

December 5, 2024
7:00PM
Owego Town Hall
2354 State Route 434
Apalachin, NY 13732

MEETING OF THE TOWN OF OWEGO ZONING BOARD OF APPEALS

Present: Chairman Gary Phelps, Jack Legg, Janet Brown, Paula Wilcox (alternate)

Excused: Dave Kresge & Dan Myers

Others Present: Bill Carrigg, Irene Graven

Chairman Phelps called the meeting to order at 6:59 pm. The minutes from the regular Zoning Board of Appeals meeting held October 3, 2024 were considered. Mr. Legg made a motion to approve the minutes as written, seconded by Ms. Wilcox. All in favor.

Appeal No. 2156

The Board visited Appeal No. 2156, a request by Reynaldo & Andrea Ochoa for an Area Variance for a shed at 2610 Montrose Turnpike, Owego.

Appearances: Reynaldo Ochoa, Applicant

Exhibits: Application for an Area Variance dated November 15, 2024

Mr. Carrigg introduced the project Appeal No. 2156 brought forward by Renaldo and Andrea Ochoa. They are requesting an area variance on parcel 140.00-1-44.2, which is located at 2610 Montrose Turn Pike Owego, NY. This is a type 2 action under SEQR and requires no further action. The Area variance request is under Article VII 125-17 3 B of the Town of Owego Zoning Code. The applicants are requesting a side yard variance of two feet on the south side of the parcel, behind the residence, which directly abuts Philip and Linda Pozzi's property (Tax map number 140.00-1-44.122). Mr. Carrigg explained that the applicant's request originates from the prior construction of their one family residence. During that project there was extra concrete left over and the contractor's poured a pad for a future storage shed. Upon requesting a building permit for the aforementioned shed it was discovered that the pad was two feet too close to the neighboring property.

Mr. Carrigg stated that letters were sent to Mr. Ochoa's adjacent neighbors regarding the application and no comments were received

Mr. Carrigg asked Mr. Ochoa to verbally read and answer the 7 questions from the Area Variance application. Mr. Ochoa complied and read and answered the 7 questions from the application.

Chairman Phelps closed the public portion of the meeting and opened the meeting up for comments or questions from the board.

A brief discussion was had regarding the location of the cement pad being located on the left side of the property.

Chairman Phelps asked if the shed would be pre-manufactured or stick build. Mr. Ochoa replied the shed will be pre-manufactured.

Mr. Legg asked if the shed would have electric. Mr. Ochoa replied no.

Mrs. Brown inquired if the shed would be used for storage. Mr. Ochoa replied yes.

Ms. Wilcox asked if Mr. Ochoa obtained a price for adding two feet in the other direction. Mr. Ochoa replied no.

Mrs. Brown stated she took a screenshot on her phone of a satellite view of Mr. Ochoa's property showing the location of the concrete pad. Mrs. Brown showed Mr. Ochoa the screenshot from her phone and asked Mr. Ochoa if the area she pointed to was the concrete pad. Mr. Ochoa replied yes.

Mr. Legg made a motion to accept Appeal 2156.

Seconded by Mrs. Brown. All in favor. Carried.

Reference:

Appeal No. 2156 dated November 15, 2024

ACTION OF THE ZONING BOARD OF APPEALS of the Town of Owego, Owego Town Hall, 2354 State Route 434, Apalachin, New York:

To: Reynaldo & Andrea Ochoa, 2610 Montrose Turnpike Owego NY 13827

At a meeting of the Zoning Board of Appeals held the 5th day of December 2024, the above referenced appeal was considered and the Board by resolution GRANTED your request for an Area Variance pursuant to Chapter 125 of the Code of the Town of Owego.

The resolution adopted by the Board of Appeals follow, viz:

WHEREAS, a public hearing was held on the 5th day of December 2024, on notice according to the law, at which Reynaldo Ochoa appeared and gave testimony to questions put forth to him by this Board; and

WHEREAS, Mr. Ochoa desires a variance of two feet for the left side yard to build a shed at his home at 2610 Montrose Turnpike, Owego, NY; and

NOW, THEREFORE, be it

RESOLVED, that the Board makes the following findings based on the entire record:

1. Applicant requested an Area Variance of two feet for the left side yard to build a shed at his home;
2. Property is located at 2610 Montrose Turnpike Owego NY;
3. Property is situated in an Agricultural(AG) zoning district;

And be it further

RESOLVED, the application for an Area Variance is hereby GRANTED.

Any and all other provisions of this Chapter not waived or modified by this decision are to be observed.

With there being no further business, the meeting was adjourned at 7:09pm.

Respectfully Submitted,

Tina Tammaro, Secretary
Zoning Board of Appeals