

ZONING BOARD OF APPEALS DECISION GRID
January 21, 2021

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-031-20-21: To add a total of six additional dwelling units within the two existing buildings onsite, three in each building, and to add six additional parking spaces, an expansion of a nonconforming use.	117-125 Highland Parkway	Held at the request of the applicant	
V-033-20-21: To construct an approximate 790 square foot, two-story addition to the rear of an existing two-family dwelling, an expansion of a nonconforming use.	89 Coleman Terrace	4-1-0	Approved
V-034-20-21: To construct a new single family dwelling, not meeting certain lot, area and yard requirements.	184 Melville Street	5-0-0	Approved
V-035-20-21: To convert the first floor from nonresidential floor area (legal as a funeral home) to two dwelling units, three dwelling units on the second floor to remain; not meeting certain dwelling unit conversion standards.	539 Oxford Street	5-0-0	Approved with Lesser Relief
V-036-20-21: To construct a parking lot to serve the business at 257-259 Jefferson Avenue, an expansion of a non-conforming use.	74-76 Clifton Street	5-0-0	Approved on Condition
V-037-20-21: To re-establish the use of the property as a four-family dwelling, which has lost its rights as a result of an extended period of vacancy.	197 Driving Park Avenue	4-1-0	Approved

ATTENDANCE:

Zoning Board Members Present: J. Best, T. Bryant, L. Jennings, J. O'Donnell (alternate), H. Wheeler
Zoning Board Members Absent: M. Bain, D. Carr C. Murphy

Conditions:

539 Oxford Street (V-035-20-21): The applicant may convert the first floor nonresidential floor area to two dwelling units but neither unit shall contain more than two bedrooms.

74-76 Clifton Street (V-036-20-21):

1. The applicant shall install a gate across the Clifton Street entrance and it shall remain closed when the business is not open.
2. The applicant shall develop a lighting plan for the parking lot which provides for adequate lighting but prevents spillover on to neighboring properties, to be approved by the Manager of Zoning.

ZONING BOARD OF APPEALS DECISION GRID
February 18, 2021

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>V-038-20-21</u> : To legalize the installation of approximately 40 linear feet of 6' tall solid stockade fencing along the Bricker Street frontage of a single family dwelling, not meeting the height or opacity requirements.	96 Marne Street	5-0-0*	Approved
<u>V-039-20-21</u> : To legalize the existing driveway accessed from Waring Road in conjunction with the Waring Road Street Reconstruction Project, not meeting certain parking requirements.	30 Waring Road	6-0-0	Approved
<u>V-040-20-21</u> : To demolish an existing detached garage and construct a new, 900 square foot detached garage in the side yard of a single family dwelling; exceeding the maximum number of permitted parking spaces for a single family dwelling, and not meeting certain detached accessory structure or bulk requirements.	45 Pearson Street	6-0-0	Approved
<u>V-041-20-21</u> : To demolish an existing detached garage and a construct a new, 600 square foot detached garage in the rear yard of a single family dwelling, not meeting certain bulk requirements.	213 Beach Avenue	5-1-0	Approved

ATTENDANCE:

Zoning Board Members Present: M. Bain, J. Best, T. Bryant, L. Jennings, C. Murphy, H. Wheeler
Zoning Board Members Absent: D. Carr

*M. Bain recused himself from this case.

ZONING BOARD OF APPEALS DECISION GRID
March 18, 2021

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-027-20-21: To legalize a driveway expansion along the Post Avenue frontage, exceeding the maximum number of permitted parking spaces for a single family dwelling.	455 Brooks Avenue	4-1-0	Approved on Condition
V-042-20-21: To install a refuse enclosure for two grease traps in the front yard at the southwest corner of the plaza, not meeting the location requirements for refuse collection areas.	1653-1691Mt. Hope Avenue	4-1-0	Approved on Condition
V-043-20-21: To install four, externally illuminated signs for "Royal Car Wash," one on each elevation, not meeting certain sign requirements.	34 North Winton Road	5-0-0	Approved
V-044-20-21: To demolish an existing residential care facility and to construct a new residential care facility, not meeting the front yard setback requirement.	385 East Ridge Road	5-0-0	Approved
V-045-20-21: To redevelop an existing multi-building property which includes the construction of a new, two family dwelling, and to provide improvements and expand an existing parking lot; exceeding the maximum lot coverage and not meeting the minimum driveway width.	255 Hamilton Street	5-0-0	Approved
V-046-20-21: To construct a three-story addition, which includes a first level open front porch, on the front of a single family dwelling, not meeting the front yard setback requirement and altering significant architectural features of a Designated Building of Historic Value.	1385 Highland Avenue	Adjourned to April 15, 2021 Hearing	
V-047-20-21: To repave an existing driveway in the same footprint, not meeting certain off-street parking requirements.	131 Harvard Street	Adjourned to April 15, 2021 Hearing	
V-048-20-21: To convert existing nonresidential floor area on the first floor of a mixed-use building to a dwelling unit, not meeting the dwelling unit conversion standard for lot size.	505 Bay Street	5-0-0	Approved

