

ZONING BOARD OF APPEALS DECISION GRID
January 20, 2011

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-036-10-11	366 Alexander Street	ADJOURNED TO MARCH 17, 2011 HEARING AT THE REQUEST OF THE APPLICANT	
V-037-10-11	959-961 N. Clinton Ave.	0-5-0	Deny
V-040-10-11	674-676 Monroe Avenue	4-1-0 (wall sign only)	Grant
V-041-10-11	487-491 Monroe Avenue	5-0-0	Grant w/Condition
V-042-10-11	7 Zimbrich Street	4-1-0	Grant
V-044-10-11	862-864 Hudson Avenue	2-3-0 (internally lit sign)	Grant
V-045-10-11	2222 Norton Street/ 2299-2303 Culver Road	5-0-0	Grant Economic Hardship Request
		APPLICATION WAS ADJOURNED TO A FUTURE HEARING DATE PENDING SUBMISSION OF ADDITIONAL INFORMATION BY THE APPLICANT AND ALSO PENDING THE ISSUANCE OF AN ENVIRONMENTAL DETERMINATION AND PRELIMINARY SITE PLAN FINDINGS BY THE DIRECTOR OF PLANNING AND ZONING.	
V-036-04-05	1430-1440 Dewey Ave.	0-5-0 (extend variance decision)	Deny

CONDITIONS

674-676 Monroe Avenue/V-040-10-11:

The variance was granted to install one wall sign (about 33"X9') as submitted by the applicant. Any window signs must either meet window coverage requirements or the applicant must seek a separate variance approval.

487-491 Monroe Avenue/V-041-10-11:

The variance was granted on condition that (1) the affected one-bedroom apartment be made into a studio apartment; and, (2) floor plan, showing accurate size of the restaurant, be submitted to the Director of Planning and Zoning for review prior to obtaining any legalizing documents.

862-864 Hudson Avenue/V-044-10-11:

The application to legalize the internal lighting of the sign in this C-1 District was denied by the Board due to failure of the applicant to obtain the concurring vote of four members to approve the application. The 17 sq. ft. sign meets the size requirements.

2222 Norton Street/2299-2303 Culver Road/V-045-10-11:

The Board made the determination that the applicant met the hardship standards pursuant to Sections 120-195B(3)(a), (b) and (c) of the Zoning Code related to the use of the affected properties as a barbershop and a single family residence. The remaining standards of the use variance request (120-195B(3)(d), and (e)) and all the area variance standards of the Zoning Code will again be addressed by the Board at a future hearing date after the Director of Planning and Zoning has issued an environmental determination for the project.

1430-1440 Dewey Avenue/V-036-04-05:

The Board denied the applicant's request to extend the variance decision which was granted on December 15, 2004 and the variance approval has since expired. The applicant is required to apply for another sign variance.

ELECTION: The Board elected Elizabeth Bosek as Vice Chairperson of the Zoning Board of Appeals for the 2011 calendar year. The Board deferred the election of the Chairperson to February 17, 2011 meeting.

ZONING BOARD OF APPEALS DECISION GRID
February 17, 2011

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-046-10-11	470 Carter Street	5-1-0/hrs of operation	Grant Lesser Relief
V-047-10-11	331-333 University Avenue	6-0-0	Grant
V-048-10-11	896-902 S. Clinton Avenue	6-0-0	Grant w/Condition
V-049-10-11	831 Genesee Street	6-0-0	Grant w/Condition
V-050-10-11	1765 Mt. Read Blvd.	6-0-0	Grant w/Condition
V-051-10-11	797 Chili Avenue	6-0-0	Grant
V-052-10-11	1286-1290 Mt. Hope Avenue	The Zoning Board of Appeals conducted a hearing to establish a drive-through window for Tim Hortons restaurant in the side yard. The hearing was adjourned to the March 17, 2011; awaiting the environmental determination by the Director of Planning and Zoning; and a hearing and determination by Planning Commission on ancillary parking and use of ancillary parking lots for queuing purposes.	

CONDITIONS

470 Carter Street/V-046-10-11:

The variance was granted to operate the convenience store from 6:00 A.M. to 9:00P.M. seven days a week (instead of the requested closing time of 12:00 A.M.). The variance was granted on condition that any proposed signage should comply with the Zoning Code requirements. That should the applicant propose signs that exceed Zoning Code limitations, accurate information, showing sign dimensions, design and lighting should be submitted to the Board for review and action at the March 17, 2011 hearing.

