

**ZONING BOARD OF APPEALS  
MONDAY, FEBRUARY 22, 2016**

Members Present: Laurie Walter, Stephanie DeVito, Scott Kilmer, Susan Marteney, Rick Tamburrino, Ed Darrow

Absent: Mario Campanello

Staff Present: Brian Hicks, Code Enforcement; Stacy DeForrest, Corporation Counsel

**APPLICATIONS APPROVED:** 359 Genesee St.

**APPLICATIONS TABLED:** 55 Washington St.

**APPLICATIONS DENIED:** None

Ed Darrow: Good evening. Welcome to the City of Auburn Zoning Board of Appeals. I'm board chairman, Edward Darrow. Tonight we will be hearing 55 Washington St. and 359 Genesee St. I ask you at this time to please silence all phones or put them in manner mode.

As we do not have a quorum for the minutes they shall be held until the next meeting.

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**359 Genesee St. Area variance of required fencing setback.**

Ed Darrow: 359 Genesee St. please approach. Give your name and address for the record and tell us what you'd like to do.

Kris Lane, owner of Finger Lakes Metal Resources located at 359 Genesee St.: We're here to seek a variance on a new fence line we'd like to install at the property. The existing fence line for the leased property to All Storage is currently 116 x 117, if you look at the application that was provided it's on the last page and you can see where it says 'All Storage Parking' up on the top left corner of the diagram. If you look at where it says 116 x 117 on the top left corner, if you put where it says 'Arterial Fence' at the top of the sheet you'll see where I'm talking about. What we're looking to do is realign that space into, if you look to the left you'll see where it's marked 230 feet, where it comes down by 60 feet wide. We're looking to eliminate that current fenced in area where All Storage uses it to park vehicles and realign the space by 60 x 230 square foot area. So what we'll be doing is giving up 60 feet to the west end there all the way to the west/east. We need a ten foot variance to have the fence on the property line in order to have enough space to operate the business.

Ed Darrow: Asks if the board has any questions.

Rick Tamburrino: Questions placement of the fence.

Kris Lane: Refers to the map and explains how the fence will be situated.

Ed Darrow: Questions the provided photo.

Brian Hicks: Explains that the Codes office provided the photo for reference.

Ed Darrow: Opens the public hearing.

Doug Reese, owner of All Storage: As the neighboring property he is not opposed to the area variance.

Ed Darrow: Questions if Mr. Reese has seen the plans and photos.

Mr. Reese answers affirmatively.

Ed Darrow: Closes the public hearing and asks the board for comments.

Scott Kilmer: Questions if the subject property and the parking area are owned by the same person.

Ed Darrow: Yes, both are owned by Mike Ferro.

Chair asks for a motion.

Susan Marteney: Makes a motion to award an area variance to Kris Lane at 359 Genesee St. of ten (10) lineal feet of the required ten (10) lineal feet for a fencing setback from the property line because the applicant has proven the following elements:

- The area variance will not produce an undesirable change or detriment to the character of the neighbourhood or the properties in the neighbourhood.
- The benefit sought cannot be attained by a method other than an area variance.
- The area variance is not substantial.
- The area variance will not produce an adverse impact on the environment nor the physical conditions of the neighbourhood.

Ed Darrow: I have a motion, is there a second?

Scott Kilmer: Second.

All members vote approval. Motion carried.

Ed Darrow: Your variance has been approved. Please see Code Enforcement Office for all necessary permits before beginning work.

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**55 Washington St. R2 zoning district. Use variance for a restaurant/tavern in an R2 zone. Applicant: John Stevens.**

Ed Darrow: 55 Washington St. please approach. Give your name and address for the record and tell us what you'd like to do.

John Stevens: Explains that he wishes to return the premises to a commercial enterprise and re-open a restaurant for business. The property had previously been used by the Moose Club and then was vacant after they left.

Ed Darrow: Explains the need for a use variance and what is required for same. States there is nothing in the packet showing financial distress, such as cost prohibition of converting the premises to a residence or failure to sell the property as is, if the variance is not granted. An area variance for parking is also needed. Last time the premises was used for 'Scoreboard' parking was rented with the overflow at Dunn & McCarthy which is now not available. This is not an opposition to the proposal but this information is required for the board to consider and make a decision.

John Stevens: States he is working with the new owner of a neighboring building on leasing parking.

Ed Darrow: Explains that it would be beneficial for the applicant, at this time, to table for one month so he may submit the further required information otherwise, if a vote is taken today, it will not end as the applicant wishes.

John Stevens: Agrees.

Ed Darrow: Asks the board to table 55 Washington St. until the next regularly scheduled meeting. The board agrees.

**Housekeeping.**

None.

Ed Darrow: Next meeting is scheduled for March 28, 2016 at 7:00 p.m.

Meeting adjourned.

Recorded by Alicia McKeen