CITY OF ITHACA BOARD OF ZONING APPEALS (BZA): Notice is hereby given, pursuant to Section 325-40. B. (2) (g) of City of Ithaca Zoning Ordinance, Public Hearings will be held Tuesday, May 5, 2020 at 6:00 PM online via Zoom (see below), to consider the following appeals:

**APPEAL # 3154**

115 WEST GREEN STREET

Appeal of Laura Larson of Odyssey Books for a sign variance from Section 272-6 B (2), Number of Permitted Signs in a Commercial Zone. The applicant proposes to install a freestanding sign at the property located at 115 W. Green Street. The freestanding metal sign will be positioned on the top of a stone landscaping wall and will be 7 feet tall. It will meet the required 10 foot setback from the property line but will be located 7” of the required 5’ from the side property line. The applicant previously received a permit for an awning sign and adding the new freestanding sign will exceed the allowable number of signs permitted by the ordinance. The sign ordinance permits either one freestanding sign or two building signs for the business.

At the Board of Zoning Appeals meeting on March 3, 2020, the applicant previously proposed to install the freestanding sign on a pole, but the proposed location was on an adjacent property.

The property is located in a B-2d use district in which the proposed use is permitted. However, the Sign Ordinance, Section 272-18, requires that the variance be granted before a sign permit is issued.

**APPEAL #3160**

223-225 RIGEDEALE ROAD

Appeal of Craig Modisher of STREAM Collaborative on behalf of owners Laura and Chris Batten for an Area Variance from Section 325-8, Column 11, Front Yard, and Column 13, Other Side Yard, requirements of zoning ordinance. The applicant proposes to remove the existing front stoop to construct a new front porch and construct a new two-car garage at the property located at 223-225 Ridgedale Road. The new front porch will be 247.4 square feet and extend 6 feet into the required front yard. This will reduce the front yard to 19 feet of the 25 feet required by the ordinance. The dwelling also has an existing deficiency in the other side yard. The existing side yard deficiency is 8.4’ of the 10’ required and will not be exacerbated by the proposal. The new two-car garage will be built on the east side of the property and meets all of the requirements for an accessory structure.

The property is located in an R-1b 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.
MEETING ACCESS
City Hall remains closed to the public.

The Planning and Development Board and the Board of Zoning Appeals meetings will be conducted remotely via the online platform Zoom. You can view both meetings on the City of Ithaca’s Public Meetings YouTube Channel. To do so, go to www.youtube.com and search for “City of Ithaca Public Meetings.”

PUBLIC COMMENT: There are two options for providing comments to the Board of Zoning Appeals.

1) Submit comments by email no later than 5 pm on the day of the meeting and they will be read into the record during the meeting. Each comment is limited to 3 minutes. Please provide your name and the address of the appeal in your comment. All comments should be sent to zoningdivision@cityofithaca.org.

2) There will be an opportunity to speak through your phone, computer, or other device. Follow the instructions for accessing the meeting via Zoom below.

To participate, you can join by phone, computer, smartphone or other similar device (see instructions below). You will need to download the Zoom meeting client from zoom.us and will have the option to create a free Zoom account (not required to attend).

Planning and Development Board Meeting – April 28, 2020
Meeting ID: 868 730 081
Password: 006938

To join the meeting by computer, smartphone, or other device, go to https://zoom.us/j/868730081?pwd=T1FER0lyTmd2TFNVaEhxekdrRjg4Zz09. If you have not done so already, you will be prompted to download the Zoom client. After downloading, click the link again to join the meeting.

To join by telephone, dial (646) 558-8656 and enter meeting ID: 868 730 081

Board of Zoning Appeals Meeting – May 5, 2020
Meeting ID: 945 524 969
Password: 6qvVLB

To join the meeting by computer, smartphone, or other device, go to https://zoom.us/j/945524969?pwd=YzRMVIRtLy9MMG5vT2xDODBXR1duZz09. If you have not done so already, you will be prompted to download the Zoom client. After downloading, click the link again to join the meeting.

