

**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, January 9, 2017 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 Merle Builders, for an Area Variance for property located at 7926 Spring Woods Circle, Baldwinsville, New York, Tax Map No. 059.-04-19.0 to allow the construction of an addition that requires a Rear Yard Setback Variance, in accordance with Article XXI, Section 139-60, Paragraph C(1)(c) and Paragraph C(2)(a) of the Lysander Town Ordinance.

Dated: December 21, 2016

Karen Rice, Clerk  
On Behalf of Chairman/Acting Chairman  
Lysander Zoning Board of Appeals

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

**APPLICATION**

Application Number 2017-001 Date 11-30-16 Fee \$150--

**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  
    ☒ 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 XXI Section 139-60 Paragraph  
C(1)(c) Paragraph C(2)(a) Highway  
Overlay Controls, Rear Yard Setback

**Review by Onondaga County**  
**Planning Board**

( ) Required ☒ Not Required

**Review by Town of Lysander**  
**Planning Board**

☒ Required ( ) Not Required

**Applicant**

Name Marie Brilman  
Street Number 8233 Park Ridge Municipality Liverpool  
State NY Zip Code 13090 Suite 2

**Property**

Street Number 7726 Spring Woods Circle Municipality Lysander  
State NY Zip Code 13037  
Tax Map Number 059-04-19.0  
Owner (if different than applicant)  
    Name Card Holding  
    Address 7804 Vernon Rd.  
            Cicero, NY 13039  
Zoning District R-12.5 Overlay Control Highway  
Size of Property 0.512 acres  
Existing Structures/Uses ( ) Conforming ( ) Nonconforming

### Need and Description

For temporary permits, explain why a permit is needed. For special use permits and area variances, describe the project and 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.

(Attached)

### Area Variances

☒ Residential  
☐ Nonresidential

☒ Principal Structure  
☐ Accessory Structure

☐ Shoreline Structure

☐ Front Yard Setback

Required Setback \_\_\_\_\_ feet  
Variance Requested \_\_\_\_\_ feet

☐ Individual Side Yard Setback

Required Setback 10' feet  
Variance Requested \_\_\_\_\_ feet

☐ Lot Dimensions/Coverage/Floor Area

Type \_\_\_\_\_  
Requirement \_\_\_\_\_  
Variance Requested \_\_\_\_\_

☐ Rear Yard Setback

Required Setback 140 feet  
Variance Requested 8.5 feet

☐ Total Side Yard Setback

Required Setback \_\_\_\_\_ feet  
Variance Requested \_\_\_\_\_ feet

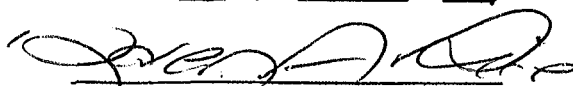
☐ Other

Type \_\_\_\_\_  
Requirement \_\_\_\_\_  
Variance Requested \_\_\_\_\_

### Alternatives

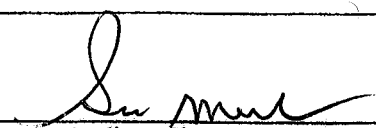
Explain in detail why the proposed action cannot be conducted where an area variance would not be required, or where a smaller area variance would be required (attach additional pages if necessary).

Sworn this 30 day of November, 2018



KAREN A. ROSE  
Notary Public  
Notary Public, State of New York  
Qualified in Onondaga County  
No. 4855987

Commission Expires May 12, 2018

  
Applicant Signature

The Spec home designed for Lot 1 Springwood was designed around a ~~the~~ limited building envelope.

Unfortunately, ~~that~~ although the curb appeal has been well received, the lack of 1st Floor Family room / living space has been overwhelming.

Even with price reductions of c. \$20,000 this objection has been unable to be overcome.

We are seeking a variance whereby 150 sq ft will be added to the current home w/ c. \$30k being necessary as part of the variance. In making this costly change, it will enable us to not only market, but sell this beautiful craftsman home.

To date, we have had hundreds through the property, and has been on the market for c. 1 year.

We understand that this error in design was our responsibility, however we seek your assistance in helping ~~write~~ <sup>write</sup> the next chapter in what we feel is an exciting subdivision in the Batesville area.

