BOARD OF ZONING APPEALS (BZA)

AGENDA

The regular monthly meeting of the BOARD OF ZONING APPEALS will be held at 6:00 p.m. on Tuesday, May 3, 2022. This meeting will be held remotely as permitted by legislation S.50001 and A.40001, which extends virtual access to public meetings granted by the Governor’s Executive Order 202.1. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg.

I. NEW APPEALS
   A. Appeal Number: 3217
      Address: 325 Dryden Road and 320 Elmwood Avenue
      Zone: CR-2 and CR-3
      Applicant: Jason K. Demarest Architecture
      Owner: Red Door Rentals and AdBro Development
      Public Hearing: Yes
      Description: Request for an area variance from §325-45.2E, Collegetown Residential 3 (CR-3) District Standards for the Maximum Building Length requirement of the Zoning Ordinance to allow the construction of a new three-story multiple dwelling on the CR-3 portion of the lot and a new three-story two-family dwelling within the CR-2 district.

   B. Appeal Number: 3215
      Address: 123 N. Quarry Street
      Zone: R-3a
      Applicant: Ivana Isailovic, Property Owner
      Public Hearing: Yes
      Description: Request for an area variance from §325-8, Column 4, Off-Street Parking requirements of the Zoning Ordinance to allow the construction of a second apartment within the basement of the existing single-unit multiple dwelling.

   C. Appeal Number: 3216
      Address: 204 Homestead Terrace
      Zone: R-1a
      Applicant: Colin and Katie Tschida, Property Owners
      Public Hearing: Yes
      Description: Request for an area variance from §325-8, Column 11, Front Yard requirements of the Zoning Ordinance to allow the construction of a larger front porch that will encroach into the required 25' front yard.

II. CONTINUED APPEALS
   A. Appeal Number: 3198
      Address: 228 Dryden Road
      Zone: CR-4
      Applicant: HOLT Architects
      Owner: Boris Simkin

If you have a disability and would like specific accommodation in order to participate, please contact the City Clerk’s Office at 274-6570 by 12:00 p.m., no later than 2 days (not including weekends and holidays) before the meeting.
Public Hearing: Yes
Description: Request for an area variance from §325-45.2F, Collegetown Residential 4 (CR-4) District Standards for Lot Coverage by Buildings requirement of the Zoning Ordinance to allow the construction of a new four-story row house.
NOTE: This public hearing is a continuation of the hearing opened at the April 12, 2022 meeting.

III. PRELIMINARY PRESENTATIONS & BOARD COMMENTS
A. None

IV. ADMINISTRATIVE MATTERS
A. Special May BZA Meeting Date
B. June BZA Meeting
   1. Return to In-Person Meetings
   2. Agenda Review

V. APPROVAL OF MINUTES

VI. ADJOURNMENT

PLEASE NOTE: The Board may take a 10-minute break around 8:00 p.m., if the meeting will continue for more than two hours.

ACCESSING ONLINE MEETING MATERIALS
Parties interested in reviewing application materials prior to the meeting may visit the City’s website at http://www.cityofithaca.org/368/Board-of-Zoning-Appeals (select “Most Recent Agenda”), beginning one week before the scheduled BZA meeting. Please do not hesitate to contact our office if you have any questions or need any assistance accessing the materials.

WRITTEN COMMENTS & QUESTIONS
Interested parties may submit comments for public hearings by mail or email. All comments must be received by 4 p.m. on the day of the meeting, and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing and please include your name and address. All comments and questions can be emailed to Megan Wilson at mwilson@cityofithaca.org or call (607) 274-6550.
APPEAL # 3217

325 DRYDEN ROAD
320 ELMWOOD AVENUE

Appeal of Jason K Demarest Architecture on behalf of property owners Red Door Rental and AdBro Development for an area variance from Section 325-45.2E, Collegetown Residential 3 District Standards for Maximum Building Length requirement of the Zoning Ordinance. The applicant proposes to demolish the existing structures at 325 Dryden Road and 320 Elmwood Avenue and consolidate the two parcels into a single lot with primary frontage on Dryden Road. The consolidated parcel will be located in two zoning districts: CR-3 in the northern portion of the lot (original 325 Dryden Road parcel) and CR-2 in the southern portion of the lot (320 Elmwood Avenue parcel). The applicant proposes to construct a new multiple dwelling in the CR-3 district and a new two-family dwelling in the CR-2 district.

A previous area variance (BZA 3203) was granted by the BZA on April 12, 2022 for an earlier design of this project. This appeal granted area variances for deficiencies in Off-Street Parking, Lot Coverage by Buildings, Front Yard, Rear Yard, and Required Vegetative Buffer. At the same meeting, the BZA denied a request for an area variance for Maximum Building Length. The applicants have redesigned the multiple dwelling located in the CR-3 district to reduce the maximum building length. The building has been reconfigured to have fewer apartments with more bedrooms per unit. The maximum building length has been reduced to 50’ along both Dryden Road and Elmwood Avenue but this proposed length still exceeds the maximum 45’ allowed by the Zoning Ordinance.

320 Elmwood Avenue is located in the CR-2 district and 325 Dryden Road is located in the CR-3 district in which the proposed uses are permitted. However, Section 325-38 requires that area variances be granted before a building permit is issued.
### Existing Conditions

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
<th>16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Side Yard</td>
<td>Other Side Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
<td>Minimum Building Height</td>
</tr>
<tr>
<td>Existing Condition and Use</td>
<td>Two Family Dwelling</td>
<td>4</td>
<td>4400</td>
<td>46.2</td>
<td>3</td>
<td>~27</td>
<td>35.2% Bldg. 21.5% Green</td>
<td>~6</td>
<td>5</td>
<td>~3</td>
<td>40' No Veg. Buffer</td>
<td>3, 27'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Regulations for Existing</td>
<td>One and Two Family Zone</td>
<td>2</td>
<td>None Required</td>
<td>4000</td>
<td>45</td>
<td>3</td>
<td>35</td>
<td>35% Bldg. 35% Green</td>
<td>10</td>
<td>5</td>
<td>5</td>
<td>20% or 20' whichever is less *10' Veg. Buffer Req.</td>
<td>20' Min. 2 Stories Min.</td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>Def.</td>
<td>OK</td>
<td>Def.</td>
<td>Def.</td>
<td>OK</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 325 Dryden Road

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
<th>16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Second Front Yard</td>
<td>Other Side Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
<td>Minimum Building Height</td>
</tr>
<tr>
<td>Existing Condition and Use</td>
<td>Multiple Dwelling</td>
<td>6</td>
<td>5400</td>
<td>97.03'</td>
<td>3</td>
<td>~29</td>
<td>24.9% Bldg. 44.8% Green</td>
<td>4</td>
<td>~50</td>
<td>2.4</td>
<td>10' or 17.4% No Veg. Buffer</td>
<td>3, 29'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Regulations</td>
<td>1-2 Family Multiple</td>
<td>4</td>
<td>None Required</td>
<td>3000</td>
<td>30</td>
<td>3</td>
<td>35</td>
<td>40% Bldg. 30% Green</td>
<td>10</td>
<td>10</td>
<td>5</td>
<td>20% or 20' whichever is less</td>
<td>20' Min. 2 Stories Min.</td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td>Def.</td>
<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**City of Ithaca**

**Board of Zoning Appeals Worksheet**

- **Appeal Number:** BZA 3217
- **Address:** 325 Dryden Road (325 Dryden Rd & 320 Elmwood Ave)
- **Date:** 5/3/2022
- **Applicant:** Jason Demarest
- **Owner:** Red Door Rentals/AdBro Development
- **Application Type:** Area Variance

