

ZONING BOARD OF APPEALS DECISION GRID

January 25, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>V-054-17-18:</u> To legalize the enclosure of an open front porch on a single family dwelling.	95 Marlborough Road	4-1-0	Approved On Condition
<u>V-055-17-18:</u> To legalize the enclosure of an open front porch on a single family dwelling.	153 Flanders Street	5-0-0	Approved On Condition
<u>V-056-17-18:</u> To legalize the conversion of an attached garage on a single family dwelling to habitable space, thereby creating front yard parking.	38 Oak Hill View	4-1-0	Approved on Condition
<u>V-057-17-18:</u> To legalize the conversion of an attached garage on a single family dwelling to living space, thereby creating front yard parking.	26 Raleigh Street	5-0-0	Approved
<u>V-058-17-18:</u> To subdivide one parcel into two thereby creating a new property that not meet lot coverage requirements.	2032 East Main Street	5-0-0	Approved
<u>V-059-17-18:</u> To subdivide one parcel into three thereby creating three new properties that not meet the lot, area, and yard requirements.	103-105 Anderson Avenue	Held at the Request of the Zoning Board for More Information	
<u>V-060-17-18:</u> To construct two attached single family dwellings not meeting certain lot, area, and yard requirements.	103-105 Anderson Avenue (60 & 68 Delaware Street)	Held at the Request of the Zoning Board for More Information regarding Design Alternatives	
<u>Time Extension Request</u> V-031-14-15: To waive the maximum square footage for a principal use in the C-2 District.	230-250 Alexander Street	5-0-0	Approved until January 31, 2019
<u>Time Extension Request</u> V-073-14-15: To construct an 8,500 square foot office building that does not meet the front yard setback or bulk requirements.	1341 Portland Avenue	5-0-0	Approved until March 31, 2019

ATTENDANCE:

Zoning Board Members Present:

J. Best, L. Boose, T. Bryant, L. Jennings, J. O'Donnell

Zoning Board Members Absent:

D. Carr, M. Tilton

CONDITIONS:

V-054-17-18 (95 Marlborough Road): The applicant must install windows on all three sides that extend from post to post across, and from the header down to the top of the sill. If the railing on the front steps is replaced, then it must be code compliant. Whether the railing is replaced or not, the sill must be at the height of the railing. The existing vertical lattice on the corners must remain and have plexiglass behind it. The exterior door leading to the porch must be fully transparent. These conditions are illustrated on the drawing to be included in the written decision.

V-055-17-18 (153 Flanders Street): The applicant must install one additional window on the front of the porch between the existing windows and the front door, for a total of three windows. The third window must match the size of the existing two. The right side of the porch must have windows installed to match those on the left side of the porch. The exterior door leading to the porch must be fully transparent. These conditions are illustrated on the drawing to be included in the written decision

V-056-17-18 (38 Oak Hill View): The applicant must replace the existing person door on the attached garage/space with two windows, and the siding on the attached garage/space must match the siding on the house. This attached garage/space cannot be used as living space.

ZONING BOARD OF APPEALS DECISION GRID
February 22, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>V-059-17-18:</u> To subdivide one parcel into three thereby creating three new properties that do not meet certain lot, area, and yard requirements.	103-105 Anderson Avenue	HELD at the request of the Zoning Board	
<u>V-060-17-18:</u> To construct two attached single family dwellings not meeting certain lot, area, and yard requirements.	103-105 Anderson Avenue (60 & 68 Delaware Street)	0-6-0	Denied
<u>V-061-17-18:</u> To install a 5.5' tall solid wood fence along the Brewer Street frontage, not meeting the height and opacity requirements.	1043 St. Paul Street	6-0-0	Approved
<u>V-062-17-18:</u> To legalize pavement in the front yard of a multi-family dwelling, thereby creating front yard parking.	1535 Culver Road	0-6-0	Denied
<u>V-063-17-18:</u> To convert an existing commercial building to a multi-family dwelling with eight dwelling units, not meeting certain dwelling unit conversion standards or location requirements for detached accessory structures.	337-341 University Avenue	6-0-0	Approved
<u>V-064-17-18:</u> To re-establish the use of the property as a five-family dwelling that has lost its rights due to a period of vacancy greater than nine months.	239 Selye Terrace	4-1-0*	Approved
<u>V-065-17-18:</u> To legalize the expansion of pavement in both the front and rear yards, thereby exceeding the lot coverage and maximum parking requirement for a two-family dwelling.	250 Spruce Avenue	5-0-0*	Approved with Lesser Relief