Attendance:

Zoning Board Members Present: J. Best, T. Bryant, C. Murphy, J. O'Donnell (alternate) H. Wheeler

Zoning Board Members Absent: M. Bain, D. Carr, L. Jennings

Conditions:

455 Brooks Avenue (V-027-20-21): The additional parking space is approved on condition that the applicant work with Plan Review to determine if a retaining wall is required and, if not, then a landscaping plan for the area shall be submitted for review and approval by the Manager of Zoning.

1653-1691 Mt. Hope Avenue (V-042-20-21): The application is approved on the following conditions:

1. The location of the grease container enclosure shall be set back far enough from the sidewalk so that when the gates of the enclosure are open, they do not encroach on the right-of-way.
2. Landscaping in the form of Arborvitae shall be installed on the southern and eastern side to shield the grease container enclosure.

ZONING BOARD OF APPEALS DECISION GRID**April 15, 2021**

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-046-20-21: To construct a three-story addition, which includes a first level open front porch, on the front of a single family dwelling, not meeting the front yard setback requirement and altering significant architectural features of a Designated Building of Historic Value.	1385 Highland Avenue	7-0-0	Approved
V-047-20-21: To repave an existing driveway in the same footprint, not meeting certain off-street parking requirements.	131 Harvard Street	6-1-0	Approved on Condition
V-049-20-21: To install a 30 foot ham radio tower in the rear yard of a single family dwelling, not meeting the height requirement for detached accessory uses and structures.	280 Klein Street	Held pending the submission of additional information	
V-050-20-21: To legalize the expansion of an existing dwelling unit within a three-family dwelling into the third floor, thereby expanding a nonconforming use.	102 Colby Street	7-0-0	Approved

Attendance:

Zoning Board Members Present: M. Bain, J. Best, T. Bryant, L. Jennings, C. Murphy, J. O'Donnell (alternate), H. Wheeler
Zoning Board Members Absent: D. Carr

Conditions:

131 Harvard Street (V-047-20-21): The applicant may repave the driveway in the existing footprint on condition of the Department of Environmental Services approving and issuing a permit for the 15 foot wide curb cut.

ZONING BOARD OF APPEALS DECISION GRID
May 13, 2021

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<p>V-049-20-21: To install a 30 foot ham radio tower in the rear yard of a single family dwelling, not meeting the height requirement for detached accessory uses and structures.</p>	<p style="text-align: center;">280 Klein Street</p>	<p style="text-align: center;">6-0-0</p>	<p style="text-align: center;">Approved with Lesser Relief*</p>
<p>V-052-20-21: To construct a 4,117 square foot medical office building (WellNow Urgent Care), a 2,003 square foot drive-through restaurant (Starbucks), a 15,078 square foot office and retail building, and a 76 space parking lot; not meeting the bulk requirements, certain nonresidential/mixed-use design standards, certain lot, area, and yard requirements, certain off-street parking requirements; and the drive-through not being a permitted use in the district.</p>	<p style="text-align: center;">235, 237, 239, & 245 N. Winton Road and 650-656 & 668 Blossom Road</p>	<p style="text-align: center;">6-0-0</p>	<p style="text-align: center;">Approved</p>

Attendance:

Zoning Board Members Present: J. Best, T. Bryant, D. Carr L. Jennings, C. Murphy, H. Wheeler
 Zoning Board Members Absent: M. Bain

***280 Klein Street (V-049-20-21):** The applicant may install the ham radio tower in the rear yard at a height no taller than the rear peak roofline, while locating it as close to the rear of the house as the installation will allow.