**Use District:** CR-2 & CR-3
### Proposed Conditions

#### Address
325 Dryden Road (325 Dryden Rd & 320 Elmwood Ave)

#### Date
5/3/2022

#### Applicant
Jason Demarest

#### Owner
Red Door Rentals/AdBro Development

#### Appeal Number
BZA-3203

#### Use District
CR-2 & CR-3

#### Application Type:
Area Variance

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
<th>16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Other Front Yard</td>
<td>Other Side Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
<td>Minimum Building Height</td>
</tr>
<tr>
<td>Proposed Condition and/or Use</td>
<td>CR-2: Two-Family Dwelling</td>
<td>8</td>
<td>9800</td>
<td>97.03'</td>
<td>CR-2: 3</td>
<td>CR-2: 27'</td>
<td>CR-2: 22.7% Bldg. 42.3% Green</td>
<td>6.1'</td>
<td>10'</td>
<td>5</td>
<td>5' or 4.9% Def. Veg. Buffer</td>
<td>3, 27'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CR-3: Multiple Dwelling</td>
<td>3</td>
<td>CR-3: 3</td>
<td>CR-3: 33.5'</td>
<td>CR-3: 40.1% Bldg. 47.1% Green</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CR-2: One and Two Family Dwellings</td>
<td>CR-3: Multiple Dwellings</td>
<td>10</td>
<td>None Required</td>
<td>CR-2: 4000</td>
<td>CR-2: 45</td>
<td>3</td>
<td>35</td>
<td>CR-2 35% Bldg. 35% Green</td>
<td>10</td>
<td>10</td>
<td>5</td>
<td>20% or 20' whichever is less *10' Veg. Buffer Req.</td>
<td>20' Min. 2 Stories Min.</td>
<td></td>
</tr>
<tr>
<td>CR-3: Multiple Dwellings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### District Regulation for Proposed

<table>
<thead>
<tr>
<th>Column Title</th>
<th>Structure Type</th>
<th>Doors &amp; Entries</th>
<th>Floor Height</th>
<th>Parking Setback</th>
<th>Porches</th>
<th>Primary Structure Spacing</th>
<th>Building Length</th>
<th>Roof</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Condition and/or Use</td>
<td>Primary</td>
<td>CR-2: 1 entry on Elmwood; CR-3: 1 entry on Dryden</td>
<td>Street Level: 10'</td>
<td>Upper Stories: 10'</td>
<td>Garage: Behind Bldgs.</td>
<td>Parking Space: 24.6' or 33%</td>
<td>20'</td>
<td>50' Pitched Roof Proposed</td>
</tr>
<tr>
<td>CR-3: 1 min.</td>
<td>Pitch of Gable 6:12 Min. 12:12 Max.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Regulation for Proposed</td>
<td>Primary</td>
<td>Functioning entry: on street-facing façade 1 min. Corner lots: 1 functioning entry on street facing façade.</td>
<td>9' min.</td>
<td>9' min.</td>
<td>20' min. from front façade</td>
<td>At front façade</td>
<td>Front Porch Required See: 325-42.2B(5)</td>
<td>CR-2: 20' Min. between primary structure on the same parcel; CR-3: 10' min spacing</td>
</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
</tr>
</tbody>
</table>

#### NOTES
Area variances for deficiencies noted in blue were granted by the BZA on April 12, 2022 (BZA 3203).
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:

☐ AREA VARIANCE
☐ SPECIAL PERMIT
☐ USE VARIANCE
☐ SIGN VARIANCE
☐ ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

APPEAL #: 3217 (FILLED IN BY STAFF)
HEARING DATE: 6/7/22
BUILDING PERMIT #: 41607 (REQUIRED)
RECEIPT #: (FILLED IN BY STAFF)

2. Property Address: 325 Dryden Rd Ithaca NY 14850 Use District: CR-3

Owner’s Name: Red Door Rentals/AdBro Development Owner’s Address: 1728 Slaterville Rd

City: Ithaca State: NY Zip: 14850

3. Appellant’s Name: Jason K Demarest Architecture Appellant’s Address: 950 Danby Rd Suite 105

City: Ithaca State: NY Zip: 14850

Telephone: 607-330-4555 E-Mail: team@jkdarchitect.com

4. Attach Reason for Appeal (see “Zoning Appeal Procedure Form”)

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief; and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

☐ I have met/discussed this application with Zoning Division staff prior to submission.

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this ____ day of ________________

* Notary not required per Zoning Administrator, 20 ___

Notary Public

Notary Public available at City Hall.

IMPORTANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply.

If another CITY APPROVAL is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent CHANGES are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.
1. Ordinance Section(s) for the Appeal:

<table>
<thead>
<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>• §325- 45.2E _________________________</td>
<td>• §272- ______________________________</td>
</tr>
<tr>
<td>• §325- ______________________________</td>
<td>• §272- ______________________________</td>
</tr>
<tr>
<td>• §325- ______________________________</td>
<td>• §272- ______________________________</td>
</tr>
<tr>
<td>• §325- ______________________________</td>
<td>• §272- ______________________________</td>
</tr>
<tr>
<td>• §325- ______________________________</td>
<td>• §272- ______________________________</td>
</tr>
<tr>
<td>• §325- ______________________________</td>
<td>• §272- ______________________________</td>
</tr>
</tbody>
</table>

2. Application of SEQR determination: ☒ Type 1 □ Type 2 □ Unlisted

3. Environmental Assessment form used:
   - □ Short Environmental Assessment Form (SEAF)
   - □ Full Environmental Assessment Form (FEAF)
   - ☒ Completed by Planning Division at preliminary hearing for Site Plan Review
   - □ Not Applicable (Type 2 Action)

4. A previous appeal ☒ has / □ has not been made for this proposal:
   - Appeal No. _3203_, dated _4/12/22_
   - Appeal No. ________, dated ____________
   - Appeal No. ________, dated ____________
   - Appeal No. ________, dated ____________

5. Notes or Special Conditions:
   - Appeal §325-45.2E requirements for: Building Length.
   - BZA #3203 was granted on 4/12/2022 for Off-Street Parking, Lot Coverage by Buildings, Front Yard, Rear Yard, and Required Vegetative Buffer.
NOTICE OF APPEAL

REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3217

TO: Owners of Property within 200 feet of 325 Dryden Rd and others interested.

(property address)

FROM: Jason K Demarest Architecture applicable to property named above, in CR-3 zone.

(name of person or organization making appeal)

REGARDING: (check appropriate box)

[ ] Area Variance  [ ] Use Variance  [ ] Sign Variance

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached letter and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives. The date of the Planning Board’s meeting regarding this appeal is also listed below.

The **PLANNING BOARD** will consider this case on 4/26/22 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RlJN1P_RFaFW2lVCnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The **BOARD OF ZONING APPEALS** will consider this case on 5/3/22 at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.

Signature of Appellant  950 Danby Rd Suite 105, Ithaca NY 14850  4/15/22

Address  Date
Red Door Rentals & AdBro Development
Apartments – Building Length Variance Request
325 Dryden Rd
Ithaca, NY 14850

DESCRIPTION:

The proposed project is a redevelopment of the property currently containing an apartment house that is a single dwelling unit with a legal occupancy of 10 people. The structure is 3 stories and has 2,254 SF in gross area. The project is combined with redevelopment of 320 Elmwood Ave., but that portion of the project is not a factor to the building length variance requested herein.

The existing building will be demolished to make room for a new apartment house. The design includes 7 dwelling units and 19 bedrooms (possibly 20 pending final design). The unit mix includes:

• Three 3-bedroom
• Three 2-bedroom
• One 4-bedroom (possibly 5 bedrooms)

The height will be 3 stories with the habitable space on the 3rd floor contained within the roof pitch, as well as a habitable basement.

The exterior appearance will be based on the existing character of the surrounding neighborhood which is predominantly more traditional architectural styles including Victorian and Craftsman elements.

SITE/ ZONING:

The development of the site will be relatively minimal considering that the existing parcel is currently developed. The project is combined with a redevelopment of the duplex located on 320 Elmwood Ave., and the lots are being consolidated. The combined project will utilize the existing parking area in the southwest corner of the 320 Elmwood parcel, and the existing curb cut on Elmwood Ave will remain.

The site is located in the CR-3 zoning districts. The proposed use is a permitted primary use- Multiple dwellings

The building height, including the top story limitations, the required roof pitches, the minimum 9’ floor to floor height, the required front porch, side setbacks, and minimum green space as required by zoning will be met.