896-902 S. Clinton Avenue/V-048-10-11:

The variance was granted on condition that the applicant install a 4' X 19'1" (48" X 229") attached sign along the front façade as presented at the hearing by the applicant and that the proposed external lighting consist of goose neck fixtures. Two (2) legally existing wall signs can be retained (4' X 6' and 6' X 12'), and all other signs must be eliminated.

831 Genesee Street/V-049-10-11:

The variance was granted on condition that (1) the base of the sign be brick , (2) landscaping be installed around the sign; and (3) a drawing of the sign, showing brick base and landscaping, be submitted to the Director of Planning and Zoning for review and approval prior to obtaining any legalizing documents.

1765 Mt. Read Blvd/V-050-10-11:

The variance was granted on condition that two portions of the sign that project below the lower portion of the sign be eliminated.

ZONING BOARD OF APPEALS DECISION GRID
MARCH 17, 2011

CASE #	ADDRESS	RECORD OF VOTE	WALKER	KHALEEL	VAN DUSEN	O'DONNELL	TOBIN	CHAPPIUS	BOSEK
V-036-10-11	366 Alexander Street	0-5-0/Use Variance	Deny	Deny	Deny	Absent	Deny	Absent	Deny
		4-1-0/Area Variance	Deny	Grant w/Condition	Grant w/Condition	Absent	Grant w/Condition	Absent	Grant w/Condition
V-053-10-11	585 Driving Park Avenue	0-3-2	Hold Decision	Deny	Deny	Absent	Deny	Absent	Hold Decision
V-054-10-11	35 Parkdale Terrace	Application to be heard by the Board at the April 14, 2011 hearing							
V-055-10-11	420 Northland Avenue	4-1-0	Grant w/Condition	Grant w/Condition	Grant w/Condition	Absent	Grant w/Condition	Absent	Deny
V-056-10-11	1138-1144 Joseph Ave.	Application to be heard by the Board at the April 14, 2011 hearing.							
V-057-10-11	298-304 Bernard Street	0-5-0	Deny	Deny	Deny	Absent	Deny	Absent	Deny
V-058-10-11	444-450 Brooks Avenue	5-0-0	Grant w/Condition	Grant w/Condition	Grant w/Condition	Absent	Grant w/Condition	Absent	Grant w/Condition
V-059-10-11	647 South Avenue	5-0-0	Grant w/Condition	Grant w/Condition	Grant w/Condition	Absent	Grant w/Condition	absent	Grant w/Condition
V-060-10-11	428 Ames Street	5-0-0	Grant w/Condition	Grant w/Condition	Grant w/Condition	Absent	Grant w/Condition	Absent	Grant w/Condition

366 Alexander Street/V-036-10-11:

The variance request to establish use of an existing accessory structure as a dwelling unit was denied by the Board. The request to legalize an accessory parking lot was granted on condition that (1) six surface parking spaces plus the detached garage be maintained on the property; (2) a site plan showing the approved parking lot be submitted to the Director of Planning and Zoning for review and approval prior to obtaining any legalizing documents; and (3) that should the detached garage be removed in the future, that the space be developed into lawn area.

585 Driving Park Avenue/V-053-10-11:

The application was denied due to failure of the applicant to obtain the concurring vote of four (4) members to approve the application pursuant to Section 120-186D(1) of the Zoning Code. Three (3) Board members voted to deny the application to enclose the front porch, whereas two (2) Board members voted to hold the decision for additional information from the applicant.

420 Northland Avenue/V-055-10-11:

The variance was granted on condition that (1) only two stations be installed in the hair salon; and (2) the salon be operated between the hours of 9:00 A.M. and 9:00 P.M., Monday through Saturday.

444-450 Brooks Avenue/V-055-10-11:

The variance granted on condition that (1) the two affected lots be combined into one lot; (2) on-site drainage be provided for the proposed parking lot at 444 Brooks Avenue; and (3) a revised site plan be submitted to the Director of Planning and Zoning for review and approval prior to obtaining any legalizing documents.

647 South Avenue/V-059-10-11:

The variance was granted on condition that parking/driveway agreements/easements between the subject property and the adjoining properties be submitted to the Director of Planning and Zoning for review prior to obtaining any legalizing documents.