ZONING BOARD OF APPEALS DECISION GRID

June 17, 2021

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-054-20-21: To enclose an existing open front porch on the front of a two-family dwelling, not meeting the residential building standards for porches.	805-807 Bay Street	6-0-0^	Approved on Condition
V-055-20-21: To establish the use of the property as a three-family dwelling, not meeting certain dwelling unit conversion standards.	91 Prince Street	6-0-0^	Approved
V-056-20-21: To change use of the rear carriage house to a bar and restaurant, including a first floor building addition, not meeting certain lot, area and yard requirements.	235 Alexander Street	6-0-0^	Approved
V-057-20-21: To legalize the removal of a two-story, open front porch on the front of a two family dwelling, not meeting the residential building standards for porches.	65-67 Thurston Road	6-0-0^	Approved on Condition
V-058-20-21: To convert an existing commercial building into a multi-family dwelling, not meeting certain dwelling unit conversion standards or certain off-street parking requirements.	214 & 216 Central Park and 37 Niagara Street	5-0-0*^	Approved
V-059-20-21: To convert existing nonresidential floor area to a residential unit, not meeting certain dwelling unit conversion standards.	29-31 Ontario Street	6-0-0^	Approved

Attendance:

Zoning Board Members Present: M. Bain, J. Best, T. Bryant, D. Carr L. Jennings, C. Murphy, H. Wheeler

*D. Carr recused himself from this case.

^L. Jennings was present for the Hearing but not deliberations.

***Conditions:**

805-807 Bay Street (V-054-20-21): The applicant shall install windows on the front elevation that extend across from post to post, and from the header down to the top of the sill. In addition, the doors on both side elevations shall contain a minimum of 50% transparency.

65-67 Thurston Road (V-057-20-21): The applicant shall revise the roof to reflect a gable roof as shown in the lower left photograph on page 2 of the letter submitted by the 19th Ward Community Association.

ZONING BOARD OF APPEALS DECISION GRID
July 22, 2021

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-053-20-21: To replace an existing static billboard on the southwest elevation of the building with a digital billboard, not meeting certain sign, nonconforming use, and nonconforming sign requirements.	17 Industrial Street	6-0-0	Approved on Condition*
V-001-21-22: To legalize the enclosure of an open front porch on a single family dwelling, not meeting the residential building standards for porches.	268 Sherwood Avenue	6-0-0	Approved on Condition*
V-002-21-22: To legalize the change in sign faces on an existing 15'T pole sign, not meeting certain sign requirements.	874 Genesee Street	6-0-0	Approved with Lesser Relief*
V-003-21-22: To install two detached monument signs, one at each address, not meeting certain sign requirements.	1200 and 1466 Lexington Avenue	6-0-0	Approved
V-004-21-22: To redevelop an existing electrical substation, which includes a new building, transformers and associated wall, fencing, and landscaping, not meeting certain lot, area, and yard requirements or city-wide design standards.	101 Wyand Crescent and 1050 Garson Avenue	6-0-0	Approved
V-005-21-22: To expand an existing first floor salon into the second floor of the building, an expansion of a nonconforming use.	603 Park Avenue	5-1-0	Approved

Attendance:

Zoning Board Members Present: M. Bain, T. Bryant, D. Carr L. Jennings, C. Murphy, H. Wheeler

***V-053-20-21 (17 Industrial Street):** the maximum brightness during evening hours shall be 200cd/m² and the sign message cannot change more than once every 10 seconds.

***V-001-21-22 (268 Sherwood Avenue):** the applicant shall revise the front elevation by removing the two slider windows and installing four or five double hung windows to the right of the door to match the double hung window to the left of the door, and they shall be installed at the same height as the existing double hung window. The door must be 50% transparent. The exterior siding shall match the existing siding on the house.

***V-002-21-22 (874 Genesee Street):** the applicant may install a detached sign at the proposed location not to exceed the height of 6 feet. In addition, only gas pricing on the sign may be internally illuminated.