At the April 12th, 2022 meeting of the City of Ithaca BZA, the project was granted variances for a minor front yard setback encroachment, lot coverage (45.3% vs. 40% MAX), and off-street parking. The prior version of the combined project (325 Dryden & 320 Elmwood) had 13 dwelling units (11 units on the 325 Dryden parcel; 2 units on 320 Elmwood) and a required parking count of 13 space vs. the 7 spaces available, which included one additional parking space added during the BZA hearing (NOTE: The parking deficiency has been greatly improved with only 2 of the 10 required not provided). One variance, maximum building length, was not granted. As such, the owner has decided to redesign the project to further reduce the building length, which has led to this variance request.

The original intention of the developer was to maintain as many 2-bedroom (or less) apartments as possible. The owner sees higher bedroom counts (3 or more) being more appropriate for undergraduate housing. As a CR-3 parcel, 325 Dryden Rd is at a transition point in Collegetown where the student rental properties begin to transition into 1 & 2-family student rentals before private homes become more predominant in the neighborhood. Accommodating more 2-bedroom apartments was thought to be both a market differentiation of the unit types as compared to the core of Collegetown and more attractive to graduate students and young professionals. This idea was specifically discussed in discussions that led to the creation of the Collegetown Area Form Districts (see comments by alderperson Myrick in the 4/6/11 Common Council minutes*). This intention resulted in a larger building to accommodate more units smaller in size but added the risk of needing additional variances.
Unfortunately, the building length variance was denied. A redesign of the project to replace three 2-bedroom units with three 3-bedroom units is possible and allowed the east wing of the previously proposed building to be eliminated. This eliminated three apartments, so the new building will only have 7 units compared to 10 previously. Overall, the combined project now has 9 apartments with two located on 320 Elmwood Ave. Most importantly, the building has been reduced in length to almost comply with the zoning maximum.

The Zoning limits the building façade length to 45’ maximum on street facing facades in the CR-3. Interestingly, this requirement does not apply in the CR-1 and CR-2 zones, which causes an incongruency in building size as afforded by zoning when a CR-3 parcel abuts or faces one of the lesser zones.

In terms of existing neighborhood character and scale, the surrounding context has a building length of ~88 feet across Dryden Rd (CR-3), and a building that is ~61 feet across Elmwood Ave (CR-1). The zoning regarding “façade” length was changed to “building” length in 2017. The intention was to “maintain the existing scale of development and character of the area” (see 2016 online city documents folder Proposed City Code Amendments**). For 325 Dryden Rd, the existing scale and character is very different than the zoning restriction to limit buildings to 45’ from all streets.

Regardless, with the variance for the previously proposed building length of ~61’ denied the redesign now includes a building footprint that is, overall, 50’x50’ but includes a 5’ bump out on the east side to accommodate the building stair, as well as façade articulations to maintain primary facades of less than 45’. These articulations include steps and setbacks to mitigate the additional 5’ of length. The initial primary façade length is ~30’ on Dryden Rd before an 11’ setback to the front porch and then a 12.6’ step to the face of the building stair section where the length reaches 50’. From Elmwood Ave the stair bump out is ~17’ before a 5’ setback to the primary building facade that is 39’ in width. Then, another 15.5’ step is included at the front before the width expands to 50’.

The proposed mitigation is the utilization of building steps and a building shape that presents primary façade widths of 30’ and 39’ before larger steps in the façade. Façade widths less than the 45’ maximum will cause the massing to be perceived with less impact than a square 45’x45’ building that has the full dimension across the front facade. The new design has limited the overall deviation from the zoning maximum to just 11% of additional building length, which is not substantial. Landscaping will also be added to soften the massing impact of the building. The difficulty of full compliance is due to the corner lot requirement to meet this standard from both streets, and the requirements from code add to the size of the building, i.e. a required front porch and accessibility impacts on the floor plan. Likewise, a footprint of just 45’x45’ is less than the as-of-right lot coverage.

Sincerely,
Jason Demarest, RA

Links inserted above:
<table>
<thead>
<tr>
<th>Zip Code</th>
<th>Line</th>
<th>Name</th>
<th>Address</th>
<th>City, State, Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>50070</td>
<td>64.-2-11</td>
<td>Van De Mark, Yvonne</td>
<td>118 Halseyville Rd</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-2-13</td>
<td>324 Dryden Road, LLC</td>
<td>130 Brook Way</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-2-14</td>
<td>ENP Associates, L.P.</td>
<td>405 Eddy St</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-2-18</td>
<td>Lux Ithaca Holdings, LLC</td>
<td>226 Cecil A Malone Dr, Ste 2</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-2-9</td>
<td>ENP Associates, L.P.</td>
<td>405 Eddy St</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-3-6</td>
<td>408 Dryden Rd LLC</td>
<td>427 N Cayuga St</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-3-7</td>
<td>CB 403 LLC</td>
<td>24 Ladoga Park</td>
<td>Lansing, NY 14882</td>
</tr>
<tr>
<td>50070</td>
<td>64.-3-8</td>
<td>407 Elmwood Avenue LLC</td>
<td>307 Bostwick Rd</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-7-1</td>
<td>Liguori, Margaret K</td>
<td>PO Box 6437</td>
<td>Ithaca, NY 14851</td>
</tr>
<tr>
<td>50070</td>
<td>64.-7-2</td>
<td>O'Connor, Kevin H</td>
<td>PO Box 4251</td>
<td>Ithaca, NY 14852</td>
</tr>
<tr>
<td>50070</td>
<td>64.-7-3</td>
<td>Lanclos, Arthur J</td>
<td>Lanclos, Larry P</td>
<td>407 Dryden Rd</td>
</tr>
<tr>
<td>50070</td>
<td>64.-8-10</td>
<td>West Shore Apartments, LLC</td>
<td>107 Worth St</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-8-11</td>
<td>301 Bryant Avenue, LLC</td>
<td>307 Bostwick Rd</td>
<td>Ithaca, NY 14851</td>
</tr>
<tr>
<td>50070</td>
<td>64.-8-2</td>
<td>301 Bryant Avenue, LLC</td>
<td>PO Box 6541</td>
<td>Ithaca, NY 14851</td>
</tr>
<tr>
<td>50070</td>
<td>64.-8-3</td>
<td>301 Bryant Avenue, LLC</td>
<td>PO Box 6541</td>
<td>Ithaca, NY 14851</td>
</tr>
<tr>
<td>50070</td>
<td>64.-8-4</td>
<td>301 Bryant Avenue, LLC</td>
<td>PO Box 6541</td>
<td>Ithaca, NY 14851</td>
</tr>
<tr>
<td>50070</td>
<td>64.-8-5</td>
<td>O'Connor, Kevin</td>
<td>PO Box 4251</td>
<td>Ithaca, NY 14852</td>
</tr>
<tr>
<td>50070</td>
<td>64.-8-6</td>
<td>Red Door Rentals, LLC</td>
<td>1728 Slaterville Rd</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-8-7</td>
<td>Red Door Rentals, LLC</td>
<td>1728 Slaterville Rd</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-8-8</td>
<td>Linden Avenue Associates</td>
<td>204 Glenside Rd</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>64.-8-9</td>
<td>Pereboom, Derk</td>
<td>Brooks, Nancy E</td>
<td>106 Harvard Pl</td>
</tr>
<tr>
<td>50070</td>
<td>67.-5-1</td>
<td>Huang, Peter C</td>
<td>103 Harvard Place</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>67.-5-2</td>
<td>VanCort, Elizabeth</td>
<td>105 Harvard Place</td>
<td>Ithaca, NY 14850</td>
</tr>
<tr>
<td>50070</td>
<td>67.-5-26</td>
<td>Ruina, Andy</td>
<td>Vannouhuys, Saska</td>
<td>227 Bryant Ave</td>
</tr>
<tr>
<td>50070</td>
<td>67.-5-3</td>
<td>Friedman, Elias D</td>
<td>Chang, Julia H</td>
<td>107 Harvard Pl</td>
</tr>
<tr>
<td>50070</td>
<td>67.-5-4</td>
<td>Robert Klohmann Rev Trust</td>
<td>Klohmann, Robert</td>
<td>109 Harvard Place</td>
</tr>
<tr>
<td>50070</td>
<td>67.-5-5</td>
<td>Wu Family Real Estate, LLC</td>
<td>64 Wedgewood Dr</td>
<td>Ithaca, NY 14850</td>
</tr>
</tbody>
</table>