To join by telephone, dial (646) 558-8656 and enter meeting ID: 945 524 969

Gino Leonardi, Zoning Administrator
Secretary to the Board of Zoning Appeals
APPEAL # 3154

115 WEST GREEN STREET

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### City of Ithaca Board of Zoning Appeals Worksheet

<table>
<thead>
<tr>
<th>Appeal Number</th>
<th>Use District</th>
<th>Applicant</th>
<th>Application Type</th>
<th>Address: 115 W. Green Street</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B-2d</td>
<td>Laura Larson</td>
<td>Sign Variance</td>
<td>Date: May 5, 2020</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Owner: Ed and Deena Crossmore</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sign</th>
<th>Type</th>
<th>Area</th>
<th>Setback</th>
<th>Projection</th>
<th>Other Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Odyssey Bookstore Awning Sign*</td>
<td>Awning</td>
<td>1.4 SQ FT</td>
<td>N/A</td>
<td>N/A</td>
<td>Approved by ILPC</td>
</tr>
<tr>
<td>Odyssey Bookstore Freestanding Sign</td>
<td>Freestanding</td>
<td>5 SQ FT</td>
<td>10' front; 7&quot; side</td>
<td>N/A</td>
<td>Approved by ILPC; 7' high</td>
</tr>
</tbody>
</table>

| Regulations              | 1 freestanding or 2 building signs | 1.5 SQ FT for every linear foot of building frontage; 79.5 SQ FT permitted | 10' setback from public right of way; 5' from side property line | ILPC approval required; maximum height of freestanding sign - 22' |

| Note Non-conforming Conditions | Def. -1 freestanding and 1 building sign | OK | Def. - freestanding sign meets front setback requirements but is only 7" of the required 5' from the side property line | OK |

**Notes:**

*Awning sign meets the requirements of the Sign Ordinance and no variance is required. A sign permit for the awning sign only was issued on February 4, 2020.
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 #: 3154 (FILLED IN BY STAFF)
HEARING DATE: 3/3/2020
BUILDING PERMIT #: 99972 (REQUIRED)
RECEIPT #: 62884 (FILLED IN BY STAFF)

2. Property Address: 115 W. Green St. Use District: B 2 D

Owner’s Name: Ed and Deena Grossman
Owner’s Address: 115 W. Green St.
City: Ithaca State: NY Zip: 14850

3. Appellant’s Name: Lara Larson Appellant’s Address: 1149 Taughannook Blvd.

City: Ithaca State: NY Zip: 14850
Telephone: 425-965-5317 E-Mail: lara.alarson@hotmail.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 3rd day of

February 20, 2020
Lara Larson
Notary Public

SARAH L. MYERS
Notary Public, State of New York
Registration No. 4974948
Qualified in Tompkins County
Commission Expires Nov. 26, 2022

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

If another city or municipal 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-___________________________</td>
<td>§272- 6B(2)___________________________</td>
</tr>
<tr>
<td>§325-___________________________</td>
<td>§272- 9A_____________________________</td>
</tr>
<tr>
<td>§325-___________________________</td>
<td>§272-_______________________________</td>
</tr>
<tr>
<td>§325-___________________________</td>
<td>§272-_______________________________</td>
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<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   _X_ Unlisted

3. Environmental Assessment form used:

   _X_ Short Environmental Assessment Form
   ___ Long Environmental Form
   ___ Completed by the Planning and Development Board

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 _____________
   Appeal No. _________, dated _____________

5. Notes or Special Conditions:
**Short Environmental Assessment Form**

**Part 1 - Project Information**

**Instructions for Completing**

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

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

### Part 1 - Project and Sponsor Information

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Signage for new Bookstore</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
<td>115 W. Green St., Ithaca, NY</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
<td>Install signs: 1. awning with lettering over door entrance 2. Nonwork sign located near the North East corner of the property, at least 10' from the property line</td>
</tr>
<tr>
<td>Name of Applicant or Sponsor:</td>
<td>[Signature]</td>
</tr>
<tr>
<td>Telephone:</td>
<td>425-985-5317</td>
</tr>
<tr>
<td>E-Mail:</td>
<td>[Signature]@outlook.com</td>
</tr>
<tr>
<td>Address:</td>
<td>1149 Taughannock Blvd.</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Ithaca</td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?  
   - YES