ZONING BOARD OF APPEALS DECISION GRID
September 23, 2021

CASE	ADDRESS	RECORD OF VOTE	DECISION
V-051-20-21: To install three heat pumps and corresponding screening on the east side of the property, not meeting the location requirements for detached accessory uses and structures and the opacity requirements for front yard fencing.	951 Park Avenue	4-0-0	Approved
V-006-21-22: To add auto sales to an existing auto repair facility, a use not permitted in the district.	541 Bay Street	HELD at the request of the Board	
V-007-21-22: To change the use of existing nonresidential floor area to a dwelling unit, not meeting certain dwelling unit conversion standards.	420 Northland Avenue	4-0-0	Approved
V-008-21-22: To widen an existing driveway to allow for the parking of a motorcycle trailer, not leading to a legal parking space and not meeting certain accessory use and structures standards.	165 Traver Circle	HELD at the request of the Board	
V-009-21-22: To install three attached signs for "Liberty Resources Behavioral Health," exceeding certain sign requirements.	175 North Winton Road	Approved with Lesser Relief*	4-0-0
V-010-21-22: To install one attached sign for "Rent-A-Center," exceeding certain sign requirements.	923 South Clinton Avenue	Approved	4-0-0
V-011-21-22: To convert an existing detached structure located in the rear yard to a single family residence, not meeting certain lot, area and yard requirements.	9 Hickory Street	Approved on Condition*	4-0-0
V-012-21-22: To legalize the conversion of an attached garage to living space, thereby resulting in front yard parking.	36 Oak Hill View	Default Denial	1-3-0
V-013-21-22: To install three internally illuminated channel letter signs for "Donuts Delite," exceeding certain sign requirements.	674 West Ridge Road	Approved on Condition*	4-0-0
V-014-21-22: To install two detached, externally illuminated monument-style signs for a multi-tenant parcel, exceeding certain sign requirements.	235 North Winton Road	Approved on Condition*	4-0-0

CASE	ADDRESS	RECORD OF VOTE	DECISION
V-015-21-22: To install one parking space in front of the structure not leading to legal parking, resulting in front yard parking, and exceeding the maximum lot coverage requirement.	120-122 Wellington Avenue	Approved on Condition*	4-0-0

Attendance:

Zoning Board Members Present: L. Jennings, C. Murphy, J. O'Donnell (alternate), H. Wheeler

Zoning Board Members Absent: M. Bain, T. Bryant, D. Carr

***V-009-21-22 (172 North Winton Road)**: the sign facing the parking lot shall not exceed 35 square feet.

***V-011-21-22 (9 Hickory Street)**: the front structure shall not be converted from its current use as a single family dwelling.

***V-013-21-22 (674 West Ridge Road)**: the applicant shall remove the existing signs/coverings in the windows.

***V-014-21-22 (235 North Winton Road)**: the applicant shall replace the stone veneer at the base of the sign with the brick veneer to match the rest of the sign.

***V-015-21-22 (120-122 Wellington Avenue)**: the applicant shall locate the driveway so that the northern edge of the driveway is aligned with the northern wall of the house. In addition, the driveway shall not exceed 11 feet in width.

ZONING BOARD OF APPEALS DECISION GRID
October. 2021

CASE	ADDRESS	RECORD OF VOTE	DECISION
V-006-21-22: To add auto sales to an existing auto repair facility, a use not permitted in the district.	541 Bay Street	4-0-0	Approved on Condition*
V-008-21-22: To widen an existing driveway to allow for the parking of a motorcycle trailer, not leading to a legal parking space and not meeting certain accessory use and structures standards.	165 Traver Circle	4-0-0	Approved
V-016-21-22: To install two attached signs for "Strangebird," exceeding certain sign limitations.	62 Marshall Street	4-0-0	Approved on Condition*
V-017-21-22: To replace a series of signs, both attached and detached, for "Sunoco," exceeding certain sign limitations.	780 Dewey Avenue	HELD at the request of the Board	
V-018-21-22: To install a 10' W x 35' L driveway on the left side of a single family dwelling which terminates in the rear yard, not leading to a legal parking space.	181 Kirkland Road	HELD at the request of the Board	

Attendance:

Zoning Board Members Present: T. Bryant, C. Murphy, J. O'Donnell (alternate), H. Wheeler

Zoning Board Members Absent: M. Bain, D. Carr, L. Jennings

***V-006-21-22 (541 Bay Street):**

1. Auto repair shall remain the principal use of the site.
2. The curb cut along Bay Street shall be closed.
3. There shall be no double parking or stacking of cars anywhere on the site.
4. Signage shall be limited to only in the window of a vehicle that is for sale. No other on-site signage is permitted.

***V-016-21-22 (62 Marshall Street):** The internally illuminated projecting sign shall only be illuminated during business hours.