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-066-17-18: To remove the existing detached sign for the Genesee Park Boulevard Seventh Day Adventist Church, and replace it with a 5’5” high by 7’8” wide detached sign with LED message board, not meeting certain sign requirements.	391 Genesee Park Boulevard	5-1-0	Approved on Condition
V-067-17-18: To construct a new, five story mixed-use building that does not meet the rear yard setback or minimum off-street parking requirement.	1176 Mt. Hope Avenue	Rear Yard Setback: 5-1-0	Rear Yard Setback: Approved
		Parking Waiver: 3-3-0**	Parking Waiver: Default Denial
V-068-17-18: To construct two, multi-story mixed-use buildings that do not meet the front yard setback or minimum transparency requirements.	230-250 Alexander Street	6-0-0	Approved

ATTENDANCE:

Zoning Board Members Present: J. Best, L. Boose, T. Bryant, L. Jennings, J. O’Donnell, M. Tilton
 Zoning Board Members Absent: D. Carr

*Joe O’Donnell not present for vote.

CONDITIONS:

V-065-17-18 (250 Spruce Avenue): The asphalt expansion between the front of the house and the public sidewalk must be removed and returned to grass as reflected on the survey map dated May 21st, 1993 that was submitted by the applicant.

V-066-17-18 (391 Genesee Park Boulevard):

The sign must comply with the following section of City Code:

- 120-177F(6): No sign shall consist of strings of lights or contain blinking, flashing, intermittent, rotating, glaring, or moving lights or other attention-attracting devices.
- 120-177F(7): Any illuminated sign shall employ only lights emitting a light of constant intensity.
- The message on the sign cannot change more than once per hour.

- The sign must be installed perpendicular to Genesee Park Boulevard, and landscaping must be installed at either end of the sign to mitigate any light or glare that may spill onto neighboring residential properties.

** **V-067-17-18 (Gold Street Lofts):**

Parking Waiver - Per Section 120-186D.(1) of the Zoning Code, *“The concurring vote of four members shall be necessary to approve an application or appeal. Failure to obtain the concurring vote of four members shall be deemed a denial.”* As a result, the applicant has the following two choices with respect to pursuing this variance:

- 1) Pursuant to Section 120-188O.(1), the applicant may submit a new application to the Zoning Board of Appeals seeking this parking waiver because a new application would not be construed as a “successive application” since the current application was NOT denied on its merits; it was deemed a denial due to the failure to receive four concurring votes; **OR**
- 2) Pursuant to Section 120-191A.(4)(c)[2], the applicant may submit an application for an Administrative Adjustment to the Manager of Zoning who has the authority to approve an alternative parking plan for five or fewer parking spaces.

ZONING BOARD OF APPEALS DECISION GRID

March 22, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-069-17-18: To install three internally illuminated signs on the Anthony L. Jordan Health Center, thereby exceeding the number and size of permitted signage and not meeting certain design criteria.	319 Hudson Avenue	6-0-0	Approve with Lesser Relief and on Condition
V-070-17-18: To update the building, drive-through and site signage for the existing McDonald's Restaurant, thereby exceeding the maximum number of permitted signs.	275 Upper Falls Boulevard	5-1-0	Approve with Lesser Relief
V-071-17-18: To remodel the exterior façade of the existing McDonald's Restaurant, not meeting the nonresidential building transparency requirement; and to update the building, drive-through and site signage, thereby exceeding the maximum number of permitted signs.	420 Monroe Avenue	HELD at the request of the Zoning Board for additional information	
V-072-17-18: To add a third dwelling unit to an existing two-family dwelling, not meeting the dwelling unit conversion standard for lot size.	209 Rutgers Street	0-6-0	Denied

