

Minutes
City of Syracuse
Board of Zoning Appeals
Thursday, November 21st, 2024
1:00 p.m.
Common Council Chamber

I. Meeting called to order at 1:00 p.m.

Members Present

Mr. Michael Cheslik	Yes
Ms. Honora Spillane	No
Ms. Karen Gillette	Yes
Mr. Otis. Jennings	Yes
Mr. Timothy Rudd	Yes
Mr. Liam Kirst	Yes

Staff Present

Mr. Jake Dishaw	Yes
Ms. Meira Hertzberg	Yes
Mr. Cristian Toellner	Yes
Mr. Zhitong Wu	Yes
Mr. Nate Pan	Yes
Ms. Amber Dillon	Yes

II. Approval of Minutes

A motion to approve October 31st, 2024, meeting minutes was made by Mr. Jennings and seconded by Mr. Kirst. The motion carried unanimously.

III. Public Hearings

A. New Business

1) **V-24-22**

A Use Variance to a to permit the “food and beverage, retail” type land use

273-75 S Midler Avenue

Estate of James P. Nojaim (Owner/Applicant)

R1 Zone District

Craig Polhamus and Stephen Skinner, the applicants for the project, presented the application. They explained the history of the property, and its pre-existing use as a grocery store which closed several decades ago, creating the non-conforming use which they now need this use variance for. They presented photographs and drawings of the existing and proposed conditions of the property to show the previously established food and beverage retail land use type for a prior grocery store, and now a bakery. They walked through the use variance criteria, explaining the cost of converting the property into a single unit dwelling for the reasonable return, there will be no impact on neighborhood character as it was used as a grocery store for years until the death of the previous owner, which also show the unique circumstances and proof the hardship to establish this type of land use is not self-created. They are committed to preserving the legacy and character of the neighborhood and Nojaim family.

Mr. Rudd asked about the parking situation and the DPW comments about street parking. The applicants replied they have updated the site plan and agree to all the conditions written by the City Departments.

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The baker for the proposed bakery, and the owner, Paul Nojaim both spoke in favor of the application. They believe the bakery will benefit the neighborhood and will be a valuable addition to commercial uses in the area and will keep the character of the neighborhood and the previous owner's legacy alive.

There were four members of the public to speak in favor of the proposal. They commented they would be happy to see land use such as a bakery be put on this property that has been vacant for decades, and that the owners of the property have always been a beneficial addition to the neighborhood. No one spoke in opposition to the application. Mr. Cheslik closed public comment.

Asst. Corporation Counsel Hertzberg assisted the BZA in its SEQR review and determination of the proposed Unlisted action for V-24-22. Mr. Kirst moved to make a negative SEQR declaration. Ms. Gillette seconded the motion. The motion passed unanimously.

Mr. Kirst moved to approve Use Variance V-24-22 with additional staff and general conditions. Mr. Jennings seconded the motion. He also added that he does business with Mr. Skinner on a regular basis but believes he can still be a neutral decision maker for this variance application. Mr. Kirst explained that the cost of demolition and renovation with this application proves the applicant would not be able to receive a reasonable return on the property. The building was created as for ground floor retail use, which proves the unique circumstances, and neighborhood character would not be altered. The passing of the previous owner created the hardship of the non-conforming use of the property in the R1 District. Mr. Jennings added he greatly favors this project and believes in the developers' drive to see this project to its completion. The motion to approve Use Variance V-24-22 was unanimously passed.

IV. Adjourn

A motion to adjourn was made by Mr. Jennings and seconded by Mr. Rudd. The motion carried unanimously. Meeting called to adjourn at 1:45 p.m.