428 Ames Street/V-060-10-11:

The variance was granted on condition that a parking lease agreement be submitted to the Director of Planning and Zoning for review prior to obtaining any legalizing documents for the church.

ZONING BOARD OF APPEALS DECISION GRID
APRIL 14, 2011

CASE #	ADDRESS	RECORD OF VOTE	WALKER	KHALEEL	VAN DUSEN	O'DONNELL	TOBIN	CHAPPIUS	BOSEK
V-023-10-11	510-524 Hudson Avenue	5-1-0	Absent	Deny	Grant w/condition	Grant w/Condition	Grant w/Condition	Grant w/Condition	Grant w/Condition
V-054-10-11	35 Parkdale Terrace	4-2-0	Absent	Deny	Deny	Grant w/Condition	Grant w/Condition	Grant w/Condition	Grant w/Condition
V-056-10-11	1138-1144 Joseph Avenue	0-6-0	Absent	Deny	Deny	Deny	Deny	Deny	Deny
V-067-10-11	1143 Joseph Avenue	The Board held decision pending submission of additional information to clarify use of the proposed floor space.							
V-061-10-11	140 N. Winton Road	6-0-0/ Proposed Signs	Absent	Grant Lesser Relief	Grant Lesser Relief	Grant Lesser Relief	Grant Lesser Relief	Grant Lesser Relief	Grant Lesser Relief
		5-1-0/ Internal Lighting	Absent	Deny	Grant Lesser Relief	Grant Lesser Relief	Grant Lesser Relief	Grant Lesser Relief	Grant Lesser Relief
V-062-10-11	6 Portsmouth Terrace	2-4-0	Absent	Deny	Deny	Grant	Deny	Deny	Grant
V-063-10-11	487-491 Monroe Avenue	5-0-0	Absent	Grant	Grant	Grant	Grant	Grant	Grant
V-064-10-11	1062 S. Plymouth Avenue	5-0-0	Absent	Grant	Grant	Grant	Grant	Grant	Grant
V-065-10-11	215 Alexander Street	Case was withdrawn by the applicant because the use as approved by the Zoning Office meets Code requirements							
V-045-10-11	2222 Norton Street/ 2299-2303 Culver Rd.	6-0-0/ Use Variance/ Restaurant w/Drive thru'	Absent	Grant w/Condition	Grant w/Condition	Grant w/Condition	Grant w/Condition	Grant w/condition	Grant w/condition
		6-0-0/ Bldg Setback	Absent	Grant w/Condition	Grant w/Condition	Grant w/Condition	Grant w/condition	Grant w/Condition	Grant w/Condition
		5-0-0/Bldg Height/transparency/ Hrs of Operation	Absent	Grant w/Condition	Grant w/Condition	Grant w/Condition	Absent	Grant w/Condition	Grant w/Condition
		4-1-0/ Excessive Parking	Absent	Deny	Grant	Grant	Absent	Grant	Grant
		5-1-0/ Sign surface Area	Absent	Deny	Grant	Grant	Grant	Grant	Grant
		6-0-0/internally Lit detached sign	Absent	Grant	Grant	Grant	Grant	Grant	Grant
		3-3-0 /Internally lit attached signs	Absent	Grant	Deny	Grant	Deny	Grant	Deny

510-524 Hudson Avenue/V-023-10-11:

The variance was granted on condition that (1) a chain link fence, no higher than 6ft., be maintained/installed along the Hudson Avenue and Mark Street frontages; (2) all chain link fencing be painted black; (3) 5ft. landscaped setbacks be maintained along the interior of the fence along the Hudson Avenue and Mark Street frontages; (4) a 6ft. high chain link fence (10ft. in length), be installed along the north-east and south lot lines as shown on the attached site plan; (5) a 6ft. high solid fence be installed along the east and south lot lines as shown on the attached site plan; (6) no unlicensed vehicles be stored on the site; (7) no auto repair be conducted on the property; (8) only one vehicle be sold on the property at any one time; (9) no outdoor storage of tow trucks or any commercial vehicles be permitted on the subject property; (10) a revised site plan showing the above improvements, be submitted to the Director of Planning and Zoning for review and approval through site plan approval, SP-018-10-11; and (11) that the affected two lots at 510 & 518-522 Hudson Avenue be combined into one lot.

