairman Elleman also reiterated that the plan may end up changing, but the required setbacks should allow

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freedom not to be confined to the building as presented. There were no other questions from the members of the Board.

### 2. Austin-Wilson, Sara

### Area Variance

3242 Amber Road (058.-04-26.0)

- The application of **Sara Austin-Wilson, as owner** for an Area Variance under §285-8 of the Zoning Law of the Town of Onondaga to allow construction of a 24 foot by 32 foot pole barn to replace a previously existing unsafe, uninsurable barn, located 5 feet from the north line instead of the 15 feet required by the Zoning Law of the Town of Onondaga at the property known as 3242 Amber Road in the Town of Onondaga in a residential and country district (RC).

Chairman Elleman stated that the Posting Notice was published in the Post Standard on Sunday February 26<sup>th</sup>, 2023. The Short Form Environmental Form was completed and if this application is approved, there would be no adverse effect. There are no referrals required.

Ms. Austin-Wilson appeared with no opposition, and a neighbor, Allen Winters of 3449 Cherry Valley Turnpike appeared in favor of this structure. The previous barn that was taken down last summer is very close to the footprint of the new pole barn which will be 24 by 32 feet in size. Mr. Ryan spoke about modified side yard requirements, from §285-27 of the Town code, on properties that were legally created before 1971, the side yard would stay in proportion to the land size. The lot in question was legally created prior to 1971 and the current code requires 200 feet of lot width on Amber Road and the applicant has 87 feet of lot width or 43.5% of 200 feet, therefore, 43.5% of the 15 feet required sideline setback is 6.5 feet. Ms. Austin-Wilson agreed to move it from 5 feet to 6.5 feet from the property line. No other Board members had any questions or comments.

### 3. O'Connor, Terrence

### Special Permit

3963 Griffin Road (055.-03-10.5)

- The application of **Terrence F. O'Connor, as owner**, for a Special Permit under §285-8 of the Zoning Law of the Town of Onondaga to allow a 40' by 80' pole barn in excess of 50% of the size of the house, a size not permitted by the Town of Onondaga at the property known as 3963 Griffin Road in the Town of Onondaga in a residential and country district (RC).

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Chairman Elleman stated that the Posting Notice was published in the Post Standard on Sunday February 26<sup>th</sup>, 2023. The Short Form Environmental Form was completed and if this application is approved, there would be no adverse effect. There are no referrals required.

Mr. O'Connor appeared with no opposition to his pole barn. There will only be electrical and no plumbing or water to the structure. Chairman Elleman asked what the materials are he will choose, and he responded it will be blue metal with a black roof. No other Board members had any questions or comments.

### **Action Taken on Tonight's Applications:**

- ***Julian:***

After careful review and discussion of §285-11 of the Town of Onondaga Zoning Code, along with all submitted documents, John Elleman moved to approve this application and was seconded by Carol Schattner.

Motion carried 4-0 (Bénédicte Doran abstained)

- ***Austin-Wilson:***

After careful review and discussion of §285-8 of the Town of Onondaga Zoning Code, along with all submitted documents, Ron Ryan moved to approve this application and was seconded by Mitch Carmody.

Motion carried 5-0

- ***O'Connor:***

After careful review and discussion of §285-8 of the Town of Onondaga Zoning Code, along with all submitted documents, Carol Schattner moved to approve this application and was seconded by Bénédicte Doran.

Motion carried 5-0

### **Action on Resolution of February 21, 2023**

- **Charles & Karen Baracco**

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Mitch Carmody proposed a motion, seconded by Bénédicte Doran, that the resolution of the February 21<sup>st</sup>, 2023, meeting be APPROVED as presented by Counselor Priest.

Motion carried 4-0 (Chairman Elleman abstained)

### **Action on Minutes of February 7, 2023:**

Ron Ryan proposed a motion, seconded by Mitch Carmody, that the minutes of the February 7<sup>th</sup>, 2023, meeting be APPROVED after a revision.

Motion carried 5-0

### **Action on Minutes of February 21, 2023:**

Ron Ryan proposed a motion, seconded by Mitch Carmody, that the minutes of the February 21<sup>st</sup>, 2023, meeting be APPROVED.

Motion carried 5-0

The meeting was adjourned at 7:45 PM.

Respectfully Submitted,

*Penelope Abram*  
Secretary