22 total (21 with 407 Elmwood & 301 Bryant LLCs having same mailing address)
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

Zoning Appeal # 3217

I, ____________________________, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before ________ 4/19/22 ________. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division
108 E. Green St., 3rd Fl.
Ithaca, NY 14850
Phone: (607) 274-6550
Fax: (607) 274-6558
BUILDING LENGTH REDUCTION PROPOSAL
325 DRYDEN RD

CONSOLIDATED LOT

CR-3:
Lot Area- 5,391 SF
2,156 SF MAX Coverage (40%)
ACTUAL = 2,164 SF (40.14%)
(Greater variance approved at 4/12/22 BZA hearing)
1,617 SF MIN green space (30%)
ACTUAL = 2,540 SF

CR-2:
Lot Area- 4,414 SF
1,545 SF MAX Coverage (35%)
ACTUAL = 1,003 SF
1,545 SF MIN green space (35%)
ACTUAL = 1,707 SF

Off-Street Parking:
• 325 Dryden- 8 spaces
• 320 Elmwood- 2 spaces
Total Required: 10 spaces
ACTUAL = 8 spaces, plus opportunity for 4 RPPS spaces
(Greater variance approved at 4/12/22 BZA hearing)
Data contained on this map was provided or derived from data developed or compiled by the City of Ithaca, and is the best available to date. The originators do not warrant the accuracy or completeness of the information portrayed by the data.
APPEAL # 3215  

123 N. QUARRY STREET

Appeal of property owner Ivana Isailovic for area variance from §325-8, Column 4, Off-Street Parking, requirements of the Zoning Ordinance. The property at 123 N. Quarry Street is currently a single-unit multiple dwelling with 5 bedrooms and a maximum occupancy of 5 people. Two off-street parking spaces are required for the current use, and those spaces are provided at the applicant’s property at 132 N. Quarry Street, as allowed by §325-20 of the Zoning Ordinance.

The applicant is proposing to create a new two-bedroom apartment in the basement of the existing building. The new apartment will require an additional off-street parking space, and the property will be required to provide a total of three spaces. The applicant is seeking a variance for this additional space, stating that she is unable to construct this space onsite or provide it within 500’ of the property. The applicant will continue to provide the 2 parking spaces required for the existing multiple dwelling at 132 N. Quarry Street.

The property is located in an R-3a residential use district in which the proposed use is permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.
## City of Ithaca Board of Zoning Appeals Worksheet

<table>
<thead>
<tr>
<th>Column Title</th>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
<th>16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Condition and Use</td>
<td>Multiple Dwellings</td>
<td>2*</td>
<td>8,589</td>
<td>66’</td>
<td>2</td>
<td>~30’</td>
<td>23.8%</td>
<td>23.1</td>
<td>~18</td>
<td>8.3</td>
<td>~53</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Regulations for Existing</td>
<td>Multiple Dwellings</td>
<td>2</td>
<td>7,000</td>
<td>50’</td>
<td>4</td>
<td>40</td>
<td>35%</td>
<td>10</td>
<td>10</td>
<td>5</td>
<td>25% or 50' but not less than 20'</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proposed Condition and/or Use</td>
<td>Multiple Dwellings</td>
<td>2*</td>
<td>8,589</td>
<td>66’</td>
<td>2</td>
<td>~30’</td>
<td>23.8%</td>
<td>23.1</td>
<td>~18</td>
<td>8.3</td>
<td>~53</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Regulation for Proposed</td>
<td>Multiple Dwellings</td>
<td>3</td>
<td>7,000</td>
<td>50’</td>
<td>4</td>
<td>40</td>
<td>35%</td>
<td>10</td>
<td>10</td>
<td>5</td>
<td>25% or 50' but not less than 20'</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**

*Required off-street parking provided at 132 N. Quarry Street.
1. TYPE OF APPEAL:
- [ ] AREA VARIANCE
- [ ] SPECIAL PERMIT
- [ ] USE VARIANCE
- [ ] SIGN VARIANCE
- [ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

APPEAL #: 3215 (FILLED IN BY STAFF)
HEARING DATE: 3/2/22
BUILDING PERMIT #: 42130 (REQUIRED)
RECEIPT #: 67008 (FILLED IN BY STAFF)

2. Property Address: 123 N. Quarry St, Ithaca Use District: R3a Residential
Owner’s Name: Ivana Isailovic Owner’s Address: 16627 Rolando Ave
City: San Leandro State: CA Zip: 94578

3. Appellant’s Name: Same Appellant’s Address:

City: __________________ State: ______ Zip: ______
Telephone: (917) 734-1461 E-Mail: ivana.isailovic1@gmail.com

4. Attach Reason for Appeal (see “Zoning Appeal Procedure Form”)

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief; and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

[ ] I have met/discussed this application with Zoning Division staff prior to submission.

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 16th day of February, 2023
Notary Public

PAULETTE ROSA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01RO6156809
Qualified in Tompkins County
My Commission Expires 12/31/2023

IMPORTANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply.

If ANOTHER CITY APPROVAL is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent CHANGES are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.
1. Ordinance Section(s) for the Appeal:

<table>
<thead>
<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>§325- 8, Column 4</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
</tbody>
</table>

2. Application of SEQR determination: ☐ Type 1 ☒ Type 2 ☐ Unlisted

3. Environmental Assessment form used:

- ☐ Short Environmental Assessment Form (SEAF)
- ☐ Full Environmental Assessment Form (FEAF)
- ☐ Completed by Planning Division at preliminary hearing for Site Plan Review
- ☒ Not Applicable (Type 2 Action)

4. A previous appeal ☐ has / ☒ has not been made for this proposal:

   - Appeal No. ________, dated ____________
   - Appeal No. ________, dated ____________
   - Appeal No. ________, dated ____________
   - Appeal No. ________, dated ____________

5. Notes or Special Conditions:
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3215

TO: Owners of Property within 200 feet of 123 N Quarry St and others interested.

FROM: Ivana Izailovic applicable to property named above, in R-3a zone.

REMARKS:
(check appropriate box)

☒ Area Variance ☐ Use Variance ☐ Sign Variance

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached letter and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning- Appeals) under “Most Recent Agenda,” beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives. The date of the Planning Board’s meeting regarding this appeal is also listed below.

The Planning Board will consider this case on 4/26/23 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The Board of Zoning Appeals will consider this case on 5/3/23 at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.

Signature of Appellant

1662 Robards Ave

San Leandro, CA 94578

Date

2/14/23
Letter to Neighbors

Dear Neighbors,

WHAT work is proposed: Convert existing single-unit multiple dwelling at 123 N. Quarry St. Ithaca NY 14850 into a two-unit multiple dwelling by permitting partially finished basement to 3-bedroom unit.

HOW it differs from the present conditions: I propose to increase the legal occupancy of this structure from 5 to 8 occupants. The bedrooms in the basement are not currently approved bedrooms and are to be approved as part of the proposal.

WHY the proposed requires variance: I am meeting the current off-street parking requirement of two spaces by providing a 2-car garage on my lot at 132 N. Quarry St. I intend to continue to provide these required spaces.

New apartment requires 1 off-street parking spot. I am asking to be allowed not to provide parking.

I have looked into 1. building a larger garage – there is no room on that lot, 2. Building a driveway in front of house – it would look unattractive and is prohibitively costly, 3. Parking spot to rent within 500 feet of structure and there are none. I have communicated with Building Dept, Historic Preservation Dept, and Zoning Dept and this is the only solution.