ATTENDANCE:

Zoning Board Members Present: J. Best, L. Boose, T. Bryant, D. Carr, L. Jennings, J. O'Donnell
 Zoning Board Members Absent: M. Tilton

CONDITIONS:

V-069-17-18 (319 Hudson Avenue): The 68 square foot internally illuminated channel letter signs that were submitted during the Hearing must be installed on the southern and northern elevation instead of the proposed 72 square foot box signs. The two non-illuminated channel letter signs and the Urgent Care banner must be removed.

V-070-17-18 (275 Upper Falls Boulevard):

The following signs are not permitted:

- The 14 square foot internally illuminated "M" sign on the southern elevation
- The 14 square foot internally illuminated "M" sign on the eastern elevation

ZONING BOARD OF APPEALS DECISION GRID

April 19, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>V-073-17-18:</u> To legalize the expansion of pavement in the front yard of a single family dwelling, thereby creating front yard parking.	308 Castleman Road	5-0-0	Approved on Condition
<u>V-074-17-18:</u> To install approximately 140' of 4' tall chain-link fencing along the corner of Kondolf Street and Child Street, and to legalize an existing 4' tall chain-link fence along the street frontage at 20 Kondolf Street, a fence type not permitted in the district.	404 Child Street and 20 Kondolf Street	5-0-0	Approved on Condition
<u>V-075-17-18:</u> To construct a 5'4" tall x 18' long x 9' wide expanded steel mesh refuse dumpster enclosure in the front yard of a mixed-use building, not meeting the location or opacity requirements; and to install two 18' sections of 4'8" expanded steel mesh fencing along the street frontage to separate the parking lot from the sidewalk, not meeting height or location requirements.	4 Elton Street	5-0-0	Approved on Condition
<u>V-076-17-18:</u> To re-establish the use of the property as a two-family dwelling that has lost its rights due to a period of vacancy greater than nine months.	135 Spencer Street	5-0-0	Approved
<u>V-077-17-18:</u> To re-establish the use of the property as a two-family dwelling that has lost its rights due to a period of vacancy greater than nine months.	8 Evergreen Street	0-5-0	Denied
<u>V-078-17-18:</u> To re-establish the use of the property as a two-family dwelling that has lost its rights due to a period of vacancy greater than nine months.	4321 Lake Avenue	5-0-0	Approved

ATTENDANCE:

Zoning Board Members Present: L. Boose, D. Carr, L. Jennings, J. O'Donnell, M. Tilton
Zoning Board Members Absent: T. Bryant

CONDITIONS:

V-073-17-18: The applicant must replace the asphalt that extends from the north side of the front concrete stoop to the southern side of the front concrete stoop, extending west to the public sidewalk, with either concrete or brick pavers; the area is approximately 23' long x 7' wide and is illustrated on the drawing to be included in the written decision.

V-074-17-18: The chain-link fence being installed on the parcel at 404 Child Street must be black or dark green vinyl clad. The existing chain-link fence on the parcel at 20 Kondolf Street must be replaced with the same color of vinyl clad fencing that is being installed on 404 Child Street.

V-075-17-18: The expanded steel mesh refuse dumpster enclosure must be rotated 90 degrees in the proposed location at the southwest corner of the property so that the 9' wide portion faces the public right-of-way and the 18' long portion is parallel with the existing building located at 840-860 University Avenue. In addition, the portion facing the parking lot (northern elevation) must include gates designed with like materials for access to the refuse containers inside. This condition is illustrated on the drawing to be included in the written decision.