DATE	DRAWN BY	SCALE	FILE NO.
10/11/16	DJR	1" = 30'	14.068



Joanne M. Mahoney  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE

### ONONDAGA COUNTY PLANNING BOARD

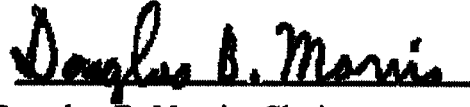
Meeting Date: January 04, 2017

OCPB Case # Z-17-19

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Lysander Zoning Board of Appeals at the request of Scott Merle for the property located at 7926 Springwoods Circle; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of New York State Route 370, a state highway, and the municipal boundary between the Town of Lysander and the Village of Baldwinsville; and
- WHEREAS, the applicant is requesting an area variance to construct an addition to a residential structure, with a reduction in the rear yard setback on a 0.5-acre parcel in a Residential (R-12.5) zoning district; and
- WHEREAS, the Board previously recommended modification of a site plan referral (S-06-21) for the 9-lot Spring Woods subdivision and disapproval of a final subdivision referral (S-07-46), citing setback requirements and road access; in 2014, the Board reviewed site plan and area variance referrals (Z-14-364 and 365) for a subdivision monument sign, and included a number of recommendations regarding limited access onto NYS Route 370, stormwater, stream and wetland buffering; and
- WHEREAS, the site is located at the entrance to the 9-lot Spring Woods subdivision, currently being developed, with driveway access onto the Spring Woods Circle cul-de-sac roadway; the site has frontage on, but will not be allowed driveway access onto New York State Route 370, per the New York State Department of Transportation; and
- WHEREAS, per the referral materials, the applicant/builder has a house under construction and the potential buyer desires an addition to the rear of the house, which encroaches 8.2 feet within the Highway Overlay setback from Route 370; and
- WHEREAS, the Lot 1 Springwood Subdivision plan dated October 11, 2016 shows the 1-story wood frame house to be located just within the other applicable setbacks for the lot, with only the proposed 10' x 15' addition at the northwest corner of the structure encroaching into the setback; and
- WHEREAS, the plan also shows the majority of the rear yard of the proposed lot to be labeled as a drainage easement for stormwater detention area; and
- WHEREAS, the site is to be served by public drinking water and wastewater infrastructure and is located in the Baldwinsville-Seneca Knolls Wastewater Treatment Plant service area; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at [www.ongov.net/wep/uselaws.html](http://www.ongov.net/wep/uselaws.html); and

WHEREAS, the site lies within 500 feet of the municipal boundary of the Village of Baldwinsville, and the municipality is encouraged to give notice of the public hearing on the proposed action to all adjacent municipalities and/or any municipalities that may be impacted by the proposed project; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.

A handwritten signature in black ink, reading "Douglas B. Morris", is written over a horizontal line.

Douglas B. Morris, Chairman  
Onondaga County Planning Board  
Transmittal Date: 01-04-2017

## GML 239 Report of Final Action

NYS GML § 239-m.6. and n.6. require the referring body to file a report of the final action it has taken on a referred matter with the county planning agency within 30 days after the final action (separate from the minutes taken at the meeting). A referring body which acts contrary to a County Planning Board recommendation of MODIFICATION or DISAPPROVAL of a referred matter shall also set forth the reasons for the contrary action in such report.

This section to be completed by the Syracuse-Onondaga County Planning Agency

**To:** Onondaga County Planning Board      **From:** Town of Lysander Zoning Board of Appeals

**Fax:** 435-2439      **Phone:** 435-2611

**Re: Applicant:** Scott Merle  
**Address:** at 7926 Springwoods Circle  
**Referral Type:** AREA VARIANCE  
**OCPB Date:** January 04, 2017  
**OCPB Action:** No Position  
**OCPB Case #:** Z-17-19

*The local board took the following action regarding the above referenced referral (Check one box. If checking Other, please specify the final action taken. Use the space at the bottom of the report to identify reasons if acting contrary to the OCPB recommendation.):*

- ☐ Approved the proposed action with regard to the OCPB's No Position or No Position with Comment.
- ☐ Approved the proposed action as modified by the OCPB.
- ☐ Approved the proposed action contrary to some of the modifications recommended by the OCPB.\*
- ☐ Approved the proposed action contrary to all of the modifications recommended by the OCPB.\*
- ☐ Approved the proposed action contrary to the disapproval recommended by the OCPB.\*
  
- ☐ Disapproved the proposed action with regard to the OCPB's no position or no position with comment.
- ☐ Disapproved the proposed action with regard to the recommended modification(s) by the OCPB.
- ☐ Disapproved the proposed action as recommended and for reasons set forth by the OCPB.
- ☐ Disapproved the proposed action as recommended but for reasons other than those set forth by the OCPB. (Please list reasons below for local disapproval.)
  
- ☐ Other \_\_\_\_\_

Local Board Date: \_\_\_\_\_

\*List reasons for acting contrary to the OCPB recommendation and include a copy of the local board resolution. Attach additional reasons on a separate sheet of paper as necessary.

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