Thank you

Ivana Isailovic
<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ivana Isailovic</td>
<td>16627 Rolando Ave</td>
<td>San Leandro</td>
<td>CA</td>
<td>92807</td>
</tr>
<tr>
<td>Moll Prop 711 E Seneca St LLC</td>
<td>44 Dart Dr</td>
<td>Ithaca</td>
<td>NY</td>
<td>14850</td>
</tr>
<tr>
<td>David G Daly Revocable Trust</td>
<td>406 N Cayuga St</td>
<td>Ithaca</td>
<td>NY</td>
<td>14850</td>
</tr>
<tr>
<td>David B Kramer</td>
<td>406 N Cayuga St</td>
<td>Ithaca</td>
<td>NY</td>
<td>14850</td>
</tr>
<tr>
<td>East Hill School Coop</td>
<td>707 E Seneca St, LLC</td>
<td>Ithaca</td>
<td>NY</td>
<td>14851</td>
</tr>
<tr>
<td>East Hill School Coop</td>
<td>PO Box 6707</td>
<td>Ithaca</td>
<td>NY</td>
<td>14851</td>
</tr>
<tr>
<td>Chien Cheng</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kao Ko Jenn Cheng</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>54 East Lake Rd</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cornell University</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO Box DH</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ithaca</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peter Papachryssanthou</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>David G Daly Revocable Trust</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Katerina Papachryssanthou</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>826 Cayuga Heights Rd</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ithaca</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shyan Jin</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ronald Chua</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meiting Reodeana Yong</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td></td>
<td></td>
<td></td>
<td>10009</td>
</tr>
<tr>
<td>Richard Kaske</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ivana Isailovic</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16627 Rolando Ave</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>San Leandro CA 92807</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Red Brick Quarry LLC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kristie O'Connor</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car El Realty Inc</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kevin O'Connor</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO Box 4602</td>
<td></td>
<td></td>
<td></td>
<td>14852</td>
</tr>
<tr>
<td>2 Horvath Dr</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ithaca</td>
<td></td>
<td></td>
<td></td>
<td>14850</td>
</tr>
<tr>
<td>Gregory Halkiopoulos</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Matoula Halkiopoulos</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>155 Westview Lane</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ithaca</td>
<td></td>
<td></td>
<td></td>
<td>14850</td>
</tr>
<tr>
<td>Theresa F Alt</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E Wayles Browne</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>206 Eddy St</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ithaca</td>
<td></td>
<td></td>
<td></td>
<td>14850</td>
</tr>
<tr>
<td>Edward Cope</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carole S Paltz</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Demosjohnny, LLC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Glenford Ln</td>
<td></td>
<td></td>
<td></td>
<td>11731</td>
</tr>
</tbody>
</table>
Chien Cheng
Kao Ko Jenn Cheng
54 East Lake Rd
Ithaca NY 14850
**SCOPE**

- Convert an existing single-family dwelling unit into a two-family dwelling unit by converting basement to 3 BD apt.
- Create new Bathroom, Bedroom 3, Kitchen and Living space.
- Run corresponding Electrical, Plumbing, Sewer, Gas as needed, per 2020 Residential Building Code.
- Refer to the 2020 Residential Code of New York State, Appendix J - Existing Buildings and Structures for applicable code requirements.
- per 2020 Fire Code of NY
  1. Ensure entire ceiling of basement and staircase walls and ceiling, leading to basement are fire rated.
  2. Install hard-wired and interconnected smoke and CO alarms per 2020 Fire Code of NY.
  3. Install fire rated door at top of basement stairs with a lock on each side; key held by owner.
  4. Each bedroom to have Egress Window of Minimum width of 20", Minimum height of 24", Minimum net clear opening 5.7sqft (5sqft for ground floor), Maximum sill height above floor 44"; all windows above grade.
  5. Net Clear openings and height above floor:
     A. existing Bd1 + Bd2 single hung 30"x24"= 5sqft, height above grade 40"
     B. New Bd3 Casement 30"x34"=7 sqft, height above grade 44"
- Egress windows to match style of existing windows (divided light) per NY AJ901 Historic Buildings from Appendix J.
- Ceiling height - finished floor to finished ceiling - 7'6"
- 2020 Energy Conservation Code - Residential will be followed.

**Existing SqFt** 3,150
**New SqFt** 495
**Total SqFt** 3,645

- Egress Window: Casement (w/o SDLs), installed immediately below stone water table in keeping with existing windows.
- Window Well: built to accommodate the topography of site; made of stacked natural stone, mortared, that matches the wall at basement entrance.
- Window Opening: full stones to be carefully removed to form the rough opening and the salvaged stones to be woven into the sides and bottom of the irregular hole to form rectangular opening. Mortar compatible with historic masonry (often sold as Type N) will be used and mortar to match the color, texture, composition, and tooling of the existing. Sawed edges of any stones NOT be visible.
- Window Trim: to match the size, material and detailing of the other windows in the basement. Window and trim to have a minimal recess into the foundation wall (the depth of the existing); the sill to be between 1-1/2" and 2" thick and project slightly beyond the flat side casings; the side casings to be the same width (and not narrower or wider) as the existing and to be a 5/4" wood material with square edges; and the head casing to be the same material and have the same detailing; all window trim detail to be confirmed in the field and specs adjusted to reflect specific conditions. Since trim will be near the ground, will use pressure-treated lumber, milled to match the requirements above, or a naturally rot resistant wood like mahogany, teak, not synthetic materials.
- All materials, including the window unit, to be paintable.
- Follow NY AJ901 Historic Buildings from Appendix J.
(N) Basement
Floor Plan

Basement Remodel
123 N. Quarry St.
Ithaca, NY14850

Ivana Isailovic
16627 Rolando Ave, San Leandro, CA 94578

Date 11/16/2021
Drawn by Ivana Isailovic

1/4" = 1'-0"

Scale 1/4" = 1'-0"
Level 1
0' - 0"

Level 2
11' - 0"

Basement
9' - 0"

Attic
20' - 0"

Roof
27' - 0"

Date
11/16/2021

Drawn by
Ivana Isailovic

Scale
1/4" = 1'-0"

A10

(E) West Elevation

Ivana Isailovic
16627 Rolando Ave, San Leandro, CA 94578

Basement Remodel
123 N. Quarry St.
Ithaca, NY 14850
City of Ithaca, NY - 750 Foot Buffer for Parcel - Final Tax Roll

Data contained on this map was provided or derived from data developed or compiled by the City of Ithaca, and is the best available to date. The originators do not warrant the accuracy or completeness of the information portrayed by the data.
APPEAL # 3216

204 HOMESTEAD TERRACE

Appeal of property owners Colin and Katie Tschida for area variance from §325-8, Column 11, Front Yard, requirements of the Zoning Ordinance. The applicants propose to replace the existing front stoop at 204 Homestead Terrace with a larger front porch. The property has an existing front yard deficiency, with the existing stoop and front steps located 22’ of the required 25’ from the property line. The new front porch and steps will exacerbate this deficiency and will reduce the front yard to 18’.

