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, June 7, 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: 3218
   Address: 108 Campbell Avenue
   Zone: R-1a
   Applicant: Emily Petrina, Firehouse Architecture Lab
   Owner: Sam and Jennifer Alcaine
   Public Hearing: Yes
   Description: Request for an area variance from §325-8, Column 10, Lot Coverage by Buildings requirement of the Zoning Ordinance to allow the construction of a one-story addition and deck on the rear of the existing single-family home.

B. Appeal Number: 3220
   Address: 222 S. Geneva Street
   Zone: R-3aa
   Applicant: Ed Cope, Property Owner
   Public Hearing: Yes
   Description: Request for an area variance from §325-8, Column 10, Lot Coverage by Buildings requirement of the Zoning Ordinance to allow the construction of a ramp and an Area of Rescue to accommodate accessible access to the building.

C. Appeal Number: 3221
   Address: 109-111 Valentine Place
   Zone: R-3a
   Applicant: Trowbridge Wolf Michaels Landscape Architects
   Property Owner: Valentine Place Associates LLC
   Public Hearing: Yes
   Description: Request for an area variance from §325-8, Column 4, Off-Street Parking, and Column 6, Minimum Lot Area, requirements of the Zoning Ordinance to allow the construction of a new four-story multiple dwelling with 30 apartments.

II. CONTINUED APPEALS
   A. None

III. PRELIMINARY PRESENTATIONS & BOARD COMMENTS
   A. None

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.
IV. ADMINISTRATIVE MATTERS
   A. BZA Vice-Chair
   B. July BZA Meeting
      1. Return to In-Person Meetings
      2. Agenda Review

V. APPROVAL OF MINUTES
   A. May 3, 2022
   B. May 9, 2022

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 of Firehouse Architecture Lab, PLLC on behalf of property owners Sam and Jennifer Alcaine for an area variance from §325-8, Column 10, Lot Coverage by Buildings, requirement of the Zoning Ordinance. The applicant proposes to construct a new single-story addition and deck at the rear of single-family dwelling located at 108 Campbell Avenue. The new addition will provide a bedroom, bathroom, and living space for aging family members, and the new deck will connect the new addition to the original home. The new addition and deck will add 1,128 SF of building area to the lot, bring the total building footprint to 2,484 SF. This results in 23% lot coverage by buildings, which exceeds the maximum 20% allowed by the Zoning Ordinance.

108 Campbell Avenue is located in a 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>Appeal Number</th>
<th>Address</th>
<th>Use District</th>
<th>Owner</th>
<th>Application Type</th>
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</thead>
<tbody>
<tr>
<td>3218</td>
<td>108 Campbell Avenue</td>
<td>R-1a</td>
<td>Sam &amp; Jennifer Alcaine</td>
<td>Area Variance</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Column Number</th>
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<th>Use</th>
<th>Accessory Use</th>
<th>Off-Street Parking</th>
<th>Off-Street Loading</th>
<th>Lot Area (Sq. Feet)</th>
<th>Lot Width (Feet)</th>
<th>Number of Stories</th>
<th>Height in Feet</th>
<th>% of Lot Coverage</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Other Side Yard</th>
<th>Rear yard: % of depth or number of feet, whichever is less</th>
<th>Minimum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Existing Condition and Use</td>
<td>Single-Family Dwelling</td>
<td>3</td>
<td>10,592</td>
<td>80.15'</td>
<td>2</td>
<td>~23'</td>
<td>12.8%</td>
<td>20'</td>
<td>~26'</td>
<td>20.33'</td>
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<td>25% or 50' but not less than 20'</td>
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<tr>
<td></td>
<td>District Regulations for Existing</td>
<td>One Family Zone</td>
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<td>None Required</td>
<td>10,000</td>
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<td>25% or 50' but not less than 20'</td>
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<td>OK</td>
<td>OK</td>
<td>None</td>
<td></td>
</tr>
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**Notes:**
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 #: 3218 (FILLED IN BY STAFF)
   HEARING DATE: 6/7/22
   BUILDING PERMIT #: 42732 (REQUIRED)
   RECEIPT #: 67432 (FILLED IN BY STAFF)

2. Property Address: 108 Campbell Ave
   Use District: R-1a
   Owner’s Name: Sam & Jennifer Alcaine
   Owner’s Address: 108 Campbell Ave
   City: Ithaca
   State: NY
   Zip: 14850

3. Appellant’s Name: Emily Petrina / FHALAB
   Appellant’s Address: 136 W State Street
   City: Ithaca
   State: NY
   Zip: 14850
   Telephone: (607) 592-9385
   E-Mail: emily@fhalab.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.

