

DRAFT
Town of Oneonta
Zoning Board of Appeals
Meeting Minutes
April 24, 2023

Present: A. Black, D. Allison, D. MacClintock, K. Wilde, Chairman Prouty, Laura Sause (Clerk)

Absent: R. Panasci (Attorney)

Others: Thomas Fox, Susan Payton, Ron Levesque (Hoffman Car Wash), Theresa Cyzeski

A. Roll Call

- Chairman Prouty called the meeting to order at 7:03pm and called for the roll.
- The next meeting is scheduled for May 22, 2023

B. Minutes

- **December 19, 2023** – Tabled until next meeting.

- **March 27, 2023**
MOTION: A motion was made by D. MacClintock and seconded by A. Black to approve of the minutes.
DISCUSSION: None **VOTING:** Unanimous. Motion Carries.

C. New Applications:

- **Sign Studio, Inc. Special Sign Permit**
Tax Parcel No: 300.14-1-6.00
718 St Hwy 29, Oneonta, NY
Zoning: HDD (Highway Development District)

Applicant is requesting a special sign permit to place company requested signs on their new car wash building and site.

Allowable # of signs: 1 freestanding sign per lot.

Allowable area of signs: 250 SF Max per sign allowed.

Allowable height: 35 feet above finished grade.

Existing sign: None

Requested signage:

- B2- Special Sign permit (only one façade sign allowed)
- C1, C3 – Special sign permits (while these are directional signs, they exceed the 4SF exemption size.
- D1, D2, D3 – Special Sign permits (while these are directional signs, it exceeds the 4SF exemption size.
- E – Special Sign permit (while these are directional signs, they exceed the 4SF exemption size.

The proposed sign needs special sign permit approval because: The requested sign exceeds the allowable number of allowable signs and size restrictions for the allowable directional signs on the parcel.

Ron Levesque from Sign Studio appeared for the application. He had submitted the paperwork with the application, allowing him to represent the owner, Hoffman Car Wash. He described the signs he would like to place. Since the building is parallel to the road, he would like 2 signs, one at the entrance and one at the exit. He would like to place a 4 SF Neon sign and needs space around it which bumped it up to a larger SF. He is requesting larger directional signs so that they are more visible and will show customers where to go through the lot. Mr. Levesque also mentioned that the Jiffy Lube is renting part of the property, where the entrance will be through a separate driveway and the sign needs to be larger in order for people to see it. There will also be a neon open sign that will be turned off when they are closed.

MOTION: A motion was made by D. Allison and seconded by D. McClintock to set a public hearing for May 22, 2023 at 7:15pm or as soon as possible thereafter.

DISCUSSION: None **VOTING:** Unanimous. Motion Carries.

- **Thomas Fox, Area Variance**
Tax Parcel No: 299.07-2-37.00
14 Jackson Ave, Oneonta, NY
Zoning: R-20 (Residential District)

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The applicant requests an area variance to place a new 2 family residence on the lot. The code office has denied the application because the proposed development does not comply with the town code.

CODE REVIEW:

Building location and setbacks with public sewer for principal use and structure.

<u>Setback</u>	<u>Required</u>	<u>Proposed</u>
Front yard	30 ft	29 ft 7 in
Side yard	15 ft	10 ft
Rear yard	25 ft	20 ft
Lot Coverage	25%	37%

Thomas Fox appeared for the application. He has torn down the previous house on the lot and would like to build a two-family residence. The design allows for off street parking for four vehicles. The new home will be deeper on the lot than the previous one, being a one story with storage above and a basement. He would like to build it as a one story as he feels that the trend is a preference for one story living. He is not planning a sidewalk on Jefferson Avenue, just a blacktop. Mr. Fox will not be able to come to the May meeting, so he requested a postponement of the hearing to the following month. He also waived his rights to the rule that the board act upon his application within 60 days.

MOTION: A motion was made by D. Allison and seconded by A. Black to set a public hearing for June 26, 2023 at 7:15pm or as soon as possible thereafter.

DISCUSSION: None **VOTING:** Unanimous. Motion Carries.

MOTION: A motion was made by D. MacClintock and seconded by K. Wilde to accept the waiver of the right for the board to act within 60 days of the application.

DISCUSSION: None **VOTING:** Unanimous. Motion Carries.

• **Country Club Realty Holdings, Co, LLC, Use Variance**

Tax Parcel No: 299.06-1-73.01

7 Country Club Road., Oneonta, NY

Zoning: R-20 (Residential District)

The applicant desires a use variance approval to use the parcel for additional business use. The application does not clearly state the applicant's intentions for the parcel, he states "possible residential, or parking lot, or service department extension". That statement is rather broad. Further, if he possibly intends to have a residence there. One already exists and the zoning allows it. His application also states that it is consistent with the current composition of uses, the area is primarily residential no commercial.

Items B.2.a and B.2.b are not completed. The basis of the denial is:

103-8 Permitted and prohibited uses. – In all districts, uses not specifically listed as permitted shall be deemed as prohibited, and all permitted uses shall be subject to all applicable general and special regulations as may be specified in this chapter as a condition for creation or continuation of said use, except as provided under Article XIV hereinafter.

103-8 Permitted uses. The following uses are permitted in the R-20 Residential District:

- A. One-family homes, but not including mobile homes.
- B. Two-family dwellings.
- C. Home Occupations.

No one appeared to represent the application so the board could not consider moving forward with it.

MOTION: A motion was made by D. Allison and seconded by D. Prouty to deny the application for the Use Variance due to the fact that no one appeared to represent the application.

DISCUSSION: None **VOTING:** Unanimous. Motion Carries.

D. Public Hearings: None

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There being no further business before the Board, the meeting was adjourned at 7:50pm.
Laura Sause,
Clerk of the Zoning Board of Appeals