

**ZONING BOARD OF APPEALS DECISION GRID**  
**January 26, 2023**

CASE	ADDRESS	RECORD OF VOTE	DECISION
<b>V-056-22-23:</b> To legalize the resurfacing of an existing driveway which expands the footprint, thereby creating front yard parking of a two-family dwelling, not meeting certain requirements applying to all districts and the requirements for off-street parking.	90 Beaufort Street	0-6-0	Denied
<b>V-057-22-23:</b> To legalize the enclosure of a front porch of a single-family dwelling, not meeting certain city-wide design guidelines and standards.	1363 Dewey Avenue	0-6-0	Denied
<b>V-058-22-23:</b> To install cell pavers on an existing parking area in the side yard of a single-family dwelling thereby creating side yard parking, not meeting certain requirements applying to all districts for accessory uses and off-street parking.	194 and 200 Averill Avenue	6-0-0	^Approved on condition
<b>P-001-22-23:</b> To appeal the denial of a Certificate of Zoning Compliance to install a 48sf digital display sign to replace the "Morton's Steakhouse" sign and have changing messages "Hyatt-Weather-Time-Welcome".	125 East Main Street	0-0-0	Adjourned to February Hearing
<b>P-002-22-23:</b> To appeal the denial of a Certificate of Zoning compliance to install an attached internally illuminated sign on the top of the third floor for "FTS".	20 South Clinton Avenue	0-0-0	Adjourned to February Hearing
<b>V-051-21-22:</b> To subdivide an existing parcel and construct two single family dwellings, not meeting certain lot, area and yard requirements, city-wide design guidelines and standards, and requirements applying to all districts.	332 Beach Avenue	Garage orientation 6-0-0 Garage front yard setback 6-0-0 Front yard setback 6-0-0	^Approved on condition
<b>V-059-22-23:</b> To change the use of the fifth floor from offices to a Residential Care Facility for 21 clients for Catholic Charities and OASAS, not meeting certain additional requirements for Specified Uses.	75-83 aka 79 North Clinton Avenue	0-0-0	Removed by Zoning – Use is permitted.
<b>V-060-22-23:</b> To construct a 16 space ancillary parking lot and storage shed to serve the proposed hotel and banquet hall at 95 Averill Avenue, not meeting	58 Hickory Street	6-0-0	Approved

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certain lot, area and yard requirements in the district.			

**Attendance:**

Zoning Board Members Present: C. Murphy, H. Boice-Pardee, J. Miller, H. Wheeler, T. Tompkins, J. O'Donnell  
Zoning Board Members Absent: T. Bryant, E. Navarro

**^V-058-22-23:** The applicant shall apply to rezone the parcel located at 200 Averill Ave to Medium Density Residential and resubdivide it with 194 Averill Avenue by January 31, 2026, or the variance, V-058-22-23 will be rescinded.

**^V-051-21-22:**

The variance for garage orientation (Lot R-8 and Lot R-9) which does not conform to the majority of other existing residential parcels on the same block frontage within 200 feet is **APPROVED**.

The variance for minimum front yard setback of an attached accessory use being less than the front yard of the principal structure plus 10 feet is **APPROVED**.

The variance for front yard setback of a principal structure (Lot R8 and Lot R9) greater than the average front yard depth of buildings of the two lots adjoining a property or 20 feet is **APPROVED on condition**.

**1. The front yard setbacks were approved with the following conditions:**

- a. The rearmost part of the new structure/residence on lot R-8 and R-9 shall not extend further northeast (towards the lake) than the average of the existing adjacent structure/residence at 320 Beach Ave. and 346 Beach Ave. *For the purposes of this condition, "structure/residence" shall be inclusive of any balconies, porches and decks attached to the principal structure/residence.*
- b. The front yard setback of the principal structure/residence and attached accessory garage shall be adjusted towards Beach Avenue the same distance as the principal structure/residence is shifted southwest (away from the lake) in condition 1a.
- c. The proposed structure/residence on Lot R-8 and R-9 shall be shifted towards Beach Avenue as a whole, without changes to the layout/design.