

TOWN OF LYSANDER  
ZONING BOARD OF APPEALS  
Monday, July 12, 2021 at 7:30 p.m.

I. PUBLIC HEARING—7:30 p.m.

1. Area Variance  
Case No. 2021—002

Davis, David & Amy  
11386 Riverbend Drive

II APPROVAL OF MINUTES

Review and approval of the minutes of January 11, 2021 special Zoning Board of Appeals meeting.

III. ADJOURN

TOWN OF LYSANDER  
ZONING BOARD OF APPEALS  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that pursuant to Section 267-a(12) Town Law, a Public Hearing will be held by the Town of Lysander Zoning Board of Appeals on Monday, July 12, 2021 at 7:30 p.m. at the Town of Lysander Town Offices, 8220 Loop Road, Baldwinsville, New York, for the purpose of considering the following:

The application of David & Amy Davis, for an Area Variance for property located at 1386 Riverbend Drive, Baldwinsville, New York, Tax Map No. 045.-01-38.0 to allow the construction of a garage, in accordance with Article VI, Section 320-16, Paragraph A(2)(a), Front Yard Setback, of the Lysander Town Ordinance.

Dated: June 22, 2021

Richard Jarvis, Chairman  
Lysander Zoning Board of Appeals

**TOWN OF LYSANDER**  
**ZONING BOARD OF APPEALS**

**APPLICATION**

Application Number 2021-002 Date 6-3-21 Fee \$50-

**Type of Application**

- ( ) Special Use Permit  
( ) Permit for Temporary Structure/Occupancy (explain need on page 2)  
( ) Extension of Permit for Temporary Structure/Occupancy (explain need on page 2)  
( ) Appeal of Decision made by the Code Enforcement Officer  
    (x) Area Variance (provide details on page 2)  
    ( ) Use Variance (use requested \_\_\_\_\_)  
( ) Informal Interpretation (describe issue on page 2)  
( ) Other \_\_\_\_\_

**Applicable Sections of the Zoning Ordinance**

Article VI, Section 320-16 Para-  
graph A(2)(a) Front Yard Setback

**Review by Onondaga County  
Planning Board**

( ) Required (x) Not Required

**Review by Town of Lysander  
Planning Board**

( ) Required (x) Not Required

**Applicant**

Name DAVID & AMY DAVIS  
Street Number 1386 RIVERBEND DRIVE Municipality LYSANDER/BALDWINSVILLE  
State NY Zip Code 13027

**Property**

Street Number 1386 RIVERBEND DRIVE Municipality LYSANDER/BALDWINSVILLE  
State NY Zip Code 13027  
Tax Map Number PARCEL NO: 38, LOT 6, MAP NO. 4274 (PER EXECUTOR'S DEED)  
Owner (if different than applicant) \_\_\_\_\_  
    Name \_\_\_\_\_  
    Address \_\_\_\_\_  
Zoning District R-20 Overlay Control \_\_\_\_\_  
Size of Property 0.83 acres  
Existing Structures/Uses (x) Conforming ( ) Nonconforming

## Need and Description

For temporary permits, explain why a permit is needed. For area variances, attach a copy of a current survey and any drawings or plans - if reducing or enlarging documents that **do not** include a graphic representation of scale indicate the percentage of reduction or enlargement. Attach additional pages if necessary.

SEE ATTACHED LETTER:

SUMMARY - REQUESTING AREA VARIANCE FOR A ON-SLAB DETACHED GARAGE TO OVERCOME SLOPING PROPERTY AND STORAGE SHORTFALLS IN EXISTING HOME PURCHASED IN 2019

## Area Variances

(x) Residential                      ( ) Principal Structure  
( ) Nonresidential                (X) Accessory Structure

(X) Front Yard Setback  
Required Setback 30 feet  
Variance Requested +18.73 feet  
( ) Individual Side Yard Setback  
Required Setback \_\_\_\_\_ feet  
Variance Requested \_\_\_\_\_ feet  
( ) Lot Dimensions/Coverage/Floor Area  
Type \_\_\_\_\_  
Requirement \_\_\_\_\_  
Variance Requested \_\_\_\_\_

( ) Rear Yard Setback  
Required Setback \_\_\_\_\_ feet  
Variance Requested \_\_\_\_\_ feet  
( ) Total Side Yard Setback  
Required Setback \_\_\_\_\_ feet  
Variance Requested \_\_\_\_\_ feet  
( ) Other  
Type \_\_\_\_\_  
Requirement \_\_\_\_\_  
Variance Requested \_\_\_\_\_

## Alternatives

Explain in detail why the proposed action cannot be conducted where a variance would not be required, or where a smaller variance would be required (attach additional pages if necessary).