ZONING BOARD OF APPEALS DECISION GRID

May 17, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>V-079-17-18:</u> To install a 36 square foot internally illuminated box sign for “Henner’s Liquor”, not meeting the size or design criteria.	556 Chili Avenue	0-5-0	Denied
<u>V-080-17-18:</u> To construct an approximate 1,100 square feet addition at the rear of “Mr. Dominic’s” restaurant, exceeding the 2,500 square foot maximum for nonresidential uses.	4699 Lake Avenue	5-0-0	Approved on Condition*
<u>V-081-17-18:</u> To construct a 16’ 7” tall x 9’ wide pole sign to serve multiple tenants in an existing building on this site, exceeding the height and total size requirements for a detached sign.	1239 University Avenue	0-5-0	Denied
<u>V-082-17-18:</u> To construct one of six, single family attached dwellings, exceeding the lot coverage requirement.	431 Broadway	Held at the Request of the Zoning Board for More Information	
<u>V-083-17-18:</u> To construct one of six, single family attached dwellings, exceeding the lot coverage requirement.	435 Broadway	Held at the Request of the Zoning Board for More Information	
<u>V-084-17-18:</u> To construct one of six, single family attached dwellings, exceeding the lot coverage requirement.	439 Broadway	Held at the Request of the Zoning Board for More Information	
<u>V-085-17-18:</u> To construct one of six, single family attached dwellings, exceeding the lot coverage requirement.	441 Broadway	Held at the Request of the Zoning Board for More Information	
<u>V-086-17-18:</u> To construct one of six, single family attached dwellings, exceeding the lot coverage requirement.	445 Broadway	Held at the Request of the Zoning Board for More Information	

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-087-17-18: To replace two existing conventional advertising sign faces (billboards) with digital signs, and to raise the height of the sign structure by 15'; not meeting certain sign requirements.	200 East Highland Drive	5-0-0	Approved with Lesser Relief
V-088-17-18: To replace the conventional advertising sign face (billboard) on the west side of the site, facing east, with a digital sign; and to replace the conventional advertising sign face (billboard) on the east side of the site, facing west, with a digital sign; not meeting certain sign requirements.	335 McKee Road	5-0-0	Approved

ATTENDANCE:

Zoning Board Members Present: L. Boose, D. Carr, L. Jennings, J. O'Donnell, M. Tilton
 Zoning Board Members Absent: T. Bryant

CONDITIONS:

V-080-17-18 (4699 Lake Avenue): The applicant must install screening in the form of either a vinyl or board on board 6' T fence along the Northwest property line that extends toward Hinchler Street and even with the front wall of the house located at 19 Hinchler Street.

V-087-17-18 (200 East Highland Drive): The applicant may replace the two existing conventional advertising sign faces (billboards) with digital signs; however, the sign structure must remain at its current height.

ZONING BOARD OF APPEALS DECISION GRID

June 21, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>V-089-17-18:</u> To construct an 8' x 18' one-story addition at the rear of an existing three-family dwelling, an expansion of a nonconforming use, and not meeting the side yard setback or lot coverage requirement.	61 Westminster Road	4-0-0	Approved
<u>V-090-17-18:</u> To install a 9' x 18' parking space in the front yard of a two-family dwelling, resulting in front yard parking.	57 Shepard Street	0-4-0	Denied
<u>V-091-17-18:</u> To remove an existing picket fence and install approximately 190 linear feet of 6'T stockade fencing along a portion of the Croydon Road frontage, not meeting the height or opacity requirements.	253 Dorchester Road	4-0-0	Approved on Condition*
<u>V-092-17-18:</u> To remove the existing detached sign for the "Plumbers and Pipefitters Union Hall" and install a 6' T x 8' W detached sign with LED message board, not meeting certain sign requirements.	1850 Mt. Read Boulevard	4-0-0	Approved on Condition*
<u>V-093-17-18:</u> To replace two, 32 sq. ft. internally illuminated sign faces on an existing 15'T pole sign, not meeting the height, size, or design requirements for detached signs.	761-793 South Plymouth Avenue	0-4-0	Denied
<u>V-094-17-18:</u> To legalize the expansion of the existing retail store on the first floor of this mixed use building, an expansion of a nonconforming use.	75 Thomas Street	4-0-0	Approved
<u>V-095-17-18:</u> To expand an existing vehicle sales operation, a use not permitted in the district and first established through a use variance, and to legalize the parking of vehicles between the front of the building and the street, not meeting the location requirements for parking.	990 Lyell Avenue	Use: 0-4-0 Area: 0-4-0	Denied Denied

