

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, December 5, 2016 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 Jennifer Haney, for an Area Variance for property located at 7574-7576 River Road, Baldwinsville, New York, Tax Map No. 064.-0-07.0 to allow the subdivision of two undersized residential Lots which requires Minimum Lot Size Variance; Front Yard Setback Variance and Lot Width Variance in accordance with Article X, Section 139-14, Paragraph A(1) a & b & A(2)a and Article XXI, Section 139-60, Paragraph D(1)a & D(2) a & b of the Lysander Town Ordinance.

Dated: November 16, 2016

L. Micha Ordway, Chairman  
Lysander Zoning Board of Appeals



**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.

want to split the property so both homes  
have separate lots.

**Area Variances**

- Residential                       Principal Structure                      ( ) Shoreline Structure  
( ) Nonresidential                      ( ) Accessory Structure

- ( ) Front Yard Setback - Lot 1  
Required Setback 100 feet  
Variance Requested 44.44 feet  
( ) Individual Side Yard Setback  
Required Setback \_\_\_\_\_ feet  
Variance Requested \_\_\_\_\_ feet  
 Lot Dimensions/Coverage/Floor Area  
Type Lot Size  
Requirement 40,000  
Variance Requested 2,275

- Lot 2  
( ) Rear Yard Setback  
Required Setback \_\_\_\_\_ feet  
Variance Requested \_\_\_\_\_ feet  
( ) Total Side Yard Setback  
Required Setback \_\_\_\_\_ feet  
Variance Requested \_\_\_\_\_ feet  
 Other  
Type Lot Size  
Requirement 40,000  
Variance Requested 2,785

Lot width 200 reqd.  Lot width 200 reqd.  
Alternatives Variance 45.30' Variance 47.80'

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).

There are no alternatives. Applicant  
purchased the lot with 2 residential  
structures on it. Homes were  
constructed and are a grandfathered  
use. The 2 homes are not conforming  
but they are trying to make them  
less non-conforming but putting them on  
separate lots.

Sworn this 27<sup>th</sup> day of October, 2016

Janet Falconer  
Notary Public

Jennifer Haney  
Applicant Signature

JANET FALCONER  
Notary Public, State of New York  
No. 01FA6334422  
Qualified in Onondaga County  
Commission Expires December 14, 2019

however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve.

### § 139-54 **Nonconforming uses.**

- A.** All lawful structures and uses not conforming to the regulations of the district in which they are located at the time of the effective date of this chapter or amendments thereto shall be known and regarded as "nonconforming."
- B.** A nonconforming structure or use may be continued subsequent to adoption of this chapter, provided that no such structure may be enlarged or altered in a way which increases its nonconformity, and no such use shall be enlarged or increased to occupy a greater area of land than was occupied at the effective date of adoption of this chapter. Nonconforming junkyards and automobile wrecking yards shall amortize their operations within 18 months of the effective date of this chapter and on or before that date shall cease to operate as a junkyard or automobile wrecking yard. All junk, materials, scrap cars or similar items shall be removed from the property on or before the above date or the nonconformity shall be deemed to have continued in violation of this provision.
- C.** Any nonconforming use may be extended throughout any parts of a structure which were manifestly arranged or designed for such use at the time of adoption of this chapter. A nonconforming use may be changed to a use of the same classification, and, when changed to a more restrictive classification, such use thereafter shall not be changed to a less restrictive classification.
- D.** To avoid undue hardship, nothing herein contained shall require any change in plans, construction or designated use of a structure for which a building permit was issued more than 30 days prior to the effective date of this chapter and the construction of which is begun and diligently prosecuted within three months after the enactment hereof and which building shall be completed within one year of the effective date of this chapter.
- E.** On any structure devoted in whole or in part to any nonconforming use, work may be done on ordinary repairs or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing, provided that the cubical content of the structure, as it existed at the time of passage of this chapter, shall not be increased.
- F.** Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any structure or part thereof declared to be unsafe by any town official charged with protecting the public safety upon order of such official.
- G.** Reversion of nonconforming structures and uses. A nonconforming structure or use may not be altered, rebuilt or resumed except in conformity with the regulations for the district in which it is located if:
  - (1)** Either a nonconforming structure or use has once been changed to a conforming use.
  - (2)** A nonconforming use of land ceases for any reason for a period of more than 90 days.
  - (3)** A nonconforming use of a structure has ceased for a consecutive period of six months or for 18 months during any three-year period.
  - (4)** A nonconforming structure is destroyed by any means to the extent of 50% or more of either its value or its area.