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

   Emily Petrina
   Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this ______ day of ________, 20__

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>
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</thead>
<tbody>
<tr>
<td>§325-8, Column 10</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
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<td>§325-</td>
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<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. 3218

TO: Owners of Property within 200 feet of 108 Campbell Ave and others interested.

(property address)

FROM: Samuel & Jennifer Alcaine applicable to property named above, in a(n) R-1a 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 at the Zoning Division, City Hall, 108 E. Green St., Third Floor, 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 5/24/22 at 6:00 P.M. in Common Council Chambers, City Hall, 108 E. Green St. Ithaca.

The Board of Zoning Appeals will consider this case on 6/7/22 at 6:00 P.M. in Common Council Chambers, City Hall, 108 E. Green St. Ithaca.

________________________ 136 W State Street, Ithaca NY 14850
Signature of Appellant Address 4/5/22 Date
February 11, 2019

Neighbors of Jennifer and Samuel Alcaine

RE: Notice of Appeal – Zoning Appeal No. 3218, Proposed Alterations to 108 Campbell Ave

Dear Neighbors,

I am sending this letter to you on behalf of Jennifer and Sam Alcaine, owners and residents of 108 Campbell Ave. Jennifer, Sam and their children have lived in their home since building it in 2016. Over the years, it has become clear that having additional space for aging parents to occupy is necessary. As a result, we have designed a one-bedroom addition to their home which complies with all zoning requirements in the R-1a zone. We are requesting a small variance for lot coverage to build a deck which will connect the addition and the existing house and provide dry outdoor space.

The proposed deck is 24'‐6” x 18’‐9”, or 460 sqft, and fills the interior south west corner of the existing house. The Alcaines have tried to plant grass and use stone pavers in this location, however the natural slope of the property down from west to east directs surface water runoff to this interior corner of the house, and as a result, it is perpetually wet. The proposed deck is well within the rear and side yard setbacks, however it is over the allowed lot coverage by 3%.

The proposed deck includes a privacy screen on the south side for additional visual and sound reduction to the south neighboring property. Given the 20’ buffer to the south property line and the 36.5’ buffer to the rear property line, we feel that this is a small variance request which will have little visual impact. The proposed deck will not be visible from Campbell Avenue.

Zoning: R-1a    Allowable Lot Coverage: 20%
Lot = 10,592 sqft
Total Coverage of Existing House + Addition = 2,024 sqft (19%)
Proposed Deck = 460 sqft (4%)
Total Coverage of Existing House + Addition + Deck = 2,484 sqft (23%)

Thank you for the opportunity to discuss this project with you! If you have any questions or concerns, please feel free to reach out to Sam and Jennifer at alcaine@cornell.edu, or myself at emily@fhalab.com. There will be a public hearing for this project at the Planning and Development Board meeting on 5/24/22, and then also at the Board of Zoning Appeals meeting on 6/7/22.

Sincerely,

Emily M. Petrina, RA
Firehouse Architecture Lab, PLLC
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

Zoning Appeal # 3218

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 5/17/22. 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
Phone: (607) 274-6550
108 E. Green St., 3rd Fl.
Fax: (607) 274-6558
Ithaca, NY 14850
CAMPBELL AVE
TAX MAP ID 19-2-4.1
ZONING = R-1a
20% ALLOWABLE COVERAGE
LOT = 10,592 SQFT
EXIST HOUSE = 1,356 SQFT (13%)
ADDITION = 668 SQFT (6%)
TOTAL COVERAGE EXISTING HOUSE + ADDITION = 2,024 SQFT (19%)
DECK: 460 SF (4%)
TOTAL COVERAGE EXISTING HOUSE + ADDITION + DECK = 2,484 SF (23%)
THIS DRAWING IS ONLY VALID FOR CONSTRUCTION, BIDDING OR GOVERNMENT AGENCY REVIEW IF SAID DRAWING BEARS AN ORIGINAL SIGNED STAMP OF THE ARCHITECT. THE DRAWING IS THE PROPERTY OF EMILY PETRINA, RA. IT IS TO BE USED ONLY FOR THE PROJECT NOTED HEREIN. REUSE OF THIS DRAWING FOR ANY OTHER PROJECT, ALTERATION OR EXTENSION OF THIS PROJECT IS PROHIBITED WITHOUT THE WRITTEN PERMISSION OF EMILY PETRINA, RA. ANY UNAUTHORIZED REUSE IS A VIOLATION OF US COPYRIGHT LAW.