2. Does the proposed action require a permit, approval or funding from any other governmental Agency?  
   - NO

3. a. Total acreage of the site of the proposed action?  
   - acres
   
   b. Total acreage to be physically disturbed?  
   - acres
   
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  
   - acres

4. Check all land uses that occur on, adjoining and near the proposed action.  
   - [ ] Urban
   - [x] Rural (non-agriculture)
   - [ ] Industrial
   - [x] Commercial
   - [ ] Residential (suburban)
   - [ ] Forest
   - [ ] Agriculture
   - [ ] Aquatic
   - [ ] Other (specify): ____________________________
   - [ ] Parkland

Page 1 of 3
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
      [ ] NO [ ] YES [ ] N/A  
   b. Consistent with the adopted comprehensive plan?  
      [ ] NO [ ] YES [ ] N/A  

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
   [ ] NO [ ] YES [ ] N/A  

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify:  
   [ ] NO [ ] YES [ ] N/A  

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
   [ ] NO [ ] YES [ ] N/A  
   b. Are public transportation service(s) available at or near the site of the proposed action?  
   [ ] NO [ ] YES [ ] N/A  
   c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?  
   [ ] NO [ ] YES [ ] N/A  

9. Does the proposed action meet or exceed the state energy code requirements?  
   If the proposed action will exceed requirements, describe design features and technologies:  
   [ ] NO [ ] YES [ ] N/A  

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water:  
    [ ] NO [ ] YES [ ] N/A  

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment:  
    [ ] NO [ ] YES [ ] N/A  

12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  
    [ ] NO [ ] YES [ ] N/A  
   b. Is the proposed action located in an archeological sensitive area?  
   [ ] NO [ ] YES [ ] N/A  

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
    [ ] NO [ ] YES [ ] N/A  
   b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  
    If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:  
    [ ] NO [ ] YES [ ] N/A  

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:  
    [ ] Shoreline  [ ] Forest  [ ] Agricultural/grasslands  [ ] Early mid-successional  
    [ ] Wetland  [ ] Urban  [ ] Suburban  

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?  
    [ ] NO [ ] YES [ ] N/A  

16. Is the project site located in the 100 year flood plain?  
    [ ] NO [ ] YES [ ] N/A  

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
   If Yes,  
   a. Will storm water discharges flow to adjacent properties?  
      [ ] NO [ ] YES  
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
      If Yes, briefly describe:  
      [ ] NO [ ] YES  

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?
If Yes, explain purpose and size:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
If Yes, describe:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
If Yes, describe:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Laura Larson
Signature: [Signature]
Date: Jan 30, 2020
**Short Environmental Assessment Form**  
**Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>✓</td>
<td>□</td>
</tr>
</tbody>
</table>
Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Part 3 not applicable to BZA #3154 - Sign Variance for 115 West Green Street.
ZONING APPEAL #: 3154
DATE: 11/22/2020

TO: BOARD OF ZONING APPEALS (Ithaca, NY):

I (We) Ed Crossmore/Deena Crossmore of 115 W. Green St.,

Ithaca, NY 14850

Owner of the property at 115 W. Green St., Ithaca, NY 14850

☐ I am the sole owner of the above-mentioned property.

☐ This property is also owned by ____________________________ and I have a Power of Attorney to authorize this appeal (attach POA).

I do hereby authorize Laura Larson to appeal or request a Variance or Special Permit on my (our) behalf. I (we) understand the appeal will be heard at the 3/13/20 meeting of the Board of Zoning Appeals.

(Signature)

STATE OF NEW YORK)
COUNTY OF TOMPKINS)

Sworn to this 22nd day of January, 2020

Notary Public

Note to those signing this form:

(1) Owners authorizing another to present an appeal on their behalf should be aware the Board may, in granting relief, add reasonable conditions which then become binding on the property.

(2) Especially where a Variance is being sought, the owner may be the only person with detailed information about the property that is essential to the appeal. In such a case, authorizing another person to appeal may be detrimental to the appeal, unless the owner is either present at the hearing or sends another person fully prepared to answer questions about the property and the feasibility of using it consistent with the Zoning Ordinance.
NOTICE OF APPEAL

REGARDING ZONING OR SIGN ORDINANCE

CITY OF ITHACA, NEW YORK

APPEAL NO. 3154

TO: Owners of Property within 200 feet of 115 W. Green Street and others interested.

(property address)

FROM: Laura Larson applicable to property named above, in a(n) B-2d zone.