35 Parkdale Street/V-054-10-11:

The variance was granted on condition that (1) the porch windows be installed along the entire front and side façade comparable to the existing enclosed porch windows shown on the attached picture submitted by the applicant; (2) the porch windows be double hung windows and be comparable to the design of the second floor windows on the subject house; and (3) revised porch elevations be submitted to the Manager of Zoning for review and approval prior to obtaining any legalizing documents.

140 N. Winton Road/V-061-10-11:

The variance was granted to install/legalize (1) one externally lit attached permanent sign that is no larger than 19.75 sq. ft. facing Brentwood Street; (2) one externally lit, 60" diameter attached sign facing N. Winton Road; and (3) one internally lit detached sign that is no larger than 25 sq. ft. in surface area and no higher than 4 ft.

2222 Norton street/2299-2303 Culver Road/V-045-10-11:

The variance was granted (1) to allow the restaurant with a drive through facility; (2) to allow the hours of operation from 5:00 AM to 12:00 midnight, seven days a week; (3) to allow a setback of 11.64 ft. along the Norton Street frontage and a setback of 16.58 ft. along the Culver Road frontage; (4) to allow the height of 18.5 ft. for the proposed building; (5) to allow the building transparency of 40 percent along the Norton Street frontage and 60 percent transparency along the Culver Road frontage; (6) to allow a total sign surface area of 112.62 sq. ft. (three externally lit attached signs with a surface area of 91.62 sq. ft. and one internally lit, 4 ft. high, detached sign with surface area of 21 sq. ft.); and (7) to allow the development of 28 off-street accessory parking spaces.

DISTRIBUTION:

C. Carballada	B. Garwood	Zoning Staff	City Clerk	Andrea Guzzetta
J. Mustico	J. Brennan	R. Cutt	G. Kirkmire	

**ZONING BOARD OF APPEALS DECISION GRID
MAY 19, 2011**

CASE #	ADDRESS	RECORD OF VOTE	WALKER	KHALEEL	VAN DUSEN	O'DONNELL	TOBIN	CHAPPIUS	BOSEK
V-069-10-11	843 Avenue D	3-2-0	Grant	Deny	Absent	Grant	Grant	Deny	Absent
V-070-10-11	1058 Clifford Avenue	5-0-0	Grant	Grant	Absent	Grant	Grant	Grant	Absent
V-071-10-11	291 Thurston Road	0-5-0	Deny	Deny	Absent	Deny	Deny	Deny	Absent
V-072-10-11	210-218 Portland Avenue/34-38 Central Park	The hearing remains open and the application has been rescheduled for June 23, 2011 Zoning Board meeting. Additional information is required from the applicant.							
V-073-10-11	820 Culver Road	5-0-0	Grant w/Condition	Grant w/Condition	Absent	Grant w/Condition	Grant w/Condition	Grant w/Condition	Absent
V-026-10-11	125 Mc Guckin Street	5-0-0	Grant	Grant	Absent	Grant	Grant	Grant	Absent
V-074-10-11	500 Avis Street	5-0-0	Grant w/Condition	Grant w/Condition	Absent	Grant w/Condition	Grant w/Condition	Grant w/Condition	Absent
V-067-10-11	1143 Joseph Avenue	5-0-0	Grant w/Condition	Grant w/Condition	Absent	Grant w/Condition	Grant w/Condition	Grant w/Condition	Absent
V-056-10-11	1134-1144 Joseph Avenue	5-0-0	Grant Rehearing Request	Grant Rehearing Request	Absent	Grant Rehearing Request	Grant Rehearing Request	Grant Rehearing Request	Absent
V-057-10-11	298-304 Bernard Street	1-4-0	Grant Rehearing Request	Deny Rehearing Request	Absent	Deny Rehearing Request	Deny Rehearing Request	Deny Rehearing Request	Absent
V-068-10-11	1750-1760 East Avenue	The public hearing to construct a new Wegmans store was conducted on May 16, 2011 . The Zoning Board closed the hearing. The variance decision on the application was held by the Zoning Board pending submission of additional information by the applicant on building façade design and parking lot perimeter treatments. The Zoning Board will make its decision after the required information has been submitted by the applicant.							

820 Culver Road/V-073-10-11:

The variance was granted on condition that (1) the proposed window on the rear elevation, identified as w-1, be enlarged and be the same size as the window identified as w-1 on the drive through elevation; (2) the wall arch sign (M logo) on the rear elevation, drive through elevation and non drive-through elevation (near doorway) be eliminated; (3) the wall arch sign (M logo) on the front elevation and on the end portion of the non drive through elevation be retained; and, (3) landscaping be developed beneath the proposed detached (pole) sign.