ATTENDANCE:

Zoning Board Members Present: L. Boose, T. Bryant, L. Jennings, M. Tilton
Zoning Board Members Absent: D. Carr, J. O'Donnell

***CONDITIONS:**

253 Dorchester Road (V-091-17-18): The 6'T stockade fence must be installed with lattice at the top, as illustrated in the quote submitted by the applicant.

1850 Mt. Read Boulevard (V-092-17-18): The message on the digital sign face may only change once every 24 hours. The display must also not contain blinking, flashing, intermittent, rotating, glaring, or moving lights or other attention-attracting devices. The sign may only contain messaging that pertains to activities occurring on this site. The applicant must submit a landscaping plan for the area around the base of the sign to be approved by the Manager of Zoning.

ZONING BOARD OF APPEALS DECISION GRID

July 26, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>P-01-18-19:</u> To appeal the Denial by the Manager of Zoning (AA-29-17-18) regarding the projecting sign for "Anytime Fitness."	50 Chestnut Street	1-4-1	Denied (Manager's Decision Upheld)
<u>V-01-18-19:</u> To remove an existing chain-link fence and install approximately 53 linear feet of 4'T solid fencing in the front yard along Wilmington Street, not meeting the opacity requirement for front yard fencing.	7 Wilmington Street	6-0-0	Approved
<u>V-02-18-19:</u> To install a driveway that ends in the side yard, a portion of which is to be located at 24 Goebel Place, exceeding the lot coverage requirement and not leading to a legal parking space.	20 Goebel Place	6-0-0	Approved
<u>V-03-18-19:</u> To install a driveway that ends in the side yard to serve 20 Goebel Place, a portion of which is to be located at 24 Goebel Place, exceeding the lot coverage requirement and not leading to a legal parking space.	24 Goebel Place	6-0-0	Approved
<u>V-04-18-19:</u> To convert the property from a single family to a two-family dwelling, a permitted use in the district, but not meeting the minimum lot size or off-street parking requirement.	85 Oxford Street	6-0-0	Approved
<u>V-05-18-19:</u> To install a parking area in the front yard of a multi-family dwelling, resulting in front yard parking.	198 Culver Road	0-6-0	Denied
<u>V-06-18-19:</u> To install a detached, single-sided, 68 square foot internally illuminated, multiple tenant monument sign that is 10 feet in height, exceeding the total size and height requirement for detached signs.	78 Rockwood Street	6-0-0	Approved
<u>V-07-18-19:</u> To remove an existing detached sign for the Genesee Baptist Church and replace it with a detached, single-sided, monument sign that contains a digital message board, not meeting certain design criteria.	149 Brooks Avenue	6-0-0	Approved on Condition*

ATTENDANCE:

Zoning Board Members Present: L. Boose, T. Bryant, D. Carr L. Jennings, J. O'Donnell, M. Tilton

***CONDITIONS:**

149 Brooks Avenue (V-07-18-19): The digital messaging component must function in accordance with what was presented in the application, which includes static text only, no video displays or animation, and the message may not be changed more than once in a 24-hour period. The landscaping around the existing sign must remain or a new landscaping plan must be submitted to the Manager of Zoning for approval.