(name of person or organization making appeal)

REGARDING:

(check appropriate box)

☐ Area Variance
☐ Special Permit
☐ 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 4/28/2020 at 6:00 P.M. via the online platform Zoom. Please see the enclosed directions to access the Planning Board meeting.

The BOARD OF ZONING APPEALS will consider this case on 5/5/2020 at 6:00 P.M. via the online platform Zoom. Please see the enclosed directions to access the Board of Zoning Appeals meeting.

_____________________________     ____________________________     ____________
Signature of Appellant       Address             Date
MEETING ACCESS
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Meeting ID: 945 524 969
Password: 6qvVLB
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<table>
<thead>
<tr>
<th>Name and Address</th>
<th>Phone or Address</th>
<th>Name and Address</th>
<th>Phone or Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stiehl, Dawn R</td>
<td>500700 70-6-12.1</td>
<td>Boronkay, Richard J</td>
<td>500700 70-6-12.2</td>
</tr>
<tr>
<td>Stiehl, Ronald L</td>
<td>120 S Cayuga St, Ithaca NY 14850</td>
<td>Boronkay, Carolyn</td>
<td>150 Pearsall St, Ithaca NY 14850</td>
</tr>
<tr>
<td>G &amp; S Properties of Ithaca LLC</td>
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</tbody>
</table>
Dear Neighbor,

My name is Laura Larson and I am in the process of opening a bookstore in the daylight basement of 115 W. Green St. I am requesting a variance on the sign ordinance which would limit me to one sign and also property line set back. I am in compliance regarding the allowable square footage for signs. I am in compliance regarding the set back from the street but not the east property line. The sign will be placed on the retaining wall, which lies on the east property line.

I would like to have 2 signs consisting of 1. The name of the bookstore in lettering along the edge of an awning over the door (currently in place), and 2. An iron work sign approx. 2.5 in diameter and 7’ high to be placed near the north east corner of the property on the stone top of the walkway wall and 10’ from the north edge of the property line (street side).

Please let me know if you have any questions or concerns.

Best wishes, Laura Larson, owner, Odyssey Bookstore
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

Zoning Appeal #3154

I, Laura Larson, 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 21, 2020. 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
April 22, 2020

Megan Wilson, Senior Planner
City of Ithaca
108 East Green St.
Ithaca, NY  14850

Re: Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law
Action: Sign Variance for 115 West Green Street, City of Ithaca Tax Parcel #70.-7-3, Edward and Deena Crossmore, Owners; Laura Larson, Appellant.

Dear Ms. Wilson:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Department of Planning & Sustainability pursuant to §239 -l, -m and -n of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has no negative inter-community, or county-wide impacts.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,

M. Megan McDonald
Deputy Commissioner of Planning and Sustainability

Inclusion through Diversity
RESOLUTION: Moved by K. Olson, seconded by D. Kramer.

WHEREAS, 115 West Green Street is located within the Henry St. John Historic District, as designated under Section 228-3 of the City of Ithaca Municipal Code in 2013, and

WHEREAS, as set forth in Section 228-6 of the Municipal Code, an Application for a Certificate of Appropriateness for the construction of an accessible ramp to a basement entrance in the landscape along the east side of property's north elevation was approved at the regular Ithaca Landmarks Preservation Commission (ILPC) meeting on July 9, 2019, and

WHEREAS, a condition was placed on that Certificate of Appropriateness requiring the applicant to submit design and/or shop drawings illustrating the proposed metal handrails… to the ILPC for review and approval, and

WHEREAS, the ILPC has received a submission from Noah Demarest, dated October 1, 2019, illustrating the proposed handrail and a few minor alterations to the approved ramp layout, and

WHEREAS, the ILPC has reviewed this submission for the purpose of evaluating the impacts of the proposal on the subject property and surrounding properties, now therefore be it

RESOLVED, that the ILPC finds that the railings and minor site alterations are compatible with the architectural features of the property and its environment and are approved for use, and be it further

RESOLVED, that, with the submission of shop drawings and their approval by ILPC staff, the original condition placed on the project’s Certificate of Appropriateness will be satisfied, and be it further

RESOLVED, that the following conditions placed on the original Certificate of Appropriateness remain unresolved:

- The applicant shall submit… design specifications for the proposed wood door and associated door surround modifications to the ILPC for review and approval.