ZONING BOARD OF APPEALS DECISION GRID
November 18, 2021

CASE	ADDRESS	RECORD OF VOTE	DECISION
V-017-21-22: To replace a series of signs, both attached and detached, for “Sunoco,” exceeding certain sign limitations.	780 Dewey Avenue	4-0-0^	Approved
V-018-21-22: To convert an existing garage to a single family dwelling, not meeting certain lot, area, and yard requirements or off-street parking requirements.	52 Harlem Street	5-1-0	Approved
V-019-21-22: To install a 10’ W x 35’ L driveway on the left side of a single family dwelling which terminates in the side yard, not leading to a legal parking space.	181 Kirkland Road	0-4-0^	Denied
V-021-21-22: To legalize an asphalt driveway in the rear yard of a two-family dwelling, not meeting certain lot, area, and yard requirements.	100-102 Atlantic Avenue	4-2-0	Approved
V-022-21-22: To legalize 3 attached non-illuminated window signs for “Mamasan’s” located on the north, west, and south building elevations, exceeding certain sign limitations and not meeting certain nonresidential and mixed-use building standards.	1400 Mt. Hope Avenue	Adjourned to the December 16, 2021 Hearing	
V-023-21-22: To construct 3 single-family attached dwellings, not meeting certain lot, area, and parking requirements.	169 South Union Street	6-0-0	Approved on condition*
V-024-21-22: To install 3 attached (each-113sf) internally illuminated channel letter signs for “WellNow Urgent Care” located on the east, south, and west elevations, exceeding certain sign limitations.	235 North Winton Road	HELD at the request of the Board	
V-025-21-22: To establish the property as a multi-family dwelling (5 dwelling units), a use not permitted in the district.	965-969 Monroe Avenue	6-0-0	Approved

Attendance:

Zoning Board Members Present: M. Bain, T. Bryant, D. Carr, C. Murphy, J. O’Donnell (alternate), H. Wheeler
Zoning Board Members Absent: L. Jennings

^M. Bain and D. Carr did not hear or deliberate these cases.

***V-023-21-22 (169 South Union Street):**

The applicant shall file an easement with 53 Pearl Street to provide one parking space for each of the new single family attached dwellings.

ZONING BOARD OF APPEALS DECISION GRID
December 16, 2021

CASE	ADDRESS	RECORD OF VOTE	DECISION
V-024-21-22: To install 3 attached (each-113sf) internally illuminated channel letter signs for “WellNow Urgent Care” located on the east, south and west elevations, exceeding certain sign limitations.	235 North Winton Road	4-0-0 [^]	Approved with Lesser Relief*
V-020-21-22: To legalize front yard parking on the northeastern portion of the parcel located on a corner lot, not meeting certain lot, area, and yard requirements, and certain off-street parking requirements for single family dwellings.	51 Cady Street	5-0-0	Approved with Lesser Relief*
V-026-21-22: To expand an existing second floor unit into the third floor and to expand the driveway in the rear yard, expanding a nonconforming use and exceeding certain lot, area and yard requirements.	59 Langslow Street	HELD at the request of the applicant*	
V-027-21-22: To convert 1511 square feet of existing non-residential floor area of a mixed-use building to a dwelling unit, not meeting certain dwelling unit conversion standards.	1375 Culver Road	4-1-0	Approved
V-028-21-22: To change the use of a portion of exiting non-residential floor area to two dwelling units, not meeting certain non-residential and mixed-use building standards and certain dwelling unit conversion standards.	855-861 Jay Street	5-0-0	Approved on condition*
V-029-21-22: To change the use of (3) existing first floor non-residential spaces to three dwelling units, not meeting residential building standards and certain dwelling unit conversion standards.	1573-1577 Dewey Avenue	HELD at the request of the applicant*	

Attendance:

Zoning Board Members Present: T. Bryant, C. Murphy, J. O’Donnell (alternate), H. Wheeler, L. Jennings

Zoning Board Members Absent: M. Bain, D. Carr

[^] L. Jennings did not hear or deliberate these cases.

***V-024-21-22 (235 North Winton Road):**

The applicant may install one sign on the North Winton Road (front) elevation and one sign on the parking lot (rear) elevation. Each sign shall not exceed 54.22 sf. Internal illumination is not permitted.

***V-020-21-22 (51 Cady Street):**

The applicant shall remove a portion of asphalt so that the new driveway does not at any point exceed 12 feet in width. The area where the asphalt is to be removed shall be topsoiled and seeded and the applicant shall obtain a permit for a curb cut from the Department of Environmental Services.

***V-028-21-22 (588-861 Jay Street):**

The applicant shall replace the existing first floor residential windows on the Jay Street and Ames Street elevation to match the size of the windows in the application for the newly proposed units.

***V026-21-22 (59 Langslow Street) HELD for:**

The applicant requested the case be held until the next meeting on January 20, 2022 so that a Zoning Board notification sign could be posted. In addition, the applicant shall review the plans for compliance with Building Code as it relates to changes in the floor area.

V-029-21-22 (1573-1577 Dewey Avenue) HELD for:

The applicant requested the case be held until the next meeting on January 20, 2022 so that they can prepare a response to the public comment.