I COULD REMOVE MY EXISTING SHED, HOWEVER, THIS WOULD PLACE THE GARAGE ENTRANCES PARTIALLY IN THE

BACKYARD AND I WOULD NOT BE ABLE TO ENTER FROM MY EXISTING DRIVEWAY ENTRANCE. IF WE WERE TO TURN THE STRUCTURE, THIS WOULD ALSO LIMIT THE WIDTH OF THE STRUCTURE FURTHER AND WOULD REQUIRE A ADDITIONAL

INVESTMENT OF APPROXIMATELY \$10,000 TO BUILD UPON A BELOW-FROST FOUNDATION. THE OTHER PARTS OF MY YARD HAVE A GAS AND WATER LINE RUNNING FROM THE STREET TO THE HOME THAT I CANNOT BUILD OVER WHICH LIMITS ME TO THIS SIDE YARD LOCATION ONLY FOR CONSIDERATION

I CANNOT MOVE THE STRUCTURE CLOSER TO THE HOME BECAUSE THERE IS A 1500' FIRE CODE AREA I MUST OBSERVE

Sworn this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Applicant/Representative Signature

\_\_\_\_\_  
Owner/Representative Signature

TO: Lysander Zoning Board

FROM: DAVID & AMY DAVIS  
1386 RIVERBEND DRIVE  
Baldwinsville, NY 13027

PHONE:

PHONE: 315-935-9497

SUBJECT: Area Variance Request

DATE: May 28, 2021

To Whom it may concern,

We are writing to you today to request an area variance for our property to build a detached garage & storage space. We have contracted with a local contractor on a plan that share the exact same Architectural and materials as our home as not to introduce structures that are not of like kind to the neighborhood or property.

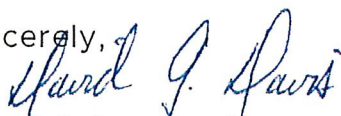
Upon review of the survey in preparation for my permits, there are some significant area constraints that will prohibit us from this design, and I request review and consideration of the hardships listed below.

Hardships

- Negative Slope Driveway & Front yard - Property has high degree of slope from road surface to home exceeding over 3' elevation drop from road to garage – this has presented dangerous slip hazards for our vehicles during winter and looking to mitigate that with garage entrances closer to the road. We are the only house on Riverbend drive with this effect. Building a 4'-deep to the frost line foundation instead of an on-slab detached garage would add an estimated \$10k-\$12K to the cost of the garage itself to overcome the slope difference here
- Vehicle & Equipment Storage – we have two children who are of driving age and will be with us for several years at a minimum and wish to have their vehicles protected in a garage setting but our existing garage and does not have the space as it
- Household Storage – The house (purchased in late 2019) lacks material storage space, and as a result, we have storage racks packed into our existing garage prohibiting adequate parking for even existing vehicles
- Structure Location – On the other side of the property, we have underground water from our well, as well as a gas line from National Grid that prohibit us from building this on the other side of the property with more space

If you have any questions, please don't hesitate to contact me via phone or email (david848@gmail.com)

Sincerely,



David & Amy Davis

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: <b>DAVIS - DETACHED GARAGE CONSTRUCTION</b>			
Project Location (describe, and attach a location map): <b>1386 RIVERBEND DR, BALDWINVILLE, NY 13027, PARCEL NO 38, LOT 6, MAP NO 4274</b>			
Brief Description of Proposed Action: <b>BUILD A DETACHED GARAGE ON SLAB IN FRONT SIDE YARD FOR ADDITIONAL CAR AND PERSONAL STORAGE NEEDS</b>			
Name of Applicant or Sponsor: <b>DAVID &amp; AMY DAVIS</b>		Telephone: (315) 935-9497 E-Mail: <b>DAVISD848@GMAIL.COM</b>	
Address: <b>1386 RIVERBEND DRIVE</b>			
City/PO: <b>BALDWINVILLE</b>		State: <b>NY</b>	Zip Code: <b>13027</b>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.83 acres	
b. Total acreage to be physically disturbed?		0.018 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.83 acres	
4. Check all land uses that occur on, <u>are</u> adjoining [and] <u>or</u> near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): <u>HOME IS ON A RIVER</u> <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service[is] available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archeological site, or district that [a structure that] is listed on [either] the National Register of Historic Places or the State Register of Historic Places or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the [proposed action] project site, or any portion of it, located in or adjacent to an area designated as [archaeologically] sensitive [area] for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. A. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ OUR HOME IS ON THE SENECA RIVER, THIS WOULD BE A DETACHED GARAGE ADDED TO THE FRONT YARD, FAR FROM THE WATER FRONT			



