

**ZONING BOARD OF APPEALS
MONDAY, APRIL 25, 2016**

Members Present: Laurie Walter, Scott Kilmer, Rick Tamburrino, Mario Campanello, Ed Darrow

Absent: Susan Marteney, Stephanie DeVito

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

APPLICATIONS APPROVED: 5 Vandebosch Ave

APPLICATIONS TABLED: 55 Washington St., 106-110 Clark 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 5 Vandebosch Ave. I ask you at this time to please silence all phones or put them in manner mode. 106 – 110 Clark St. has asked to be tabled so will not be heard tonight.

55 Washington St. R2 zoning district. Use variance for a restaurant/tavern. Applicant: John Stevens. (tabled item from previous meeting)

Ed Darrow: Invites the applicant to speak.

John Stevens approaches.

Ed Darrow: How did you make out with your parking issue?

John Stevens: I'm still waiting on an insurance rider he's sending to me. I haven't received it yet.

Ed Darrow: In all fairness I want to disclose to you that we are a seven member board, we are two members shy tonight. Therefore you would need four yes votes of the five in order for anything to pass. I understand you want to get things moving but you don't have your parking arrangement either. If the item does not pass tonight you cannot represent without a substantial change so I ask if you would like to proceed or table until the meeting next month?

John Stevens: I'll table it for another month.

Ed Darrow: Thank you.

5 Vandebosch Ave. R1A zoning district. Area variance of the height restriction to build a garage. Applicant: Michael and Penelope Herrling.

Ed Darrow: Invites the applicant to speak.

Mike Herrling, 5 Vandebosch Ave: We would like a variance to build a two-car garage five feet higher than what the code allows of 15 feet.

Ed Darrow: Any questions from board members?

Mario Campanello: It says in your application that the added height is for storage. Is that all you intend on doing up there? There will be no separation of rooms?

Mike Herrling: Yes. No.

Rick Tamburrino: Are you going to side the garage?

Mike Herrling: The siding will match the house. It's vinyl siding.

Ed Darrow: You may be seated but we reserve the right to recall you.

Is there anyone present wishing to speak for or against this application? Is there anyone present wishing to speak for or against this application? Seeing none and hearing none I shall close the public portion so we may discuss this amongst ourselves.

Considering the property, all the setbacks are met, the size of the house, the condition of the property and the house and the height of the house, the pitches of the house roof when viewed I think what he's looking for is very minimal. I don't think it will change the character of the neighborhood whatsoever.

Scott Kilmer: There are some really big barns and garages there. This isn't going to stick out at all.

Ed Darrow: I think it will fit right in perfectly. It's only five feet, he's met every other setback.

Rick Tamburrino: They've done a great job with the application.

Ed Darrow: I wish they were all prepared so well.

Rick Tamburrino: The neighbors have agree. Five feet is fine.

Ed Darrow: Asks for a motion.

Scott Kilmer: I make a motion to grant an area variance for Michael and Penelope Herrling at 5 Vandebosch Ave of five feet over the allowed maximum ridge height of 15 feet for a total of 20 feet ridge height to build a 24' x 22' garage 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.
- The applicant's difficulty was not self-created.

Mario Campanello: Seconded.

All members vote approval.

Ed Darrow: The variance has been approved. See Code Enforcement Office for permits before beginning work.

Housekeeping.

Ed Darrow: Is there anyone else with business to come before this board.

Jerry Wiggins, 38 Seneca Pkwy: I have an application for an area variance so I may install a gazebo on my property. I just became aware of this Friday and have just been able to do the paperwork today.

Ed Darrow: We have to meet certain open meeting laws so therefore once you get it filled out, turn it back in to Code Enforcement Office then the application will be heard at the next regularly scheduled meeting which will be the fourth Monday next month.

Jerry Wiggins: Will it be possible to submit this tonight?

Ed Darrow: No, because of the open meeting law. Notice has to be given and it have to be published.

As March minutes are not ready they will be voted on next month.

Ed Darrow: Next meeting is scheduled for May 23, 2016 at 7:00 p.m.

Meeting adjourned.