

Minutes of a regular meeting of the  
Johnson City Zoning Board of Appeals held on  
January 11, 2016 at 7:30pm at  
243 Main St., Johnson City, NY

Present: Edward Mazanek, Chairman  
Leonard Sas, Vice Chairman  
Charles Snedaker, Secretary  
Vernon Rowlands  
Dr. Steve Holowinski

Absent: None

Also Present: Diane Busko, Clerk to the Planning & Zoning Boards  
Jeff Jacobs, Attorney for the Village  
Daria Golazeski, Town of Union DCPW/C&O

A brief work session was held at 7:00pm. During the work session the board reviewed the applications on the agenda.

**Reorganization of officers**

A motion to nominate Mr. Edward Mazanek as Chairman was made by Mr. Rowlands and seconded by Dr. Holowinski. The motion carried with all those present voting in the affirmative.

A motion to nominate Mr. Leonard Sas Vice Chairman was made by Mr. Rowlands and seconded by Dr. Holowinski. The motion carried with all those present voting in the affirmative.

A motion to nominate Mr. Charles Snedaker as Secretary was made by Mr. Rowlands and seconded by Dr. Holowinski. The motion carried with all those present voting in the affirmative.

A motion to consent to the Planning Board serving as Lead Agency for all projects that will require site plan approval was made by Mr. Sas and seconded by Dr. Holowinski.

Motion Carried – Vote:

**Yes** – 5 (*Holowinski, Snedaker, Sas, Rowlands, Mazanek*)    **No** – 0    **Absent** – 0

Chairman Mazanek called the meeting to order at 7:30pm & noted the emergency exits.

**Minutes** - A motion to approve the minutes for the December 14, 2015 regular meeting was made by Mr. Snedaker and seconded by Mr. Sas. The motion carried with all those present voting in the affirmative.

**Privilege of the Floor** - None

**Communications** - None

**Contingencies** - None

**OLD BUSINESS** - None



## NEW BUSINESS

### David Planavsky – 8 Myrtle Avenue Public Hearing – Use Variances

David Planavsky recently purchased a mixed use building at 8 Myrtle Avenue. The property is located in an Urban Single Family Zoning District which does not permit commercial uses therefore, Mr. Planavsky is requesting a use variance to allow office use. The building consists of 3 apartments and vacant commercial space on the first floor that had received a use variance in 1987 for an audio visual repair service which has since been discontinued. Mr. Planavsky is proposing to use the first floor commercial space of approximately 928 square feet for a mobile application software business. The proposed office space would deal with phone and internet inquiries. There would be one or two employees in the office area.

Mr. David Planavsky was present.

Chairman Mazanek opened the public hearing.

Mr. Rowlands asked what the proposed business is. Mr. Planavsky explained that it is a cell phone app business. There will be one or two employees and no customers will come to the site. Information will be e-mails and/or sent by regular mail to customers.

Mr. Sas asked if there is employee parking. Mr. Planavsky stated that yes there is.

Mr. Rowlands asked how many residences are in the building. Mr. Planavsky stated that there are 3 residences.

*Theresa Congdon, (Address unknown)* – Asked for specifics on the number of apartments. Mr. Planavsky explained that there are 2 apartments on the second floor and one on the first floor.

Chairman Mazanek read the staff recommendations.

### PLANNING STAFF RECOMMENDATIONS

The Planning Department staff recommends that the Planning Board recommend to the ZBA:

- 1) Approval of the use variance but restricted to professional office, and on the first floor only.

The Planning staff recommends that the Zoning Board of Appeals consider that previously the space has been used as a grocery store and in 1987 the site received a variance for an audio visual repair business.

If the variance is granted, the application must come back to the Planning Board for site plan review.

Chairman Mazanek closed the public hearing.

A motion to approve a use variance for a non-medical professional purpose on the first floor only was made by Mr. Rowlands and seconded by Mr. Sas.

Motion Carried – Vote:

**Yes** – 5 (*Holowinski, Snedaker, Sas, Rowlands, Mazanek*)    **No** – 0    **Absent** – 0



**ADJOURNMENT**

The meeting was adjourned at 7:36pm.

Respectfully submitted,



Diane Busko  
Zoning Board Clerk