ZONING BOARD OF APPEALS DECISION GRID

August 23, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-08-18-19: To install an approximately 20' x 26' parking area in the rear yard of a three family dwelling, exceeding the maximum lot coverage requirement.	82 Sanford Street	6-0-0	Approved on Condition
V-09-18-19: To install an approximate 12' x 26' parking space in the front yard of a single family dwelling, resulting in front yard parking and exceeding the maximum lot coverage requirement.	512 Beach Avenue	6-0-0	Approved with Lesser Relief
V-10-18-19: To establish use of the property as vehicle sales and repair, not meeting certain additional requirements for specified uses.	1875 Dewey Avenue	0-5-1	Denied
V-11-18-19: To demolish a Designated Building of Historic Value, which is a one story office building at the southwest corner of the site.	936 East Main Street	5-1-0	Approved on Condition

ATTENDANCE:

Zoning Board Members Present: L. Boose, T. Bryant, D. Carr, L. Jennings, J. O'Donnell, M. Tilton

***CONDITIONS:**

82 Sanford Street (V-08-18-19): Option 1 is approved which needs to include a new lawn area. In addition, all stormwater needs to be managed on-site. A stormwater management plan will need to be submitted to the Manager of Zoning for approval which demonstrates that all runoff will be contained on-site.

512 Beach Avenue (V-09-18-19): The driveway shall maintain the existing location on the western edge and shall not be widened with the +/- 2' border as shown on the site plan.

936 East Main Street (V-11-18-19): A no-build easement is prepared and executed allowing for a future pedestrian and bicycle connection along the west property line between East Main Street and the Public Market; thereby advancing the goals and objectives of the East Main Arts and Market Initiative, November 2015, to connect people and places; and, a safety plan is to be developed to address sight distance issues for westbound pedestrians, bicycles and vehicles which still exists with the retention of the "red barn" structure on the site. The safety plan is to be submitted to the Manager of Zoning for acceptance.

ZONING BOARD OF APPEALS DECISION GRID
September 20, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>V-012-18-19:</u> To install an approximately 20' x 7' parking space to the left of the existing driveway in the front yard, not leading to a legal parking space, thereby resulting in front yard parking.	179 Troup Street	0-4-0	Denied
<u>V-013-18-19:</u> To continue the use of an enclosed front porch by legalizing the installation of smaller windows on a single family dwelling, thereby reducing the transparency.	337 Sawyer Street	0-4-0	Denied
<u>V-014-18-19:</u> To install approximately 182 linear feet of 6'T fencing along Enterprise Street, not meeting the height or opacity requirements.	575 Post Avenue	4-0-0	Approved
<u>V-015-18-19:</u> To legalize the enclosure of an open front porch on a single family dwelling.	87 Locust Street	Held for Additional Information	
<u>V-016-18-19:</u> To install approximately 80 linear feet of 6'T stockade fencing along Dewey Avenue, not meeting the height or opacity requirements.	411 Seneca Parkway	4-0-0	Approved with Lesser Relief and On Condition
<u>V-017-18-19:</u> To legalize an expanded driveway in the front yard, resulting in front yard parking; and to legalize the installation of an expanded stoop with no roof in the front, resulting in a deck in the front yard.	171 Cherry Road	4-0-0	Porch: Approved
<u>V-018-18-19:</u> To install an approximately 200 square foot internally illuminated channel letter sign for "Life Storage" facing Railroad Street, not meeting certain sign requirements.	14 Railroad Street	4-0-0	Driveway: Approved on Condition

<p>V-019-18-19: To install six, non-illuminated, 8' x 3' channel letter signs on the front of the building, one for "AV Science" and five for future tenants, not meeting certain sign requirements.</p>	<p>1255 University Avenue</p>	<p>4-0-0</p>	<p>Approved with Lesser Relief</p>
<p>V-020-18-19: To install one attached, 32 square feet internally illuminated channel letter sign facing North Winton Road for "Wendy's"; and to legalize the replacement of the sign face on the existing 18'T pole sign; not meeting certain sign requirements.</p>	<p>1844 East Avenue</p>	<p>4-0-0</p>	<p>Attached Sign: Approved</p>
		<p>Detached Sign: Held for Additional Information</p>	
<p>V-021-18-19: To replace an existing detached pole sign with a detached, 32 square feet internally illuminated 6'T monument sign with digital fuel prices for "Speedway"; not meeting certain sign requirements.</p>	<p>1810 Mt. Hope Avenue</p>	<p>4-0-0</p>	<p>Approved on Condition</p>

