

Village of Cayuga Heights
Zoning Board of Appeals Hearing
Held on 8/7/06

Board Present: Robin Cisne, Robert Powers, Peter McClelland, Joe Petrillose, Kenneth Robinson

Zoning Officer Present: Brent Cross

Zoning Board Secretary: Mary Jane Neff

Guest: Victoria and Chris Anagnost, Garry Brodhead, Jennifer Novarr and John Novarr

ZBA Chairperson Cisne announced that the Public Hearing scheduled for 7:00 PM had been cancelled. The property owners were unable to attend.

The 7:15 Pm public hearing for an area variance requested by Garry Brodhead of 811 Triphammer Road, tax map #11.-2-20, to permit a side yard setback of 16 feet which violates Section 6 of the Village of Cayuga Heights Zoning Ordinances. Mr. Brodhead explained that he thought that he was in compliance because the structure was less than 100 square feet. The structure is 3-sided with a slider door on the side toward the pool; it has a cement floor with a layer of bricks which would make it difficult to move. Mr. Brodhead apologized again for his misunderstanding of a small, movable storage shed.

Zoning Officer Cross explain that most 100 square feet moveable sheds have a wooden floor that many residents set on a layer of cement blocks. However these structures are moveable and not subject to zoning requirements. When Mr. Brodhead put the cement flooring in and the layer of brick, he deemed it as being unmovable and felt that the Zoning Board of Appeals should investigate and make a decision whether to allow the structure to stay or to require it to be moved.

The public portion of this hearing was closed at 7:25 PM

The Board discussed the request.

On a motion by McClelland, seconded by Powers the following was passed with 4-eyes and 1 abstention.

RESOLVED, that an area variance is hereby granted to 811 Triphammer Road, tax map #11.-2-20 to allow a 16 foot side yard for the pool shed.

The next public hearing was called to order at 7:40 PM to consider the request of Jennifer Novarr to expand their kitchen at 105 Oak Hill Place, tax map # 14.-3-4. The building permit request was denied because the construction would result in a lot coverage of 16.9% which is greater than the 12% allowed by Section 7 of the Village of Cayuga Heights Zoning Ordinance.

Zoning Officer Cross explained that the property had been granted an area variance in 1989 to allow lot coverage of 15.8%. He also stated that this was an older section of the village and that many of the neighboring properties exceed the lot coverage of 12%. He further stated that the increase lot coverage is approximately a 1% increase in lot coverage.

John Novarr explained that the kitchen is very small and that they wanted to enclose a U-shaped area at the rear of the house to allow for an eat-in kitchen area. The construction would not be visible from the road, nor would it change the look of the current structure.

The public portion of this hearing was closed at 7:47 PM.

The board considered the requested area variance for 105 Oak Hill Place, tax map # 14.-3-4.

On a motion by Powers, seconded by Petrillose the following was passed with 5 ayes.

RESOLVED, that an area variance is hereby granted to 105 Oak Hill Place, tax map #14-.3-4 to exceed the lot coverage from the existing 15.8% to 16.9%.

Chairperson Cisne reminded the applicants that the public had 30 days in which to challenge the Board's decision and that the applicant could precede as they deem appropriate.

Code Enforcement Officer Cross requested the Board to consider whether to charge the 7:00 PM public hearing property owners another \$125 for rescheduling the public hearing for September 2006. The consensus of the Board was to not charge a second \$125.

The board meeting was closed at 8:10 PM

Respectfully submitted,

Mary Jane Neff, Secretary