Joanne M. Mahoney  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

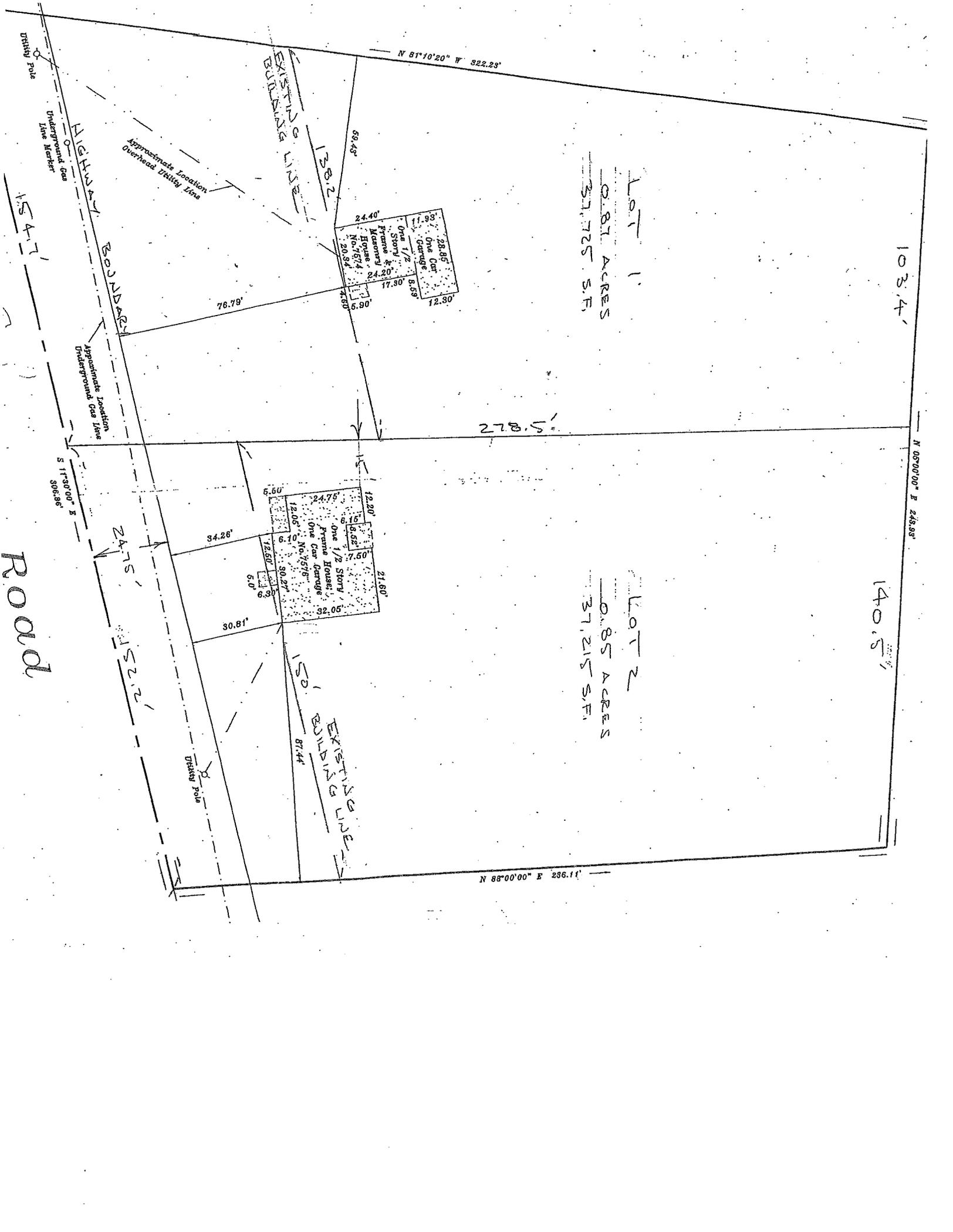
Meeting Date: November 22, 2016

OCPB Case # Z-16-413

- 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 Jennifer Haney for the property located 7574-7576 River Road; 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 River Road, a county road; and
- WHEREAS, the applicant is requesting several area variances to allow for the subdivision of a 1.72-acre parcel with two existing houses into two lots, one for each house, in an AR-40 zoning district; and
- WHEREAS, the site is located in a residential and agricultural area on the Lysander Peninsula, and contains two existing single-family homes, each with existing driveways onto River Road, which must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, per the local application, the owner purchased the lot with the two primary structures on it, which were a grandfathered use; the new owner wishes to lessen the nonconformities by putting them on separate lots; no changes to either proposed parcel are indicated in referral materials; and
- WHEREAS, the requested subdivision would require a number of area variances: for proposed Lot 1, variances would include a 44.44' front yard setback variance (100' required), a 2,275 square foot lot size variance (40,000 sf required), and 45.3' minimum lot width variance (200' required); proposed Lot 2 would require variances for lot size (2,785' variance, 40,000 sf required) and lot width (47.8' variance, 200' required); and
- WHEREAS, each of the houses are served by public water and private individual septic systems; the site is located along River Road, which is being considered by the Town for the addition of future public wastewater infrastructure; 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.

Daniel Cupoli, Vice Chairman  
Onondaga County Planning Board  
Transmittal Date: 11-22-2016



103.4'

N 05°00'00" E 248.93'

140.5'

LOT 1  
0.81 ACRES  
37,725 S.F.

LOT 2  
0.85 ACRES  
37,215 S.F.

278.5'

N 81°10'20" W 322.29'

N 88°00'00" E 236.11'

24.40'  
24.20'  
17.80'  
6.59'  
28.85'  
12.80'  
One 1/2 Story Frame & Masonry House No. 7674  
One Car Garage

24.78'  
12.05'  
12.05'  
5.00'  
7.50'  
21.80'  
32.05'  
One 1/2 Story Frame House No. 4578  
One Car Garage

EXISTING LINE

EXISTING LINE

Approximate Location Overhead Utility Line

Approximate Location Underground Gas Line

Utility Pole

Underground Gas Line Marker

Utility Pole

VIETNAM ROAD

1547'

Road

S 11°30'00" E 306.86'

247.5'

152.2'

76.79'

34.26'

30.81'

59.43'

138.2'

12.20'

5.60'

5.00'

5.00'

150' ROAD

87.44'

# 7574&7576 River Rd



05/05/2014

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*Existing Address -*

Google Maps 7575 River Rd



Image capture: Apr 2012 © 2016 Google

Baldwinsville, New York

Street View - Apr 2012