500 Avis Street/V-074-10-11:

The variance was granted on condition that (1) screening, which should consist of dense vegetation, be installed along the west lot line; (2) the exterior building materials should consist of brick, metal panels and concrete block as shown on the building elevations submitted by the applicant at the hearing; and, (3) final drawings be submitted to the Director of Planning and Zoning for review and approval through Site Plan Review, SP-037-10-11.

1143 Joseph Avenue/V-067-10-11:

The variance was granted on condition that (1) the enlarged space be used only for the existing check cashing business and retail store; (2) the proposed space be used as shown on the floor plan submitted by the applicant; and (3) one sign, that meets the code requirement, be installed to advertise the uses of the subject building.

DISTRIBUTION:

T. Richards	C. Carballada	D. Algarin	B. Christopher	A. Guzzetta	G. Kirkmire
J. Mustico	T. Mann	R. Cutt	J. Brennan	Zoning Staff	Permit Office

ZONING BOARD OF APPEALS DECISION GRID

June 23, 2011

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-075-10-11 Sign	1477 Dewey Avenue	4-0-0	Approved on Condition
P-004-10-11 Appeal	775 Park Avenue	5-0-0	Upheld Director of Planning & Zoning decision
V-056-10-11 Lot Coverage	1134-1144 Joseph Avenue	4-0-0	Approved on Condition
V-060-10-11 Parking	428 Ames Street	4-0-0	Approved
V-072-10-11 Vehicle Sales Expansion	38 Central Park	POSTPONED UNTIL JULY 21, 2011	
V-052-10-11 Tim Hortons	1286-1290 Mt. Hope Avenue, 814 Elmwood Avenue and 19 Cook Street	4-0-1	Approved on Condition
V-076-10-11 Gas Station	1680 N. Goodman Street	5-0-0	Approved
V-078-10-11 Roll Down Shutters	865 Hudson Avenue	POSTPONED UNTIL JULY 21, 2011	
V-079-10-11 Fence	43 East Blvd.	4-0-0	Approved
V-080-10-11 Lot Coverage	528 S. Goodman Street	4-0-0	Approved on Condition
V-081-10-11 Signs, Setback	1450 Hudson Avenue	5-0-0	Approved
V-082-10-11 Restaurant	103-105 Anderson Avenue	APPLICATION WITHDRAWN	

CONDITIONS

1477 Dewey Avenue/V-075-10-11:

Approved on condition that: (1) no personal or commercial messages are shown (2) message can change a minimum of once per 24-hour period except for emergencies requiring public notification, which can be shown as often as necessary.

1134-1144 Joseph Avenue/V-056-10-11:

Approved on condition that a letter of credit or other form of security is submitted to the Zoning Office for landscaping work, and all work to be complete within 90 days of decision.

1286-1290 Mt. Hope Avenue/814 Elmwood Avenue and 19 Cook Street/V-052-10-11:

Approved on condition that a re-evaluation of the traffic patterns is conducted within 1 year of the store opening or substantial completion of the Mt. Hope Improvement project, whichever is greater.

1450 Hudson Avenue/V-081-10-11:

Approved on condition that: (1) the setback along Hudson Avenue is maintained at 7.5' deep and along the south property line at 2' deep and (2) 2 of the 3 roof top signs are removed (Hudson elevation to remain) and the lettering on the post of the rear detached sign is removed.

DISTRIBUTION:

T. Richards
G. Kirkmire
Zoning Staff

C. Carballada
J. Mustico
Permit Office

D. Algarin
T. Mann

B. Christopher
R. Cutt

A. Guzzetta
J. Brennan

ZONING BOARD OF APPEALS DECISION GRID

July 21, 2011

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-072-10-11 Expand auto sales	38 Central Park	POSTPONED UNTIL AUGUST 18, 2011	
V-078-10-11 Roll Down shutters	865 Hudson Avenue	APPLICANT FAILED TO APPEAR	
V-023-10-11 Towing Operation	510 Hudson Avenue	POSTPONED UNTIL AUGUST 18, 2011	
V-001-11-12 Fence	463-465 and 469 Jefferson Avenue & 147 and 149 Cady Street	4-0-0	Approved
V-002-11-12 Fence	480 and 484-490 Hudson Avenue	4-0-0	Approved
V-003-11-12 Accessory structure in side yard	105 Middlesex Road	4-1-0	Approved on Condition
V-004-11-12 Side yard setback	141 San Gabriel Drive	POSTPONED UNTIL AUGUST 18, 2011	
V-005-11-12 Side yard setback	28 Isabelle Street	5-0-0	Approved
V-006-11-12 Height Waiver	1378-1394 Mt. Hope Avenue	5-0-0	Approved
V-007-11-12 Live Entertainment	1104-1112 Monroe Avenue	POSTPONED UNTIL AUGUST 18, 2011	