ATTENDANCE:

Zoning Board Members Present: T. Bryant, L. Jennings, J. O'Donnell, M. Tilton
 Zoning Board Members Absent: L. Boose, D. Carr

***CONDITIONS:**

411 Seneca Parkway (V-016-18-19): The fence height is approved for 5' of solid fencing plus 1' of lattice at the top, making the total fence height 6'T. In addition, the fence may only extend south along Dewey Avenue to be in line with the northern wall of the detached garage, and extend west into the applicant's rear yard.

171 Cherry Road (V-017-18-19): The driveway expansion is approved on condition that the paved area immediately to the right of the front steps and extending out to the public sidewalk (approximately 90 sq. ft.) is removed and restored to grass, as depicted on the illustration to be included in the written decision.

1255 University Avenue (V-019-18-19): Five of the six proposed signs are approved. The sign location labeled #6 on the right side of the elevation as depicted on the applicant's application is not included in the approval.

1810 Mt. Hope Avenue (V-021-18-19): The revised drawing of the detached sign submitted during today's Hearing, originally dated 5/6/15 and last revised on 1/8/16, is approved.

ZONING BOARD OF APPEALS DECISION GRID
October 18, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>V-022-18-19:</u> To re-establish the use of the property as two-family dwelling that has lost its rights due to a period of vacancy longer than nine months.	373 Weaver Street	5-0-0	Approved
<u>V-023-18-19:</u> To remove the existing chain-link fencing on the property and install approximately 1,171 linear feet of 6'T open aluminum fencing, which includes both the East Main Street and Cedarwood Terrace Street frontages; not meeting the height requirement for front yard fencing.	2052 East Main Street	5-0-0	Approved
<u>V-024-18-19:</u> To demolish an existing detached two-car garage and construct a 10' x 19' single story addition with a single car attached garage at the rear of a single family dwelling; not meeting certain bulk, area, and yard requirements.	1201 Bay Street	4-0-1	Approved

ATTENDANCE:

Zoning Board Members Present: L. Boose, T. Bryant, L. Jennings, J. O'Donnell, M. Tilton
Zoning Board Members Absent: D. Carr

ZONING BOARD OF APPEALS DECISION GRID
November 14, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>V-020-18-19:</u> To install one attached, 32 square feet internally illuminated channel letter sign facing North Winton Road for “Wendy’s”; and to replace the existing 18’T pole sign with the revised, approximately 33 square feet, 6’T detached monument sign; not meeting certain sign requirements.	1844 East Avenue	4-0-0	Approved
<u>V-025-18-19:</u> To legalize the enclosure of an open front porch on a single family dwelling.	376 Campbell Street	0-4-0	Denied
<u>V-026-18-19:</u> To enclose an open front porch on a two-family dwelling.	579 Wellington Avenue	3-1-0	Default Denial
<u>V-027-18-19:</u> To establish the use of approximately 1,200 square feet of the first floor as a bar/restaurant, a permitted use in the district, but not meeting the off-street parking requirement.	362-366 Arnett Boulevard	4-0-0	Approved on Condition
<u>V-028-18-19:</u> To convert an existing detached accessory building to a single family dwelling, a permitted use in the district, but not meeting certain lot, area, and yard requirements.	366-366.5 Alexander Street	4-0-0	Approved on Condition
<u>V-029-18-19:</u> To install RG&E transformers and related equipment within an enclosure in the front yard of a 100 unit multi-family dwelling, not meeting the location requirement for detached accessory structures.	625 South Goodman Street	Held by the Zoning Board for Additional Information	
<u>V-030-18-19:</u> To demolish the two-story residential structure at the rear of the property, which is a Designated Building of Historic Value.	426-430 South Avenue	4-0-0	Approved

