

ZONING BOARD OF APPEALS

APRIL 19, 2021 MEETING OF ZONING BOARD OF APPEALS
REMOTE ZOOM MEETING

MINUTES

Present: Chairman Ron Nolland, Scott DeMane, Kellie Porter, Meghan Weeden, Elizabeth Jent, P.J. Whitbeck (alt), Julie Baughn (alt)
Kyle Burdo, Housing Code Inspector
Joseph McMahon, Building Inspector

Absent: None

Also present: Roger and Sandra Marland
Tom and Suzanna Cosgro
Gabe Girard
Jeremy Bleaux, Christopher Bleaux
James Abdallah

Mr. Nolland called the meeting to order at 7:00 PM.

APPEAL	APPLICANT	REQUEST
2262	ROGER AND SANDRA MARLAND 70 PARK AVENUE	CLASS B AREA VARIANCE REQUEST TO REMOVE HEDGE AND EXTEND 7 FOOT FENCE ON CORNER LOT
2263	GABE GIRARD/COME LEARN WITH ME, LLC 61 BRINKERHOFF STREET	CLASS A USE VARIANCE REQUEST TO CONVERT DOWNSTAIRS OFFICE SPACE TO APARTMENT IN RH ZONED DISTRICT
2264	JEREMY BLEAUX, CHRISTOPHER BLEAUX 5228 NORTH CATHERINE STREET	CLASS B AREA VARIANCE REQUEST FOR AN ADDITION TO AN EXISTING DETACHED GARAGE. REQUEUST WILL RESULT IN OVERAGE OF OPEN SPACE
2265	TOM COSGRO 11 STETSON AVENUE	CLASS B AREA VARIANCE REQUEST TO ADD DETACHED GARAGE LESS THAN 5 FEET FROM PROPERTY LINE AND INSTALL FENCING GREATER THAN 4 FEET HIGH IN FRONT YARD.

2266

JAMES ABDALLAH
55 PROSPECT AVENUE

CLASS B AREA VARIANCE REQUEST
TO CONSTRUCT COVERED PORCH/PATIO ON
BACK OF HOME AND A POOL HOUSE/OUT
BUILDING IN THE REAR YARD. REQUEST WILL
EXCEED ALLOWABLE BUILDING COVERAGE.

The agenda will be heard in the following order:

Appeal 2262
Appeal 2263
Appeal 2265
Appeal 2264
Appeal 2266

The **first** item heard is Appeal #2262, Class B area variance request to remove hedge and extend 7 foot fence on corner lot.

Discussion:

- Board and Applicant discussion of proposed removal of hedge and placement of 7 foot fence to corner of house.

Public comment: None.

MOTION:

By: K. Porter, seconded by E. Jent

IN REGARD TO APPEAL #2262, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM AND AFTER REVIEWING PARTS 1 AND 2, THE CHAIR MAY CHECK THE BOXES IN PART 3, THE DETERMINATION OF SIGNIFICANCE, THAT THERE WILL NOT BE ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT FROM THIS PROJECT.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED

*(P.J Whitbeck (alt) abstained
(J. Baughn (alt) abstained)*

MOTION:

By: S. DeMane, seconded by K. Porter

IN REGARD TO APPEAL 2262 FOR ROGER AND SANDRA MARLAND AT 70 PARK AVENUE, TO REMOVE A HEDGE AND EXTEND THEIR FENCE ON THE SIDE OF THEIR HOUSE, WHICH IS WITHIN THE FRONT YARD SETBACK, AS THEIR LOT IS A CORNER LOT. THE FENCE WILL GO NO CLOSER TO PROSPECT AVENUE THAN THE EXISTING FENCE IS NOW. IT WILL TERMINATE NO MORE THAN 1 FOOT TO THE SOUTH OF THE NORTHWEST CORNER OF THE HOUSE.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED

(PJ Whitbeck (alt), abstained)

(J. Baughn (alt), abstained)

The **second** item heard was appeal 2263, Class A use variance request to convert downstairs office space to an apartment in RH zoned district.

Discussion:

- Board and applicant review of application.
- Board discussion regarding requirements for a class A use variance/self-created hardship.
- Zoning would need to be changed before this variance could feasibly be approved.
- Options presented to applicant regarding going forward or postponing this variance request until a later date.

In light of the information discussed, the applicant decided to withdraw his application for this appeal.

The **third** item heard was appeal 2265, Tom Cosgro, Class B area variance request to add a detached garage less than 5 feet from the property line and install fencing greater than 4 feet high in front yard.

Discussion:

- Board and applicant review of the proposed shed and fence.
- Existing driveway is 2 feet from the property line, a pre-existing, nonconforming condition. Proposed garage would be in line with the current driveway.
- Applicant presents that proposed 5 foot fence within the front yard setback requested is for privacy, and in keeping with other neighboring fences.