The property is located in an R-1a district in which the proposed use is permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.
## City of Ithaca Board of Zoning Appeals Worksheet

<table>
<thead>
<tr>
<th>Column Title</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
<th>16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column Number</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Condition and Use</td>
<td>Single-Family Home</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>159.69‘</td>
<td>1</td>
<td>~15</td>
<td>9.1%</td>
<td>22’</td>
<td>~80’</td>
</tr>
<tr>
<td>District Regulations for Existing</td>
<td>One Family Zone</td>
<td>1</td>
<td>None Required</td>
<td>10,000</td>
<td>75</td>
<td>3</td>
<td>35</td>
<td>20%</td>
<td>25</td>
<td>10</td>
<td>10</td>
<td>25% or 50’ but not less than 20’</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td></td>
</tr>
<tr>
<td>Proposed Condition and/or Use</td>
<td>Single-Family Home</td>
<td>2</td>
<td>22,956</td>
<td>159.69‘</td>
<td>1</td>
<td>~15</td>
<td>9.1%</td>
<td>18’</td>
<td>~80’</td>
<td>15.3’</td>
<td>71’</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Regulation for Proposed</td>
<td>One Family Zone</td>
<td>1</td>
<td>None Required</td>
<td>10,000</td>
<td>75</td>
<td>3</td>
<td>35</td>
<td>20%</td>
<td>25</td>
<td>10</td>
<td>10</td>
<td>25% or 50’ but not less than 20’</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Notes:
Existing deficiencies noted in blue; new or exacerbated deficiencies noted in red.
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:
   - [X] AREA VARIANCE
   - [ ] SPECIAL PERMIT
   - [ ] USE VARIANCE
   - [ ] SIGN VARIANCE
   - [ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

   APPEAL #: 32116  (FILLED IN BY STAFF)
   HEARING DATE: 5/3/22
   BUILDING PERMIT #: 42027  (REQUIRED)
   RECEIPT #: 07315  (FILLED IN BY STAFF)

2. Property Address: 204 Home stead Terrace  Use District: R-1A
   Owner’s Name: Colin & Katie tochida  Owner’s Address: 204 Home stead Terrace
   City: Ithaca  State: NY  Zip: 14850

3. Appellant’s Name: Colin tochida  Appellant’s Address: 204 Home stead Terrace
   City: Ithaca  State: NY  Zip: 14850
   Telephone: (919) 338-6695  E-Mail: tochida@comcast.com

4. Attach Reason for Appeal (see “Zoning Appeal Procedure Form”)

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief, and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

   [ ] I have met/discussed this application with Zoning Division staff prior to submission.

   Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 8th day of
March, 2022

Susan Stickel
Notary Public

SUSAN STICKEL
Notary Public - State of New York
No: 01ST6402173
Qualified in Tompkins County
My Commission Expires Dec. 30, 2023

1 Notary Public available at City Hall.

IMPORTANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply.

If ANOTHER CITY APPROVAL is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent CHANGES are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.
**CITY OF ITHACA BOARD OF ZONING APPEALS**
**APPLICATION WORKSHEET**

1. **Ordinance Section(s) for the Appeal:**

<table>
<thead>
<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>§325- 8, Column 11</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
</tbody>
</table>

2. **Application of SEQR determination:**  
- [ ] Type 1  
- [x] Type 2  
- [ ] Unlisted

3. **Environmental Assessment form used:**
- [ ] Short Environmental Assessment Form (SEAF)
- [ ] Full Environmental Assessment Form (FEAF)
- [ ] Completed by Planning Division at preliminary hearing for Site Plan Review
- [x] Not Applicable (Type 2 Action)

4. **A previous appeal [ ] has / [x] has not been made for this proposal:**
   - Appeal No. _________, dated ____________
   - Appeal No. _________, dated ____________
   - Appeal No. _________, dated ____________
   - Appeal No. _________, dated ____________

5. **Notes or Special Conditions:**
NOTICE OF APPEAL

REGARDING ZONING OR SIGN ORDINANCE

CITY OF ITHACA, NEW YORK

APPEAL NO. 3216

TO: Owners of Property within 200 feet of 204 Homestead Terrace and others interested.

(from property address)

FROM: Colin Tschida applicable to property named above, in R-1a zone.

(name of person or organization making appeal)

REGARDING: (check appropriate box)

✓ Area Variance □ Use Variance □ Sign Variance □ Action, Decision, or Interpretation of Zoning Officer

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached letter and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives. The date of the Planning Board’s meeting regarding this appeal is also listed below.

The PLANNING BOARD will consider this case on 4/26/2022 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW21VCnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The BOARD OF ZONING APPEALS will consider this case on 5/3/2022 at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.

Signature of Appellant

Address

Date

204 Homestead Ter. 4/11/22
Dear Neighbors,

I am planning to add a front porch on my house at 204 Homestead Terrace which will replace the existing front stoop. The front porch will extend eight feet from the front of my house, which is four feet farther than the current stoop. Due to the location of my property line relative to my house, this requires a variance from the Board of Zoning Appeals. Below is an illustration of the proposed front porch.

Zoning requirements for our neighborhood require that the house be setback 25 feet from the property line. The existing structure is 22 feet from the property line (in violation of the rules), while the proposed front porch will be 18. It is worth noting that the property line is set 5-6 feet into my yard, so the view from the street will be a 24 foot setback.

I believe the variance should be granted since the front porch will improve the appearance of the house and also does not significantly change the existing setback.

Warm Regards,

Colin Tschida
204 Homestead Terrace
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

I, Colin Tsui, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before April 19, 2021. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division
108 E. Green St., 3rd Fl.
Ithaca, NY 14850

Phone: (607) 274-6550
Fax: (607) 274-6558
REFERENCE MAPS:

1.) "SURVEY MAP No. 113 HOMESTEAD ROAD..." DATED JANUARY 8, 2013 BY T.G. MILLER P.C.
2.) "SURVEY MAP No. 212 HOMESTEAD TERRACE..." DATED MAY 9, 2011 BY T.G. MILLER P.C.
3.) "SURVEY MAP No. 26 WOODCREST AVENUE..." DATED MARCH 29, 1996 BY T.G. MILLER P.C.
4.) "SURVEY MAP No. 111 HOMESTEAD ROAD..." DATED SEPTEMBER 6, 1996 BY T.G. MILLER P.C.
5.) "MAP No. 4 - SUBDIVISION FOR H.C. HOEFLER ESTATE..." DATED DECEMBER 20, 1949 BY CARL CRANDALL

CERTIFICATION

I hereby certify that I am a licensed land surveyor, New York State License No.050096, and that the actual survey on the ground made by me or under my direct supervision; and that I found no visible encroachments either way across property lines except as shown hereon.

SIGNED: [Signature] DATED: 5/13/2019

4/12/2018 - SURVEY UPDATED
ALL CORNERS FOUND
5/13/2019 - SURVEY UPDATED
ALL CORNERS FOUND

WARNING

ALTERATION OF THIS MAP NOT COMPLIANT WITH SECTION 718, SUBDIVISION 3, NEW YORK STATE EDUCATION LAW, ARE PROHIBITED BY LAW. ALL CERTIFICATIONS HEREIN ARE VALID FOR THIS MAP AND COPIES THEREOF ONLY IF DATED BY SURVEYOR OR DATED WITH THE IMPRESSION SEAL OF THE LICENSED LAND SURVEYOR WHOSE SIGNATURE APPEARS HEREIN.

DATE OF NEW YORK
The existing front stoop is shown below from two perspectives.
Porch shown in blue.
Set back 23 ft from rd.
House and Porch, General View.

204 Homestead

Porch 8

PROJECT
TITLE

DRAWN  CHECKED  APPROVED

Colin Tschida

A

1/3

CODE  SIZE  REV

190

170.51

120.75

97.25

1/8" = 1'-0"

WEIGHT

SHEET 1/3
- 2x8 green treated ledger board.
- flashing extended over board and under siding
- 1/2" galvanized lag screws, 24" o.c
- joist hangers support 16in o.c.

Concrete Pier Footing
- 42" below grade, minimum.
- Footing 10" thick 20" diameter (or 18"x18" square)
- 12" sonotube to surface

- 2x8 green treated 16in o.c.
- 5/4x 6in green treated decking with radiused edge
- 24" above grade
- beam: double 2x8 green treated SYP
- secure to post with manufactured beam support
- three 6x6 green-treated columns. evenly spaced.
- secure to pier with manufactured post base.
- riser height, 12" treads with 1" overhang
- 2x8 green treated ledger board.
1x8 valley rafter (not shown). Remove shingles and secure to existing roof deck with 2x 8d nails, 16" o.c.

5/8 inch sheathing
Rafters: 2x6 SYP 16" o.c.