14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
18. Does the proposed action include construction or other activities that <u>would</u> result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
20. Has the site of the proposed action or an adjoining property been <u>the</u> subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
I [AFFIRM] CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>DAVID G DAVIS</u> Date: <u>MAY 28, 2021</u>		
Signature: <u><i>David G Davis</i></u> Title: <u>HOMEOWNER</u>		



735.0' to west line  
Riverbend Manor

## River Bend Drive

N 79°30'00" E

sl'ly road line

NORTH

150.00'

40' Building Line

tarvia  
drive

60.27'

shed  
8.25' x 10.25'

wood  
inc.

chain link fence

House #1386

brick wall

36.1'

10.0'

Garage

24.25'

50.0'

wood  
fence

18.15'

27.55'

1' OH

12.0'

22.95'

12.0'

16.45'

2nd floor deck

chain link fence

215.0' +/- (to shore line)

S 10°30'00" E

N 10°30'00" W

224.4' +/- (from shore line)

Lot 5

Lot 6

Lot 7

deed ref. 5310/595  
tax id. 045-01-38  
Area = 0.775 Acres +/-

shore line +/-

timber

wood

Boat  
Slip

wood

deck

wood  
deck

shoreline +/-

## Seneca River

Reference Filed Map #4274

August 15, 2019 Survey updated and recertified

Original copies of this survey map  
signed and sealed in red ink

The undersigned surveyor hereby certifies that this is an  
accurate map of an actual survey completed 12/19/2014.  
Subject to any state of facts that an accurate and up to  
date abstract of title will show.  
Signature date 8/24/2019.

Signed

Project No. 14-016-6 Drawing: riverbend1386

MAP OF:

Location Survey  
Lot 6 Riverbend Manor

Known as #1386 River Bend Drive

Part of Lot 75

County of Onondaga

Scale of 1" = 30 Feet

Town of Lysander

State of New York

Date December 19, 2014

**GEORGE A. VENDITTI, JR.**

(315) 638-6296

NYS Licensed Land Surveyor

271 Hawker Circle

Bridgesville, NY 13027

(315) 343-6223

Oswego, NY

# River Bend Drive

735.0' to west line  
Riverbend Manor

Well Water Shutoff  
= 10.00' from Edge  
of Blacktop

Edge of Blacktop

Side Line = 10.00'  
from Property Line

N 79°30'00" E

s'ly road line

NORTH

150.00'

Power Utilities = Overhead  
Water = Well  
Sewer = Septic

Edge of Road (blacktop)  
= 12.00' from s'ly Road  
Line and 72.00' from  
Home structure

40.00'

Per Town of  
Lysander - Building  
Line now @ 30.00'

tarvia  
drive

40' Building Line

Maximum Building Size =  
15.27 wide x 33.81' deep

Fire Line = 15.00'

shed  
8.25' x 10.25'

wood  
fnc.

brick wall

Garage

chain link fence

Existing  
Survey  
Building Zones

(ore line)

10.0'

24.25'

36.1'

45.84'

# River Bend Drive

735.0' to west line  
Riverbend Manor

Well Water Shutoff  
= 10.00' from Edge  
of Blacktop

N 79°30'00" E

Edge of Blacktop

Side Line = 10.00'  
from Property Line

s'ly road line

Per Town of  
Lysander - Building  
Line now @ 30.00'

40.00'

11.00' from s'ly  
road line &  
23.00' from Edge  
of blacktop

150.00'

Power Utilities = Overhead  
Water = Well  
Sewer = Septic

NORTH

tarvia  
drive

+ 18.73' Area  
Request

Requested  
Building Size =  
34.00' x 24.00'

40' Building Line

DAVIS -  
Detached Garage  
Option #1

shed  
8.25' x 10.25'

wood  
fnc.

Fire Line = 15.00'

24.25'

Garage

10.0'

36.1'

brick wall

ore line)

45.84'