RECORD OF VOTE:
Moved by: K. Olson
Seconded by: D. Kramer
In Favor: S. Stein, D. Kramer E. Finegan, A. Smith, K. Olson, S. Gibian
Against: 0
Abstain: 0
Absent: M.M. McDonald
Vacancies: 0

Notice: Failure on the part of the owner or the owner’s representative to bring to the attention of the ILPC staff any deviation from the approved plans, including but not limited to changes required by other involved agencies or that result from unforeseen circumstances as construction progresses, may result in the issuance by the Building Department of a stop work order or revocation of the building permit.
CITY OF ITHACA BOARD of ZONING APPEALS
Sign Variance Findings & Decision

Appeal No.: 3154

Applicant: Laura Larson

Property Location: 115 W. Green Street

Zoning District: B-2d

Applicable Section of City Sign Ordinance: Section 272-6B(2) and 272-9A

Requirement for Which Variance is requested: Number of Permitted Signs in a Commercial Zone and Sign Setback Requirements


Summary: Appeal of Laura Larson of Odyssey Books for a sign variance from Section 272-6 B (2), Number of Permitted Signs in a Commercial Zone. The applicant proposes to install a freestanding sign at the property located at 115 W. Green Street. The freestanding metal sign will be positioned on the top of a stone landscaping wall and will be 7 feet tall. It will meet the required 10 foot setback from the property line but will be located 7" of the required 5' from the side property line. The applicant previously received a permit for an awning sign and adding the new freestanding sign will exceed the allowable number of signs permitted by the ordinance. The sign ordinance permits either one freestanding sign or two building signs for the business.

At the Board of Zoning Appeals meeting on March 3, 2020, the applicant previously proposed to install the freestanding sign on a pole, but the proposed location was on an adjacent property.

The property is located in a B-2d use district in which the proposed use is permitted. However, the Sign Ordinance, Section 272-18, requires that the variance be granted before a sign permit is issued.


Members present:
Steven Beer, Chair
Teresa Deschanes
Steven Wolf
Stephanie Egan-Engels
Suzanne Charles
Tompkins County Review per Section 239 -l & -m of New York State General Municipal Law:
The Tompkins County Department of Planning & Sustainability has reviewed the proposal, as submitted, and has determined that it has no negative inter-community or county-wide impacts.

Environmental Review: This is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance (“CEQRO”), and State Environmental Quality Review Act (“SEQRA”), and is subject to Environmental Review. The City of Ithaca Board of Zoning Appeals hereby declares itself Lead Agency for the environmental review for the approval of zoning appeal 3154, a sign variance for the property located at 115 W. Green Street in the City of Ithaca. The Board has reviewed the Short Environmental Assessment Form (SEAF), dated February 18, 2020, and determines that the requested variance will result in no significant impact on the environment.

Planning & Development Board Recommendation: Comments will be provided at the meeting.

Motion: A motion to grant the variance request was made by ________

Deliberations & Findings:

Factors Considered:

1. Environmental Impact
The Board, acting as lead agency, has conducted appropriate environmental review and has determined the requested variance will have no negative impacts on the environment.

2. Size of sign:
The purpose for which the sign is erected and the distance from which the sign is intended to be read and the character of the adjacent streets shall be taken into consideration. In all cases, the smallest sign that will suit the purpose shall be the guide, taking into account legitimate business interests to be promoted by the sign and the speed limits and traffic conditions on adjacent streets.

3. Number of letters:
A sign with few letters need not be as large as one with many letters to be seen at the same distance. The number of letters are appropriate for the size of the sign.

4. Other signs:
The context of existing signs in the vicinity of the proposed sign shall be taken into considerations.

5. The character of the neighborhood:
The proposed use shall not be detrimental to the general amenity of the neighborhood character so as to cause a devaluation of neighboring property or material inconvenience to neighboring inhabitants or material interference with the use and enjoyment by the inhabitants of neighboring parties. The proposed sign will not be detrimental to the neighborhood character.

6. Public Interest:
The protection of public interest and the desirability of maintaining open spaces, views and vistas shall be considered insofar as possible. The proposed signage will not affect open spaces, views, and vistas.