2x8 ridge beam
Rafters toenailed 3x 10d common

4x8 beam to support rafters

6x6 post

17.25
City of Ithaca, NY - 750 Foot Buffer for Parcel - Final Tax Roll

Data contained on this map was provided or derived from data developed or compiled by the City of Ithaca, and is the best available to date. The originators do not warrant the accuracy or completeness of the information portrayed by the data.
APPEAL # 3198

228 DRYDEN ROAD

Appeal of HOLT Architects on behalf of property owner Boris Simkin for an area variance from Section 325-45.2F, Collegetown Residential 4 (CR-4) District Standards for Lot Coverage by Buildings. The applicant proposes to demolish the existing structure and construct a new row house on the property at 228 Dryden Road. The building will be four stories tall with an occupiable basement below grade and will provide 35 residential units. The proposed building will be deficient in the maximum lot coverage by buildings requirement of the Zoning Ordinance. The property is permitted 50% lot coverage by buildings. The proposed project will cover 58.8% percent of the lot with buildings and will exceed the minimum green space requirement.

The applicant presented an original proposal for this project at the November 2021 BZA meeting and a revised design at the April 2022 meeting. Based on the latest feedback from the BZA, the applicant has again revised the project to meet the definition of a “row house” as defined by the Zoning Ordinance. The design changes have eliminated the April 2022 building length and rear yard variance requests. The applicant is now seeking a variance for maximum lot coverage by buildings.

228 Dryden Road is located in a CR-4 district in which the proposed use is permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.
### City of Ithaca Board of Zoning Appeals Worksheet

**Appeal Number**: BZA 3198  
**Address**: 228 Dryden Road  
**Use District**: CR-4  
**Applicant**: HOLT Architects  
**Owner**: Boris Simkin  
**Application Type**: Area Variance

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
<th>16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Side Yard</td>
<td>Other Side Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
<td>Minimum Building Height</td>
</tr>
<tr>
<td>Existing Condition and Use</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8,059</td>
<td>90.42'</td>
<td>2</td>
<td>~22'</td>
<td>36.3% Bldg. 52.3% Green</td>
<td>~30</td>
<td>7</td>
<td>5</td>
<td>4.7' or 5%</td>
<td>2, 22'</td>
</tr>
<tr>
<td>District Regulations for Existing</td>
<td>Multiple Dwelling</td>
<td>3</td>
<td>None Required</td>
<td>3000</td>
<td>30</td>
<td>4</td>
<td>45</td>
<td>50% Bldg. 25% Green</td>
<td>10</td>
<td>Row House-0' All Others-5'</td>
<td>Row House-0' All Others-5'</td>
<td>20% or 20' whichever is less</td>
<td>20' Min. 2 Stories Min.</td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions</td>
<td>OK</td>
<td>Def.*</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proposed Condition and/or Use</td>
<td>Multiple Dwelling</td>
<td>0</td>
<td>None, with accepted TDM Plan</td>
<td>3000</td>
<td>30</td>
<td>4</td>
<td>45</td>
<td>50% Bldg. 25% Green</td>
<td>10</td>
<td>Row House-0' All Others-5'</td>
<td>Row House-0' All Others-5'</td>
<td>20% or 20' whichever is less</td>
<td>20' Min. 2 Stories Min.</td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions</td>
<td>OK</td>
<td>OK**</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### CR-4 FORM BASE REQUIREMENTS

<table>
<thead>
<tr>
<th>Column Title</th>
<th>Structure Type</th>
<th>Doors &amp; Entries</th>
<th>Floor Height</th>
<th>Parking Setback</th>
<th>Porches</th>
<th>Primary Structure Spacing</th>
<th>Building Length</th>
<th>Roof</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Condition and/or Use</td>
<td>Primary</td>
<td>4</td>
<td>12'</td>
<td>9' 4&quot;</td>
<td>Recessed Entry</td>
<td></td>
<td>77'</td>
<td>Flat Roof</td>
</tr>
<tr>
<td>District Regulation for Proposed</td>
<td>Primary</td>
<td>Functioning entry: on street-facing façade 1 min. Corner lots: 1 functioning entry on street facing façade.</td>
<td>9' min.</td>
<td>9min.</td>
<td>20' min. from front façade</td>
<td>At front façade</td>
<td>Front Porch, Stoop or Recessed entry Required</td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions Proposal</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
</tr>
</tbody>
</table>

**Notes:**  
* 3 parking spaces are provided on-site and 7 additional spaces are provided at 201 Oak Avenue, pursuant to BZA appeal 1566 (June 1984).  
** Pending Planning Board approval
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:
   X AREA VARIANCE
   [ ] SPECIAL PERMIT
   [ ] USE VARIANCE
   [ ] SIGN VARIANCE
   [ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

   APPEAL #: 3198 (FILLED IN BY STAFF)
   HEARING DATE: 12 April 2022
   BUILDING PERMIT #: 41622 (REQUIRED)
   RECEIPT #: 65701 (FILLED IN BY STAFF)

2. Property Address: 228 Dryden Road, Ithaca NY

   Owner’s Name: 228 Dryden Road, LLC
   Owner’s Address: ____________________________

   City: Ithaca  State: NY  Zip: 14850

3. Appellant’s Name: HOLT Architects

   Appellant’s Address: 619 W. State St

   City: Ithaca  State: NY  Zip: 14850

   Telephone: 607.273.7600  E-Mail: sh@holt.com

4. Attach Reason for Appeal (see “Zoning Appeal Procedure Form”)

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief; and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

[ ] I have met/discussed this application with Zoning Division staff prior to submission.

Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 18th day of February, 2022

Notary Public

CHRISTOPHER J. APKER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01AP6157585
Qualified in Cortland County
My Commission Expires December 11, 2022

Notary Public available at City Hall.

IMPORTANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply.

If ANOTHER CITY APPROVAL is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent CHANGES are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.
1. Ordinance Section(s) for the Appeal:

<table>
<thead>
<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>• §325- 45.2F</td>
<td>• §272-</td>
</tr>
<tr>
<td>• §325-</td>
<td>• §272-</td>
</tr>
<tr>
<td>• §325-</td>
<td>• §272-</td>
</tr>
<tr>
<td>• §325-</td>
<td>• §272-</td>
</tr>
<tr>
<td>• §325-</td>
<td>• §272-</td>
</tr>
<tr>
<td>• §325-</td>
<td>• §272-</td>
</tr>
<tr>
<td>• §325-</td>
<td>• §272-</td>
</tr>
</tbody>
</table>

2. Application of SEQR determination: ☒ Type 1  ☐ Type 2  ☐ Unlisted

3. Environmental Assessment form used:

- ☐ Short Environmental Assessment Form (SEAF)
- ☐ Full Environmental Assessment Form (FEAF)
- ☒ Completed by Planning Division at preliminary hearing for Site Plan Review
- ☐ Not Applicable (Type 2 Action)

4. A previous appeal ☐ has / ☒ has not been made for this proposal:
   - Appeal No. ________, dated ____________
   - Appeal No. ________, dated ____________
   - Appeal No. ________, dated ____________
   - Appeal No. ________, dated ____________

5. Notes or Special Conditions:
   - Appeal requirements for: Lot Coverage by Buildings.
April 26, 2022

Megan Wilson
City of Ithaca Zoning Administrator
108 E. Green Street
Ithaca, NY 14850

Re: 228 Dryden Road – “The Ruby” Apartments

Dear Ms. Wilson,

We are providing this narrative in support of the attached revised Zoning Variance materials. The project has been redesigned to respond to concerns raised at the April 12, 2022 Board of Zoning Appeals meeting. We have eliminated all variance requests except for Lot Coverage. We are requesting one variance for 58.8% Lot Coverage, compared to the 50% lot coverage allowed by right.

The original variance request (10/14/2021) included five variances. The second submission (03/08/2022) reduced this to two requests (Lot Coverage and Rear Yard Setback) Since there was disagreement about the conformance of the design to the requirements for a Rowhouse, the Board appeared to be considering that the project was also requesting a third variance for building length.

We have redesigned the building to conform to the requirements for a Rowhouse by moving the emergency egress stairs to the rear (north side) of the building and by reconfiguring the apartment units on the street facing, south side to consist of five modules, all with apartment units on the upper floors. The basement level also consists of apartment units, except for the module on the west end of the building. The Basement level of that module is the main entrance of the building. Each of the other modules retains a street facing entrance door at the Basement level.