CONDITIONS

480 and 484-490 Hudson Avenue/V-002-11-12:

Approved on condition that decorative fencing is installed.

105 Middlesex Road/V-003-11-12:

Approved on condition that: (1) a temporary vinyl canopy is installed over the hot tub; (2) the bushes along Middlesex are maintained (3) and hot tub not to exceed 6' diameter.

DISTRIBUTION:

T. Richards
G. Kirkmire
Zoning Staff

C. Carballada
J. Mustico
Permit Office

D. Algarin
T. Mann

B. Christopher
R. Cutt

A. Guzzetta
J. Brennan

ZONING BOARD OF APPEALS DECISION GRID

August 18, 2011

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-008-11-12 Use Variance-Hardship Determination	1369 Lyell Avenue	4-0-0	Approved
V-072-10-11 Vehicle Sales	38 Central Park	4-0-0	Approved on condition
V-077-10-11 Security Shutters	865 Hudson Avenue	4-0-0	Approved on condition
V-023-10-11 Fence	510 Hudson Avenue	4-0-0	Deny
V-007-11-12 Live Entertainment	1104-1112 Monroe Ave.	POSTPONED UNTIL SEPTEMBER 22, 2011	
V-004-11-12 Side yard setback	141 San Gabriel Drive	4-0-0	Approved on condition
V-009-11-12 Front yard parking	510 Newbury Street	4-0-0	Approved on condition
V-010-11-12 Front yard parking	462 Newbury Street	4-0-0	Approved on condition
V-011-11-12 Two family dwelling	206 Edinburgh Street	4-0-0	Approved
V-012-11-12 Porch enclosure	227 Nunda Blvd.	4-0-0	Approved on condition
V-013-11-12 Two family dwelling	886 S. Plymouth Avenue	4-0-0	Approved
V-014-11-12 Front yard parking	54-56 Waverly Place	4-0-0	Approved

CONDITIONS

38 Central Park/V-072-10-11

Approved on condition: 1) all conditions of 2002 Site Plan approval are completed; 2) eliminate curb cut on Sigel Street; 3) provide 10' setback along Sigel Street frontage and 5' setback along Central Park frontage; 4) the fence on north property line is a solid fence, and; 5) a security deposit is submitted.

865 Hudson Avenue/V-077-10-11

Approved on condition: 1) Awnings are installed to conceal the shutter housing on the exterior of the building, and; 2) the exterior of the shutters are painted a color which complements the existing building

141 San Gabriel Drive/V-004-11-12

Approved on condition that: a rear access door is provided for service equipment to access the rear yard.

ZONING BOARD OF APPEALS DECISION GRID
August 18, 2011
Page 2

CONDITIONS (continued)

510 Newbury Street/V-009-11-12

Approved on condition that the 1-car wide driveway is retained and not widened.

462 Newbury Street/V-010-11-12

Approved on condition that the asphalt which leads to the area between the side property line and the garage is removed.

227 Nunda Blvd./V-012-11-12

Approved on condition that there be a 3 window configuration on the front elevation.

DISTRIBUTION:

T. Richards	C. Carballada	D. Algarin	B. Christopher	A. Guzzetta
G. Kirkmire	J. Mustico	T. Mann	R. Cutt	J. Brennan
Zoning Staff				