<p>V-031-18-19: To subdivide an existing parcel from one parcel into two parcels to facilitate the construction of a 9,288 square foot retail store (Family Dollar) and to install three attached signs and one detached sign; resulting in a parking deficiency on one of the remaining parcels, not meeting the maximum size requirement for uses in the district, and not meeting certain sign requirements.</p>	<p>1109-1121 Hudson Avenue</p>	<p>4-0-0</p>	<p>Approved with Lesser Relief</p>
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ATTENDANCE:

Zoning Board Members Present: L. Boose, D. Carr, L. Jennings, J. O’Donnell
 Zoning Board Members Absent: T. Bryant, M. Tilton

DEFAULT DENIAL:

579 Wellington Avenue (V-026-18-19): Per Section 120-186D(1) of the Zoning Code, *“The concurring vote of four members shall be necessary to approve an application or appeal. Failure to obtain the concurring vote of four members shall be deemed a denial.”* As a result, the applicant may submit a new application to the Zoning Board of Appeals seeking this porch enclosure because a new application would not be construed as a “successive application” since the current application was NOT denied on its merits; it was deemed a denial due to the failure to receive four concurring votes.

CONDITIONS:

362-366 Arnett Boulevard (V-027-18-19): The parking waiver is approved on condition that the Arnett Boulevard elevation of the proposed bar/restaurant be renovated to have code compliant transparency per 120-159B(3) of the Zoning Code, which states that *“building facades that are within 60 feet of a street right-of-way shall provide areas of transparency equal to 70% of the wall area between the height of two feet and eight feet from the ground.”*

366-366.5 Alexander Street (V-028-18-19): The application was approved on condition that a landscaping plan for the western and northern elevation be submitted for review and approval by the Manager of Zoning.

LESSER RELIEF:

1109-1121 Hudson Avenue (V-031-18-19): All of the proposed variances were approved except for the detached, internally illuminated monument sign which was not approved.

ZONING BOARD OF APPEALS DECISION GRID
December 20, 2018

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>P-002-18-19:</u> To appeal the time extension approvals granted by the Manager of Zoning for File #V-018-17-18 and #SP-036-16-17.	2.5 & 14 Highland Heights Drive	0-5-1	Denied
<u>V-026-18-19:</u> To enclose an open front porch on a two-family dwelling.	579 Wellington Avenue	4-2-0	Approved on Condition
<u>V-029-18-19:</u> To install RG&E transformers and related equipment within an enclosure in the front yard of a 100 unit multi-family dwelling, not meeting the location requirement for detached accessory structures.	625 South Goodman Street	6-0-0	Approved on Condition
<u>V-032-18-19:</u> To legalize the installation of approximately 90 linear feet of 6'T fencing along a portion of Lily Street, not meeting the height or opacity requirements.	667 Clay Avenue	6-0-0	Approved
<u>V-033-18-19:</u> To legalize the expansion of pavement at the rear of a single family dwelling, exceeding the maximum number of parking spaces allowed for a single family dwelling.	35 Langslow Street	6-0-0	Approved with Lesser Relief and On Condition

ATTENDANCE:

Zoning Board Members Present: L. Boose, T. Bryant, D. Carr, L. Jennings, J. O'Donnell, M. Tilton

CONDITIONS:

579 Wellington Avenue (V-026-18-19): The applicant must install windows on all three sides. The windows on each side must extend across from post to post and from the header down to the top of the sill. The exterior door leading to the porch must be fully transparent. The existing bush in front of the porch must also be removed.

625 South Goodman Street (V-029-18-19): The option that includes the CMU enclosure for the transformer is approved on condition that the material used contain finishes that complement the materials used on the exterior of the building.

35 Langslow Street (V-033-18-19): The applicant shall work with the Division of Zoning to develop a site plan which reduces the pavement at the rear of the dwelling to allow for a maximum of four vehicles. The areas where asphalt will be removed must be restored to grass. Work must be complete by June 30, 2019.