

**VILLAGE OF EAST SYRACUSE  
ZONING BOARD OF APPEALS**

**October 20, 2011**

Chairperson Ellen Robb called the noticed hearing on the matter of an application by Justin McKinnon for area variances related to existing single- and two-family residences are permitted uses only on East and West First and East Second Streets on Thursday, October 20, 2011 to order at 7:06PM.

Present: Zoning Board members: Patricia Bacon, James Voodre, Vito Morgese, Rob Sweeney and Chairperson Ellen Robb. Also present: Code Enforcement Officer Frank Stirpe, Village Clerk Patricia J. Derby, and Secretary Dawn Cramer.

On behalf of application for area variance: property owner Justin McKinnon and his parents.

Excused: Planning & Zoning Attorney John Marzocchi.

Three East Syracuse Minoa High School students participating in People in Government attended.

**Justin McKinnon  
228 East First Street  
Tax Map # 005-12-15;  
Area Variances**

**§842.35 Residences**

Chairperson Ellen Robb invited applicant to address the issues related to the application for variance for Existing single- and two-family residences are permitted uses only on East and West First and East Second Streets and may be replaced provided all area requirements are met, however, no new residences can be constructed or existing structures converted to residence.

Justin McKinnon states he currently owns 3 other 2 family houses, one in Minoa which he lives in, one in Eastwood on Mariposa Street and the third at 226 East First Street next to 228 East First Street. Mr. McKinnon shows a photo album of his work on the various properties.

Chairperson Robb asked what was the size requested? The efficiency apartment is currently 322 square feet and village code is 450 square feet so requesting and variance for 128 square feet

ZBA member Vito Morgese asked beside the size does the apartment in question meet Village code. Code Enforcement Officer Frank Stirpe said he had to install an escape window and has completed that. Everything is up to code and looks great. The other apartment is a three bedroom and is rented to a single mother with two daughters and that meets code.

Chairperson Robb asked if Mr. McKinnon thought about future renters. Mr. McKinnon said he also owns the vacant lot between 226 East First Street and 228 East First Street and if needed in the future could add bedrooms onto the side of the existing house. He could not afford to do this at this time. He was just happy to be able to offer his parents a place to live 3 seasons of the year.

Chairperson Robb asked if he could sell the vacant lot separately. Mr. Morgese said Mr. McKinnon holds the mortgage on both parcels but is listed separate on the tax map.

ZBA member Pat Bacon asked where the bedroom was. Mr. McKinnon explained it is an efficiency apartment an open floor plan.

ZBA Rob Sweeney asked Code Enforcement Officer Frank Stirpes opinion and he explained the Villages codes are much stricter then the State of New York. Code Enforcement Officer Frank Stirpe said he did not see a problem; the house has been like this for years and was done very well. Mr. McKinnon was asked to install an escape window and did so immediately.

Mrs. Bacon asked where the window is located. Code Enforcement Officer Frank Stirpe exactly where we asked him to place it the furthest away from the stove.

Chairperson Robb asked Mr. McKinnon how long he has owned the property. Mr. McKinnon said he purchased the property in March of 2011. Chairperson Robb also asked if the previous owners had disclosed this property as a one family or two families. Mr. McKinnon stated did not.

Mr. Morgese asked Code Enforcement Officer Frank Stirpes besides the size did this apartment meet Village code. Code Enforcement Officer Frank Stirpes said yes

Chairperson Robb told Mr. McKinnon it was not the Boards intent to approve all applicants, the issue was that you said it was not a big deal. This puts the Board between a rock and a hard place. She wished Mr. McKinnon had come to the Village before he did the work.

Mr. McKinnon said this was a learning process and he would be sure to visit the Village Office if he purchased again.

Mrs. Bacon asked if the driveway was paved. Mr. McKinnon said it was but could be re-done. There is parking for 5 cars in the driveway and the garage.

Hearing no further comments, accepted **Motion** – by J. Voodre, seconded by P. Bacon – To close the hearing. Hearing closed at 7:50PM.

Zoning Board of Appeals members addressed the criteria for an area variance noting the character of the neighborhood, feasible alternatives, and impacts on the environmental conditions of the neighborhood.

**Motion** by V. Morgese, seconded by R. Sweeney – To grant an area variance to allow the use and area for 328 square feet apartment for a two family apartment. There are no other conditions.

Polling the Board: P. Bacon – aye, J. Voodre – aye, V. Morgese – aye, R. Sweeney – aye, and Chairperson E. Robb – aye. Motion carried. Area variance granted.

The Zoning Board of appeals of the Village of East Syracuse will honor the applicants request and convene a public hearing in the Municipal Building Court Room, second floor at 204 North Center Street, east Syracuse, on Thursday, November 17, 2011 to consider the following matter:

Zoning interpretation regarding Village of East Syracuse Municipal Code non-conforming uses (§806) as relates to Outdoor Storage (§731) requirements for property at 431 East Ellis Street (tax map# 003-08-14 and 003-08-15).

Meeting adjourned at 7:33PM.

Respectfully submitted by,

Dawn Cramer  
Zoning Board Secretary