

Minutes
City of Syracuse
Board of Zoning Appeals
Thursday, May 14, 2026
1:00 p.m.
Common Council Chamber

I. Meeting called to order by Chair Ms. Spillane at 1:00 PM

Member Present

Mr. John Auwaerter	No
Ms. Honora Spillane	Yes
Mr. Otis Jennings	Yes
Mr. Liam Kirst	Yes
Mr. Vincent Ryan	Yes
Ms. Katelyn Wright	Yes

Staff Present

Mr. Jake Dishaw	Yes
Mr. Conor Rourke	Yes
Mr. Nate Pan	Yes
Ms. Rebeca Baker	Yes
Mr. Noah Garcia	Yes
Mr. Sam Prescott	Yes
Mr. Masihullah	Yes
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II. Approval of Minutes

A motion to approve April 23, 2026 meeting minutes by Ms. Wright, Mr. Ryan seconded the motion.

The motion for approval passed unanimously.

III. Public Hearings

A. New Business

- 1) **V-2026-12** Area Variance to construct a Single-dwelling unit house with 42 % structural coverage on a lot
1238 Comstock Ave Rear
Good Fellow Holdings (Owner/ Applicant)
R1 Zone District

Lowell Niemetz of 640 Fellows Ave, Syracuse, New York advised he is the owner of the lot and wishes to build a house for his client. He said that a variance is required due to the proposed 42% lot coverage which is necessitated by the size of the lot and the need to accommodate first-floor living space for his client. Mr. Niemetz stated that he does not believe the project will create any adverse effects on the neighborhood, as the proposed house's style and design are very similar to existing homes in the area. He noted that the Homeowners Association (HOA) and neighboring residents had been informed of the proposal. He also indicated that this is the last available lot in the Xavier Woods development, with all other lots substantially built out, and that his client is a long-time Syracuse resident who wishes to remain in the City.

Mr. Ryan inquired about an easement to the north of the lot. Mr. Niemetz explained accommodates a water line running from Thurber Street into the neighborhood.

Mr. Kirst also noted that while the lot is somewhat smaller, the proposed structure is not significantly different in scale from surrounding homes and Mr. Niemetz confirmed.

Ms. Spillane opened public comment.

Fred Zolna of 101 Enfield Place, Syracuse, New York, the prospective purchaser of the lot, addressed the Board alongside his wife, Elizabeth Nolan. Mr. Zolna explained that he has lived in Syracuse since 1972 and at his current address since 1988, and that he wishes to remain in the City. He stated that his need for a first-floor master bedroom and two-car garage—amenities absent from his current residence—motivated his interest in the Xavier Woods property. Mr. Zolna confirmed that immediate neighbors of the lot and the Xavier Woods HOA had reviewed the proposal and raised no objections.

Mr. Jennings asked Zoning Commissioner Dishaw whether granting the variance would violate any existing law. Zoning Commissioner Dishaw clarified that as Zoning Administrator, a 5% administrative allowance can be applied, but the application still exceeds the maximum by 7%, necessitating Board's relief. He confirmed that the Board has the review authority to grant the requested variance.

David Michael of 94 Xavier Circle, a resident of Xavier Woods for approximately seven years, also spoke in favor of the variance. He offered context regarding open space within the development, noting that the original plan called for 33 houses but, due to a subsequent resubdivision approval and the consolidation of adjacent lots by certain owners, the final total will be 29 houses. He emphasized that considerable open space is owned by the HOA and cannot be developed further.

No one spoke in opposition to the application. Ms. Spillane closed public comment.

Ms. Wright asked staff whether a Stormwater Pollution Prevention Plan (SWPPP) had been prepared for the subdivision, noting the individual lot was too small to require one independently. Zoning Administrator Dishaw confirmed that a SWPPP was completed for the entire development, and that the City's engineering office would be involved in building permit review. He also provided important context: under the prior zoning code, this subdivision had been approved with the understanding that structural coverage would be tracked cumulatively across the development rather than on a lot-by-lot basis. Although this lot's proposed coverage exceeds the R1 zone maximum individually, the development as a whole remains within the cumulative coverage threshold previously approved. Under the new zoning code, however, the R1 Zone District requirements now apply to individual lots unless otherwise stipulated in the subdivision's original approval—hence the need for the current variance.

Ms. Wright confirmed with Zoning Commissioner Dishaw that, despite exceeding the maximum coverage for this individual lot, the project remains under the cumulative total previously approved for the subdivision.

No one spoke in opposition to the application. Ms. Spillane closed public comment.

Zoning Administrator Dishaw advised the Board that this was analyzed as a Type II Action under SEQRA and therefore no Board action was necessary.

Ms. Wright led the Board through the five-part Area Variance balancing test, noting that unlike a use variance, an applicant need not satisfy all five criteria affirmatively—the test is one of balance.

- *Neighborhood Character:* The proposed house is similar in style and scale to surrounding homes, and the variance is not anticipated to alter neighborhood character.
- *Feasibility of Alternatives:* There is no practical alternative design that would accommodate a ground-floor master suite within the applicable coverage limits.
- *Substantiality:* Staff identified this as a substantial variance, at 12% above the permitted maximum.
- *Adverse Effects:* No adverse effects are anticipated, particularly with respect to stormwater management.
- *Self-Created Difficulty:* The difficulty is self-created, however, the Board noted this is not in itself a disqualifying factor.

Mr. Ryan motioned for approval of the Area Variance V-2026-12 with the recommended conditions:

1. As a general condition, the applicant shall comply with the general conditions for approval on the area variance application.
2. As a specific condition, any increase in the building footprint beyond the approved plans shall require approval from the Board of Zoning Appeals.

Mr. Jennings seconded the motion. The motion to approve Area Variance V-2026-12 passed unanimously.

IV. Adjournment

Ms. Spillane asked for a motion to adjourn. A motion was made by Mr. Kirst and seconded by Mr. Jennings. The motion carried unanimously. The meeting adjourned at 1:15 p.m.