Public Comment: None

MOTION:

By: S. DeMane, seconded by: M. Weeden

IN REGARD TO THE SHORT ENVIRONMENTAL ASSESSMENT FORM FOR APPEAL NUMBER 2265, AFTER REVIEW OF PART 1, QUESTIONS 1-11 IN PART 2 MAY BE CHECKED NO OR SMALL IMPACT MAY OCCUR, AND AS A RESULT, THE CHAIR MAY CHECK IN PART 3 THE QUESTION THAT SAYS WE FIND THERE MAY BE NO OR SMALL IMPACT THAT MAY OCCUR AS A RESULT OF THIS ACTION

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(P.J. Whitbeck (alt) abstained)
(J. Baughn (alt) abstained)

MOTION:

By: S. DeMane, seconded by: K. Porter

IN REGARD TO APPEAL 2265A, TO APPROVE CONSTRUCTION OF A DETACHED GARAGE, VIOLATING THE SETBACK TO THE YARD AS SHOWN ON THE PLAN.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
P.J. Whitbeck (alt) abstained
(J. Baughn (alt) abstained)

MOTION:

By: E. Jent, Seconded by: M. Weeden

IN REGARD TO APPEAL 2265B, TO APPROVE THE INSTALLATION OF A 5 FOOT FENCE WITH 12 INCH LATTICE AT THE TOP 2 FEET FROM THE SIDEWALK, RUNNING DIAGONALLY TO THE HOUSE

ALL IN FAVOR: 3

OPPOSED: 2
(K. Porter voted in the negative)
S. DeMane voted in the negative)

MOTION PASSED
(P.J. Whitbeck alt) abstained
(J. Baughn (alt) abstained)

The **fourth** item heard was appeal 2264, Jeremy Bleaux and Christopher Bleaux, 5228 North Catherine Street, Class B area variance request for an addition to an existing detached garage. Request will result in overage of open space.

Discussion:

- Board and applicant discussion of proposed detached garage addition.
- Board and applicant discussion regarding size of proposed garage addition and building lot coverage.
- Discussion of compromise to size of garage addition dimensions.

Public Comment: None.

MOTION:

By: M. Weeden, seconded by: E. Jent

AFTER REVIEW OF PART 1 SHORT ENVIRONMENTAL ASSESSMENT FORM THAT THE CHAIR CHECK NO OR SMALL ENVIRONMENTAL IMPACT MAY OCCUR FOR ITEMS 1-11 ON PART 2 OF THE FORM AND CHECK THE BOX IN PART 3 INDICATING THAT THE PROPOSED ACTION WILL NOT RESULT IN ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT AND SIGN

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED

(P.J. Whitbeck (alt) abstained)

(J. Baughn (alt) abstained)

MOTION:

By: S. DeMane, seconded by: K. Porter

IN REGARD TO APPEAL 2264 FOR JEREMY BLEAUX AND CHRISTOPHER BLEAUX AT 5228 NORTH CATHERINE STREET, TO DO AN ADDITION OF 16 FT X 24 FT ON THE SIDE OF AN EXISTING GARAGE THAT WILL NOT EXCEED 32% TOTAL COVERAGE OF THE LOT; ADDITION SIZE WILL BE THE SMALLER OF THE TWO, BE IT 16 X 24 OR 2% OVER THE 30% ALLOWED.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED

(P.J. Whitbeck (alt) abstained)

(J. Baughn (alt) abstained)

The **fifth** item heard was appeal 2266, James Abdallah, 55 Prospect Avenue, Class B area variance request to construct a covered porch/patio on back of home and a pool house/out building in the rear yard. Request will exceed allowable building coverage.

Discussion:

- Board and applicant discussion of proposed covered porch and pool house.
- Board and applicant discussion regarding need for proposed covered porch and size of pool house.
- Discussion regarding compromise possibility of creating a smaller pool house.

Public Comment: None.

MOTION:

By: M. Weeden, seconded by: E. Jent

AFTER REVIEW OF PART 1 OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM THAT THE CHAIR CHECK NO OR SMALL ENVIRONMENTAL IMPACT MAY OCCUR FOR ITEMS 1-11 ON PART 2 OF THE FORM AND CHECK THE BOX IN PART 3 INDICATING THAT THE PROPOSED ACTION WILL NOT RESULT IN ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT AND SIGN

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED

(P.J. Whitbeck (alt) abstained)

(J. Baughn (alt) abstained)

MOTION:

By: K. Porter, seconded by: E. Jent

IN REGARD TO APPEAL 2266 FOR A CLASS B AREA VARIANCE FOR REQUEST TO CONSTRUCT A COVERED PORCH ON THE BACK OF THE HOME AND THE POOL HOUSE/OUT BUILDING IN THE REAR YARD FOR APPROVAL OF THE COVERAGE OF THE PATIO AND ALSO APPROVAL OF AN AGREED-UPON MODIFICATION TO THE BUILDING TO BE 16 FT X 30 FT, REDUCING THE DEFICIENCY TO APPROXIMATELY 3%.

ALL IN FAVOR: 4

OPPOSED: 1

(S. DeMane voted in negative)

MOTION PASSED

(P.J. Whitbeck (alt) abstained)

(J. Baughn (alt) abstained)

New Business:

- Comprehensive Plan For City of Plattsburgh
 - Discussion and concerns regarding rezoning, zoning standards.
 - Work on this will be credited to 4-hour zoning board member training.

MOTION:

By: S. DeMane, seconded by M. Weeden

TO APPROVE THE MINUTES FROM THE MARCH 15, 2021 ZONING BOARD OF APPEALS MEETING AS WRITTEN

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED

Motion to Adjourn:

By: S. DeMane, seconded by E. Jent

Adjourned at 9:40 PM

For the purpose of this meeting, this meeting was audio and video recorded. This is a true and accurate copy and transcription of the discussion. For a more detailed discussion, please see the recording.

Lisa Beebie
Secretary
Zoning Board of Appeals