

City of Olean

ZONING BOARD OF APPEALS

P.O. Box 668, 101 East State Street, Room 212
Olean, New York 14760, (716) 376-5683

Minutes for Zoning Board Meeting held Wednesday, July 9, 2025

Olean Municipal Building – Room 119

Present: Kelly Sweet, Steve Rogers, Jim Rucinski, Bill Eaton

Absent: Otto Tertinek, Tom Enright, James Dwaileebe

Staff: Shawn Wing, Jacob Herbert

Other: Lindsay Green

CALL TO ORDER

K. Sweet called the meeting to order at 5:45 p.m.

ROLL CALL

K. Sweet read roll call. O. Tertinek, T. Enright, J. Dwaileebe were absent.

READING AND APPROVAL OF THE MINUTES FROM June 25, 2025

K. Sweet amended the minutes to better clarify the conditions placed on the use variance given for the fence at 111 N. 14th Street.

S. Rogers made a motion, seconded by J. Rucinski, to accept the minutes as amended. Voice vote, all ayes.

NEW BUSINESS

- **361 Fountain Street (Area Variance – #2025199)**

K. Sweet read the application from Scott Whiteman, requesting an area variance to build a garage 10 feet off the public right away deviating from the required 20 feet. This request will vary from the requirements of Article 28, Section 4.1.3 of the City of Olean Zoning Law.

The Board reviewed Part I of the SEQR. K. Sweet made a motion to classify it as a Type II Listed Action and that the application is complete, seconded by J. Rucinski. Voice vote, all ayes. Motion carried.

S. Rogers made a motion to set a public hearing date for July 23, 2025 at 5:47 pm, seconded by B. Eaton. Voice vote, all ayes. Motion carried.

- **1502 W. Henley (Use Variance - #2025218)**

K. Sweet read the application from Wade Green, requesting a use variance to allow for an auto detailing business on the property. This request will vary from the requirements of Article 28, Section 4.2.2 of the City of Olean Zoning Law.

Also included with the application was a letter from property owner David Luca giving permission for this request, a copy of the applicant's business license, and letters from five residents expressing their favor for this variance.

The Board reviewed Part I of the SEQR. K. Sweet made a motion to classify it as an unlisted action and make a negative declaration, seconded by S. Rogers. Voice vote, all ayes. Motion carried.

Conversation was had regarding whether or not a Use variance or a Home Occupation permit would be the more appropriate application for the request. Concern was given about allowing for car detailing on the property, which would stay with the parcel upon the applicant moving or sale by the property owner. While it was thought it might be more appropriate, a Home Occupation specifies that the business must be held within the walls of the home or garage and this request would require the use of the driveway.

The Board tabled the application to get further advice from the City Attorney.

- **825 E. State Street (Area Variance - #2025236)**

K. Sweet read the application from John Petruzzi of Petruzzi Properties, requesting an area variance to build a small storage shed on or near the rear property line. This request will vary from the requirements of Article 28, Section 10.5.1.3(a).1 of the City of Olean Zoning Law.

The Board reviewed Part I of the SEQR. K. Sweet made a motion to classify it as a Type II Listed Action and that the application is complete, seconded by B. Eaton. Voice vote, ayes all. Motion carried.

B. Eaton made a motion to set the public hearing date for July 23, 2025 at 5:49 pm, seconded by J. Rucinski. Voice vote, all ayes. Motion carried.

ADJOURNMENT

B. Eaton made a motion, seconded by S. Rogers, to adjourn the meeting at 6:37 pm. Voice vote, all ayes. Motion carried.

Respectfully submitted,
Jacob Herbert