Revised 8/26/2011

ZONING BOARD OF APPEALS DECISION GRID

September 22, 2011

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-007-11-12 Live Entertainment	1104-1112 Monroe Ave.	INFORMATIONAL MEETING – NO VOTE	
V-015-11-12 Accessory uses	1441 Dewey Avenue	4-0-0	Approved
V-016-11-12 3-family dwelling	18 Weld Street	4-0-0	Approved
V-017-11-12 Signs	634-640 Lake Avenue	4-0-0	Approved – to retain the attached sign Deny-detached sign
V-018-11-12 Off street parking	58 Sherman Street	4-0-0	Approved
V-019-11-12 Expansion of nonconforming use	1009-1013 S. Plymouth Ave.	4-0-0	Approved on condition
P-001-11-12 Appeal of an interpretation	553 Chili Avenue	5-0-0	Uphold
V-020-11-12 Front yard parking	165 Barrington Street	APPLICATION WITHDRAWN	
V-021-11-12 Front yard parking	115 Long Acre Road	5-0-0	Deny
V-022-11-12 Citgo signs	1404 Norton Street	5-0-0	Approved on condition
V-023-11-12 Citgo signs	1430 N. Clinton Avenue	5-0-0	Approved on condition
V-024-11-12 Vehicle Repair Expansion	1385 Culver Road	4-1-0	Approved
V-025-11-12 Waive lot area, setback, bldg. coverage requirements.	1170 Genesee Street and 53, 57, 63 and 69 Oak Hill View (formerly Valley Court)	4-1-0	Approved on condition

CONDITIONS

1009-1013 S. Plymouth Avenue/V-019-11-12

Approved on condition: 1) hour of operation are 7 AM to 10 PM; 2) the dumpster requires an enclosure; 3) No solid interior structures, equipment or shelving shall block the windows; 4) the exterior building materials and lighting should be more appropriate for a storefront and are to be approved by the DOPZ; 5) only the installation of code compliant signs (max. 15 square feet) shall be installed.

ZONING BOARD OF APPEALS DECISION GRID
September 22, 2011
Page 2

CONDITIONS (continued)

1404 Norton Street/V-022-11-12

Approved on condition that pump valances are excluded from the sign package.

1430 N. Clinton Avenue/V-023-11-12

Approved for canopy and pump skirts;

Deny the pump valances and the detached sign (a price sign installed between canopy columns in acceptable)

1170 Genesee Street and 53, 57, 63 and 69 Oak Hill View/V-025-11-12

Approved on condition that 1) the garage setback shall be a min. of 4'; 2) the lot size shall be no smaller than 4,000 sq. ft. 3) the side yard setback shall be a min. of 5' with a combined side yard of not less than 13'; 4) the max. building coverage shall be no more than 42% for the single story unit; 5) the minimum rear yard setback for lots 17 and 21 shall be 8'.

DISTRIBUTION:

T. Richards
G. Kirkmire
Zoning Staff

C. Carballada
V. Wehbring

D. Algarin
T. Mann

B. Christopher
R. Cutt

A. Guzzetta
J. Brennan

ZONING BOARD OF APPEALS DECISION GRID

October 20, 2011

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-008-11-12 Vehicle Sales	1369 Lyell Avenue	4-0-0	Approved on condition
V-026-11-12 Front yard parking	4 Wellesley Street	4-0-0	Approved
V-027-11-12 Front porch enclosure	565 Chili Avenue	4-0-0	Approved on condition
V-028-11-12 Lot coverage	65-67 & 69-71 Woodlawn Street	4-0-0	Approved on condition
V-029-11-12 Signs	780 Joseph Avenue	4-0-0	Approved
V-030-11-12 Signs	246 W. Ridge Road	HELD	
V-031-11-12 Detached sign	900 E. Main Street	HELD	
V-032-11-12 Dwelling Unit Conversion	1040 S. Clinton Avenue	4-0-0	Approved
V-033-11-12 2-family dwelling	33 Avenue D	4-0-0	Approved
V-034-11-12 4-family dwelling	354-356 Avenue B	2-2-0	No Action/Denial
V-035-11-12 Front porch enclosure	153 Middlesex Road	HELD	

CONDITIONS

1369 Lyell Avenue/V-008-11-12

Approved on condition that: 1) additional landscaping is provided along Lyell Avenue from the driveway to the east property line, and 2) additional landscaping is to be installed along the rear property line to enhance the existing chain link fence.

565 Chili Avenue/V-027-11-12

Approved on condition that: 1) the paint and wall cap are removed from the brick columns; 2) the guard/wall is finished with stucco or brick; 3) the stucco color is to compliment the earth tones of the brick; and 4) the paint is removed from the brick so that just the guard is between the columns.

65-67 and 69-71 Woodlawn Street/V-028-11-12

Approved on condition that a drawing, drawn to scale, is submitted for Director of Planning and Zoning approval.