Second Motion to Grant Variance: Made by__________________

Vote:
Steven Beer, Chair
Teresa Deschanes
Steven Wolf
Stephanie Egan-Engels
Suzanne Charles
APPEAL #3160

223-225 RIDGEDALE ROAD

Appeal of Craig Modisher of STREAM Collaborative on behalf of owners Laura and Chris Batten for an Area Variance from Section 325-8, Column 11, Front Yard, and Column 13, Other Side Yard, requirements of zoning ordinance. The applicant proposes to remove the existing front stoop to construct a new front porch and construct a new two-car garage at the property located at 223-225 Ridgedale Road. The new front porch will be 247.4 square feet and extend 6 feet into the required front yard. This will reduce the front yard to 19 feet of the 25 feet required by the ordinance. The dwelling also has an existing deficiency in the other side yard. The existing side yard deficiency is 8.4’ of the 10’ required and will not be exacerbated by the proposal. The new two-car garage will be built on the east side of the property and meets all of the requirements for an accessory structure.

The property is located in an R-1b 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

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<thead>
<tr>
<th>Appeal Number</th>
<th>Use District</th>
<th>Applicant</th>
<th>Application Type:</th>
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<tr>
<td>3160</td>
<td>R-1b</td>
<td>Craig Modisher, STREAM</td>
<td>Area Variance</td>
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<td>8.4'</td>
<td>57'-6&quot; or 46.5%</td>
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Notes:

OK Def. OK OK OK OK OK OK OK OK Def. OK Def. OK
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 #: 3160  [FILED IN BY STAFF]
HEARING DATE: May 5, 2020
BUILDING PERMIT #: 40222  [REQUIRED]
RECEIPT #: 62531  [FILED IN BY STAFF]

2. Property Address: 223-225 Ridgedale Road, Ithaca  Use District: R1b

Owner’s Name: Laura and Chris Batten  Owner’s Address: 225 Ridgedale Road
City: Ithaca  State: NY  Zip: 14850

3. Appellant’s Name: STREAM- Craig Modisher  Appellant’s Address: 108 W State St

City: Ithaca  State: NY  Zip: 14850
Telephone: 607-216-8802  E-Mail: craig@streamcolab.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 and 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 17th day of March 2020

Notary Public

THOMAS J. CANNON
Notary Public, State of New York
Reg. No. 01CA6398775
Qualified in Cortland County
Commission Expires 12/31/2023

IMPORTANT: Incorrect 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

*OFFICE USE ONLY*

1. Ordinance Section(s) for the Appeal:

<table>
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<tr>
<th>Zoning Ordinance Section BeingAppealed</th>
<th>Sign Ordinance Section Being Appealed</th>
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<tbody>
<tr>
<td>§325- 8, Columns 11 and 13</td>
<td>§272-</td>
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<tr>
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<td>§272-</td>
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</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

4. A previous appeal □ has / ✗ has not been made for this proposal:
   - Appeal No. ________, dated ___________
   - Appeal No. ________, dated ___________
   - Appeal No. ________, dated ___________
   - Appeal No. ________, dated ___________
   - Appeal No. ________, dated ___________

5. Notes or Special Conditions:
   - __________________________________________
   - __________________________________________
   - __________________________________________
   - __________________________________________
OWNER'S AUTHORIZATION FORM

ZONING APPEAL #: 3160

DATE: 03/11/2020

TO: BOARD OF ZONING APPEALS (Ithaca, NY):

I (We) Laura and Christopher Batten of 223-225 Ridgedale Road

Ithaca, NY 14850

Owner of the property at 223-225 Ridgedale Road

☐ I am the sole owner of the above-mentioned property.

☐ This property is also owned by ________________________________

and I have a Power of Attorney to authorize this appeal (attach POA).

I do hereby authorize Craig Modisher to appeal or request a Variance or Special Permit on my (our) behalf. I (we) understand the appeal will be heard at the May 5, 2020 meeting of the Board of Zoning Appeals.

(Signature)

STATE OF NEW YORK)
COUNTY OF TOMPKINS)

Sworn to this 11th day of March, 2020

Notary Public

NATHAN J. COOK
NOTARY PUBLIC-STATE OF NEW YORK
NO. 02C06333548
QUALIFIED IN TOMPKINS COUNTY
MY COMMISSION EXPIRES 11-23-20

Note to those signing this form:

(1) Owners authorizing another to present an appeal on their behalf should be aware the Board may, in granting relief, add reasonable conditions which then become binding on the property.