- The rear yard now conforms to the required setback. This has been more accurately calculated to be 19'-0" (20% of the average lot depth)
- The Building Length is now 77'-0", well within the 100'-0" maximum for a Rowhouse.
- The West and East side yard setbacks are 5'-0" and 3'-0" respectively, also well within the 0' setback requirement for a Rowhouse.

As noted above we are requesting approval only for Lot Coverage of 58.8%.

The following materials are attached:

1. 228 Dryden Road Zoning Analysis
2. Floor Plans
3. Exterior Building Elevations

Very truly yours,
HOLT Architects, PC

Steven W. Hugo
Principal
— NOTICE OF APPEAL —
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3198

TO: Owners of Property within 200 feet of 228 Dryden Road and others interested.

FROM: 228 Dryden Road, LLC applicable to property named above, in CR-4 zone.

REGARDING: (check appropriate box)

[ ] Area Variance [ ] Use Variance [ ] Sign Variance

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached letter and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives. The date of the Planning Board’s meeting regarding this appeal is also listed below.

The PLANNING BOARD will consider this case on 3/22/22 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The BOARD OF ZONING APPEALS will consider this case on 4/12/22 at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.

__________________________
Signature of Appellant

__________________________
619 W. State Street, Ithaca

__________________________
Date

__________________________
Address

__________________________
CITY OF ITHACA
108 East Green Street — 3rd Floor   Ithaca, New York 14850-5690
DEPARTMENT OF PLANNING, BUILDING, ZONING & ECONOMIC DEVELOPMENT
Megan Wilson, Secretary to the Board of Zoning Appeals
Telephone: 607-274-6550    Fax: 607-274-6558   Email: mwilson@cityofithaca.org
15 March 2022

Re: 228 Dryden Road Apartments

Dear neighbor of 228 Dryden Road,

You are being mailed this notice because you own property within 200' of the proposed project located at 228 Dryden Road. This project proposes to demolish the existing two-story structure and to construct a 35 unit apartment building on the .185-acre project site. The building will be four stories above average grade and one basement story below average grade. The project includes other site amenities such as landscaping, walkways, and outdoor patios. The project site is in the CR-4 zoning district and requires the following variances as described below: an area variance for lot coverage, rear yard setback to address the extreme grade slope and maximum building length.

1. **Rear Yard Setback Request**: The existing site has approximately a 28' grade difference between the SW corner of the site and the NE corner of the site. The grade change on the site makes siting a building difficult. The most level part of the site is the northern portion of the site, where the existing house is currently located. If the floor elevation was set at that height, we would create a condition where the building entrance door would be 28' above the street level. Therefore the building has been lowered to better engage Dryden Road and to locate the building entrance closer to street level as required by City Design Guidelines. The existing building is located 4.7' off the North property line. The Rear Yard setback requirement for the CR-4 district is 20 feet. The proposed building envelope will be 10'-0" from the North property line. The face of the balconies will be 7'-0" from the North property line.

2. **Percent of Lot Coverage**: The maximum lot coverage in the CR-4 district is 50%. A 57.4% lot coverage is proposed for this project. The increased lot coverage is in response to the extreme slope of the site from Dryden Road to the rear of the site, the constraints on layout imposed by the trapezoidal site and the need to provide an accessible entrance from Dryden Road. To address these conditions within the form-based code for the CR-4 district, the building footprint was designed to keep it as close to the front yard setback as possible, increase the articulation of the street facing façade along Dryden Road and maintain egress to the right of way behind the building. These constraints led to a configuration that increased the building footprint beyond the zoning requirement.

3. **Maximum Building Length**: The CR-4 district limits building width to 45' in length for all structures other than row houses. The proposed building will be approximately 71'-9" in length. The maximum building length for a rowhouse cannot exceed 100' in length.

The basis for the request is that the building was designed to meet the criteria for a rowhouse. Due to the challenges of the grade change noted above, not all of the requirements for a rowhouse have been met. As required for a rowhouse project, the façade is subdivided into identifiable modules less than 25' wide with street facing entrances and multiple vertically stacked dwelling units. The east and west modules do not meet the definition of a rowhouse as interpreted by the City of Ithaca, however we believe the overall design is in the spirit of the aesthetic goals of the ordinance.
We hope that the above provides insight into the requests this project is pursuing through the Board of Zoning Appeals.

This project will be reviewed at the Board of Zoning Appeals meeting on April 12, 2022 at 6:00 PM in City Hall.

Very truly yours,
HOLT Architects, PC

Steven W. Hugo, AIA
Principal

Encl: Notice of Appeal
      Site Plan
      Building Elevations
<table>
<thead>
<tr>
<th>Company Name</th>
<th>Address 1</th>
<th>Address 2</th>
<th>Address 3</th>
<th>Address 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENP ASSOCIATES, L.P.</td>
<td>405 Eddy St, Ithaca, NY 14850</td>
<td>PO Box 4584, Ithaca, NY 14852</td>
<td>119 S Cayuga St, Ste 301, Ithaca, NY 14850</td>
<td>116 Summit Ave, Ithaca, NY 14850</td>
</tr>
<tr>
<td>CHEUNG, CHI-KAY</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LUX ITHACA HOLDINGS, LLC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CASCADILLA SCHOOL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>222 DRYDEN ROAD, LLC</td>
<td>PO Box 6541, Ithaca, NY 14851</td>
<td>PO Box 642, Ithaca, NY 14851</td>
<td>PO Box 866, Ithaca, NY 14851</td>
<td>PO Box 866, Ithaca, NY 14851</td>
</tr>
<tr>
<td>FANE, JASON H</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MJM PROPERTIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MJM PROPERTIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOWER, JOSH</td>
<td>PO Box 7058, Ithaca, NY 14851</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CASCADILLA SCHOOL</td>
<td>116 Summit Ave, Ithaca, NY 14850</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>O’CONNOR, KEVIN</td>
<td></td>
<td></td>
<td>PO Box 4251, Ithaca, NY 14852</td>
<td></td>
</tr>
<tr>
<td>ARNAUDOFF, EMILIE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>241 LINDEN AVE LLC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO REALTY, LLC</td>
<td>18 Smugglers Path, Ithaca, NY 14850</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOWER, WILLIAM L</td>
<td>433 Floral Ave, Ithaca, NY 14850</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

I, Steve Hugo, AIA, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before 3/15/22. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division
108 E. Green St., 3rd Fl.
Ithaca, NY 14850

Phone: (607) 274-6550
Fax: (607) 274-6558
TITLE INFORMATION
CASCADELLA SCHOOL
DEED BOOK 602, PAGE 188
TAX MAP PARCEL NO. 64-2-19
AREA = 0.185 ACRES

LEGEND
Δ - COMPUTED POINT
Ψ - NON PIPE FOUND
Θ - UTILITY POLE
▲ - NAIL FOUND

CERTIFICATION
I hereby certify that I am a licensed land surveyor, New York State License No. 005987, and that this map correctly delineates an actual survey on the ground made by me or under my direct supervision and that I found no visible encroachments either way across property lines except as shown herein.

SIGNED: __________________________ DATED: 10/20/2020

MAP REFERENCES:
1) "SURVEY MAP NO. 210 & 215-224 DRYDEN ROAD..." DATED 9/23/2015 BY T.G. MILLER P.C.
2) "HOUSE LOCATION SURVEY PREMISES OF RICHARD E. & GABRIELLE T. FULGENT..." DATED 9/22/1977 BY T.G. MILLER P.C.
3) "ALTA/NSPS LAND TITLE SURVEY 232-238 DRYDEN ROAD..." DATED 11/27/2018 BY T.G. MILLER P.C.
228 Dryden Road - Site Location Plan
Data contained on this map was provided or derived from data developed or compiled by the City of Ithaca, and is the best available to date. The originators do not warrant the accuracy or completeness of the information portrayed by the data.