DISTRIBUTION:

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J. Brennan

ZONING BOARD OF APPEALS DECISION GRID**November 17, 2011**

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-025-11-12 Waive lot area, setback, bldg. coverage requirements.	1170 Genesee St. & 53, 57, 63 & 69 Oak Hill View (formerly Valley Court)	4-1-1	Approved on condition
V-030-11-12 Signs	246 W. Ridge Road	6-0-0	Approved
V-031-11-12 Detached sign	900 E. Main Street	6-0-0	Approved on condition
V-035-11-12 Front porch enclosure	153 Middlesex Road	4-2-0	Approved
V-036-11-12 Covered porches	131 Portage Street	6-0-0	Approved with lesser relief
V-037-11-12 Attached sign	1322-1370 Lyell Avenue	HELD	
V-038-11-12 3 rd Floor Expansion	458 Chili Avenue	6-0-0	Approved on condition
V-039-11-12 Garage setback	775 Melville Street	6-0-0	Approved
V-040-11-12 3 rd Floor Expansion	36-38 Chamberlain St.	6-0-0	Approved on condition
V-041-11-12 2-family dwelling	546 Grand Avenue	6-0-0	Approved
V-042-11-12 Change use to Grocery Store	1008 Avenue D	6-0-0	Approved with hours of operation from 7:00 am to 9:00 pm
V-043-11-12 Bar/restaurant	1172 S. Plymouth Avenue	5-1-0	Approved on condition
V-044-11-12 3 rd Floor Expansion	101-103 Vassar Street	5-1-0	Approved
V-045-11-12 Signs	746-758 Monroe Avenue	6-0-0	Approved

CONDITIONS

1170 Genesee Street/V-025-11-12

Approved on condition that Unit-C shall not be constructed on Lots 17 and 21.

900 E. Main Street/V-031-11-12

Approved on condition that: 1) Design of sign to be approved by Director of Planning & Zoning; 2) maximum height of sign not to exceed 12' above grade; 3) top of LED screen not to exceed 10' above grade; 4) sign to go dark in the event of a malfunction; 5) light intensity shall be self-adjusting to ambient light levels; 6) sign shall only operate between 6:00 am and 2:00 am; 7) no scrolling, pulsing, flashing or attention-getting movement.

131 Portage Street/V-036-11-12

Approved with lesser relief that the covered porch at the rear of the dwelling is permitted and the covered porch on the side of the garage is not permitted.

458 Chili Avenue/V-038-11-12

Approved on condition that on the 3rd floor the interior wall and the "closet" walls are removed to create a single room.

36-38 Chamberlain Street/V-040-11-12

Approved on condition that the 3rd floor include a maximum of 2 enclosed bedrooms with closets, a laundry room, a storage room not to exceed 65 sq. ft. and an open/unenclosed common area; thereby creating a unit with no more than 4 bedrooms.

1172 S. Plymouth Avenue/V-043-11-12

Approved on condition that the hours of operation are Sunday-Wednesday until 12:00 am and Thursday-Saturday until 2:00 am. Note: The request for live entertainment was removed from the application during testimony by the applicant.

746-758 Monroe Avenue/V-045-11-12

Approved on condition: 1) Two 3' x 6' business signs shall be installed over the main entrance; 2) four individual signs (beer, wine, deli, market) may be installed on the blank wall; 3) the pole sign shall stay until 11/17/12, at which time it is to be removed or replaced with a code compliant detached sign.

DISTRIBUTION:

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ZONING BOARD OF APPEALS DECISION GRID

December 15, 2011

CASE #	ADDRESS	RECORD OF VOTE	DECISION
V-046-11-12 2-family dwelling	354-356 Avenue B	4-2-0	Approved
V-047-11-12 Construct exterior stair on the rear of structure; expand 2-family dwelling into 3 rd floor	216 Magee Avenue	6-0-0	Stairs: Approved on condition that stairs are enclosed and they are from grade to the 2 nd floor only.
			3 rd floor occupancy: Denied
V-048-11-12 2-family dwelling	114 Scranton Street	6-0-0	Approved on condition that apartment 1 is no larger than 2-bedrooms and apartment 2 is a 1-bedroom.
V-049-11-12 Lot, area and yard requirements	259 Benton Street	6-0-0	Approved
V-050-11-12 Demolition of Designated Building of Historic Value (DBHV)	13 Cataract Street (Genesee Brewery)	INFORMATIONAL MEETING NO VOTE	

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