(2) Especially where a Variance is being sought, the owner may be the only person with detailed information about the property that is essential to the appeal. In such a case, authorizing another person to appeal may be detrimental to the appeal, unless the owner is either present at the hearing or sends another person fully prepared to answer questions about the property and the feasibility of using it consistent with the Zoning Ordinance.
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3160

TO: Owners of Property within 200 feet of 223-225 Ridgedale Road and others interested.

FROM: STREAM Collaborative on behalf of Laura and Chris Batten applicable to property named above, in a(n) R-1b zone.

REGARDING:

☐ Area Variance
☐ Special Permit
☐ 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 4/28/2020 at 6:00 P.M. via the online platform Zoom. Please see the enclosed directions to access the Planning Board meeting.

The BOARD OF ZONING APPEALS will consider this case on 5/5/2020 at 6:00 P.M. via the online platform Zoom. Please see the enclosed directions to access the Board of Zoning Appeals meeting.

_________________________________________  _____________________________________________  ________________
Signature of Appellant                      Address             Date

CITY OF ITHACA
108 East Green Street — 3rd Floor  Ithaca, New York  14850-5690
DEPARTMENT OF PLANNING, BUILDING, ZONING & ECONOMIC DEVELOPMENT
Gino Leonardi, Secretary to the Board of Zoning Appeals
Telephone: 607-274-6550  Fax: 607-274-6558  Email: gleonardi@cityofithaca.org
MEETING ACCESS
City Hall remains closed to the public.

The Planning and Development Board and the Board of Zoning Appeals meetings will be conducted remotely via the online platform Zoom. You can view both meetings on the City of Ithaca’s Public Meetings YouTube Channel. To do so, go to www.youtube.com and search for “City of Ithaca Public Meetings.”

PUBLIC COMMENT: There are two options for providing comments to the Board of Zoning Appeals.

1) Submit comments by email no later than 5 pm on the day of the meeting and they will be read into the record during the meeting. Each comment is limited to 3 minutes. Please provide your name and the address of the appeal in your comment. All comments should be sent to zoningdivision@cityofithaca.org

2) There will be an opportunity to speak through your phone, computer, or other device. Follow the instructions for accessing the meeting via Zoom below.

To participate, you can join by phone, computer, smartphone or other similar device (see instructions below). You will need to download the Zoom meeting client from zoom.us and will have the option to create a free Zoom account (not required to attend).

Planning and Development Board Meeting – April 28, 2020
Meeting ID: 868 730 081
Password: 006938
To join the meeting by computer, smartphone, or other device, go to https://zoom.us/j/868730081?pwd=T1FER0lyTmd2TFNVAElxekdrRjg4Zz09. If you have not done so already, you will be prompted to download the Zoom client. After downloading, click the link again to join the meeting.

To join by telephone, dial (646) 558-8656 and enter meeting ID: 868 730 081

Board of Zoning Appeals Meeting – May 5, 2020
Meeting ID: 945 524 969
Password: 6qvVLB
To join the meeting by computer, smartphone, or other device, go to https://zoom.us/j/945524969?pwd=YzRMV1RtLy9MMG5vT2xDODBXR1duZz09. If you have not done so already, you will be prompted to download the Zoom client. After downloading, click the link again to join the meeting.

To join by telephone, dial (646) 558-8656 and enter meeting ID: 945 524 969
Project Description
The project involves the construction of a new front porch on an existing house in the R1b zoning district, on a 0.283 acre (12,325 sf) lot. A new garage will also be built as part of this project, but it fully complies with the zoning requirements.

Site Improvements
The site is currently occupied by an existing house. The existing front porch will be removed.

Zoning Compliance
Requirements:
The R1b district has a lot size minimum of 6000 sf. And a maximum lot coverage of 25%.
Front yard setback is 25’. Both side yards are 10’. Rear yard is 25% or 50 feet, but not less than 20’.
The height allowance is 3 stories and 35’ above grade plane.
There is an off-street automobile parking requirement.

Proposed conditions:
The proposed action is to remove an existing front porch that falls inside the 25’ front yard and replace it with a larger porch. The existing house is located right at the 25’ setback. The new porch would infringe on the front yard by 6’ and the steps approximately another 5’ into the front yard. We meet the minimum lot size and maximum lot coverage.

Variance required for 225 Ridgedale Road:

Front yard setback
Because of the location of the existing home, any front porch will infringe on the front yard. The owners desire is to make the front porch more functional as a comfortable “outside room”, which is aesthetically more pleasing, and provides a better social interaction with the community. The existing front porch is far too small to even shelter visitors that come to the door. The proposed front porch is also the main path to the new garage being built. The new garage (which needs no variance) helps meet the off-street parking requirement for this zone, which the existing house was not meeting.
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ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

I, Jennifer Demarest, 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 4/20/2020. 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.

Jennifer Demarest
(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
comment on 225 Ridgedale Road variance request
Alison Fromme [alisonfromme@gmail.com]

Sent: Wednesday, April 22, 2020 7:58 AM
To: Zoning Division

Comment:

We support this project and agree with the owners that the new front porch will be aesthetically pleasing, is consistent with the neighborhood character, and will provide opportunities for community interaction. Sincerely, Alison and Chris Fromme, 234 Valley Road, residents since 2008.
Existing Site Plan
1" = 20'-0"

Proposed Site Plan
1" = 20'-0"

Lot size - 12,325 SF
Lot coverage - 2,696 SF (21.9%)
Proposed Elevation

1/8" = 1'-0"
Lot size - 12,325 SF
House + new porch + new garage + back deck = 1474.5 + 247.4 + 552.1 + 261.1 = 2,535.1 SF
Lot coverage - (20.6%)
New driveway - 569.1 SF
Front yard - 2,306.7 SF
Driveway is 24.7% of front yard

Existing side yard is deficient, but not in the scope of work
Site Photos

Figure 1: Google Earth view of site.
Figure 2: View of 225 from Ridgedale Road.
Figure 3: View of 225 from Ridgedale Road.
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.
CITY OF ITHACA BOARD of ZONING APPEALS
Area Variance Findings & Decision

Appeal No.: 3160

Applicant: Craig Modisher of STREAM Collaborative for Laura and Chris Batten, Owners

Property Location: 223-225 Ridgedale Road

Zoning District: R-1b

Applicable Section of City Zoning Code: Section 325-8, Column 11 and Column 13.

Requirement for Which Variance is Requested: Front Yard and Other Side Yard


Summary: Appeal of Craig Modisher of STREAM Collaborative on behalf of owners Laura and Chris Batten for an Area Variance from Section 325-8, Column 11, Front Yard, and Column 13, Other Side Yard, requirements of zoning ordinance. The applicant proposes to remove the existing front stoop to construct a new front porch and construct a new two-car garage at the property located at 223-225 Ridgedale Road. The new front porch will be 247.4 square feet and extend 6 feet into the required front yard. This will reduce the front yard to 19 feet of the 25 feet required by the ordinance. The dwelling also has an existing deficiency in the other side yard. The existing side yard deficiency is 8.4' of the 10' required and will not be exacerbated by the proposal. The new two-car garage will be built on the east side of the property and meets all of the requirements for the accessory structure.

The property is located in an R-1b 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.


Members present:
Steven Beer, Chair
Suzanne Charles
Teresa Deschanes
Stephanie Egan-Engels
Steven Wolf

Tompkins County Review per Section 239 -l & -m of New York State General Municipal Law:
Not applicable to this appeal.
Environmental Review: Type 2
This is a Type 2 Action under the City of Ithaca Environmental Quality Review Ordinance (“CEQRO”), and State Environmental Quality Review Act (“SEQRA”), and is not subject to Environmental Review.

Planning & Development Board Recommendation:
Comments will be provided at the meeting.

Motion: A motion to grant the variance request was made by ________

Deliberations & Findings:

Factors Considered:

1. Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties: Yes ☐ No ☐

2. Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance: Yes ☐ No ☐

3. Whether the requested variance is substantial: Yes ☐ No ☐

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes ☐ No ☐

5. Whether the alleged difficulty was self-created: Yes ☐ No ☐

Second Motion to Grant Variance: Made by_________________

Vote:
Steven Beer, Chair
Teresa Deschanes
Steven Wolf
Suzanne Charles
Stephanie Egan-Engels