**Context**
- **Project No:** 21.08
- **Date:** APR 5, 2022
- **Scale:** A-4.0

**104 Campbell Ave**
- 30 FT BETWEEN HOUSES & EXISTING PRIVACY FENCE

**107 Oakwood Ln**
- 200 FT BETWEEN HOUSES

**108 Campbell Ave:**
- APPLICANT'S PROPERTY

**104 Campbell Ave (Alcaine Addition)**
- 107 OAKWOOD LN
- 104 CAMPBELL AVE

**Address:**
- 108 CAMPBELL AVE
- ITHACA, NY 14850

**Measurement:**
- 107 OAKWOOD LN: 108 CAMPBELL AVE
- 30 FT BETWEEN HOUSES & EXISTING PRIVACY FENCE

**Quantity:**
- A-4.0
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 # 3220

222 S. GENEVA STREET

Appeal of property owner Ed Cope for an area variance from §325-8, Column 10, Lot Coverage by Buildings requirement of the Zoning Ordinance. The applicant is currently reconfiguring the existing multiple dwelling at 222 S. Geneva Street to provide 11 bedrooms. To complete the project, the applicant must provide a ramp and an Area of Rescue to accommodate accessibility to the building. The project has an existing deficiency in lot coverage by buildings¹, and the addition of a small deck and landing will increase the lot coverage by buildings to 61.8%. The R-3aa district limits lot coverage by buildings to 35%.

222 S. Geneva Street is located in the Henry St. John Historic District, and all proposals for exterior alterations must be reviewed by the Ithaca Landmarks Preservation Commission (ILPC). The ILPC approved the proposed project on January 18, 2022.

The property has existing deficiencies in off-street parking, lot area, lot width, front yard, both side yards, and rear yard that will not be exacerbated by the proposal. Area variance #3178 was granted for these deficiencies in April 2021.

222 S. Geneva Street is located in the R-3aa zoning district in which the proposed use is permitted. However, Section 325-38 requires that area variances be granted before a building permit is issued.

¹ The BZA granted an area variance for lot coverage by buildings in April 2021. As the project moved into the preparation of construction documents, more accurate measurements of the existing building were taken, and existing lot coverage in April 2021 was, and remains today, 60.2%. The applicant seeks to correct this error included in area variance #3178.
### City of Ithaca Board of Zoning Appeals Worksheet

**Appeal Number:** 3220  
**Address:** 222 S. Geneva Street  
**Use District:** R-3aa  
**Date:** 6/7/2022  
**Applicant:** Ed Cope  
**Owner:** Ed Cope  
**Application Type:** Area Variance

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<thead>
<tr>
<th>Column Number</th>
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<th>11</th>
<th>12</th>
<th>13</th>
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<tbody>
<tr>
<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
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<td>Lot Area (Sq. Feet)</td>
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<td>Minimum Building Height</td>
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<td>60.2%</td>
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<tr>
<td><strong>District Regulations for Existing</strong></td>
<td>Multiple Dwelling Zone</td>
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<td>None Required</td>
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</tbody>
</table>

**Notes:**  
Existing deficiencies noted in blue; new or exacerbated deficiencies noted in red.  
*Area variance granted by BZA in April 2021  
^The applicant received a variance for lot coverage in April 2021. An error in the building footprint calculation of March 2021 has been identified, and the existing footprint is 2,615 SF instead of 2,103 SF. The area variance approved a lot coverage by buildings of 48.4%; the applicant seeks to correct the previous variance.
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 #: 3220
   HEARING DATE: 2022.06.07
   BUILDING PERMIT #: 42267
   RECEIPT #: 67720

2. Property Address: 222 South Geneva, Ithaca Use District: R-3aa

   Owner's Name: Ed Cope
   Owner's Address: 309 Fire Tower Rd
   City: Berkshire
   State: NY
   Zip: 13736

3. Appellant's Name: (same as owner)

   Appellant's Address:

   City: ______________________ State: ______ Zip: ______

   Telephone: 607.539.6391
   E-Mail: eac5@cornell.edu

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 14th day of April, 2022

Notary Public

SUSAN STICKEL
Notary Public - State of New York
No. 01516402173
Qualified in Tompkins County
My Commission Expires Dec. 30, 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>
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<tr>
<td>§325- 8, Column 10____________________</td>
<td>§272- ______________________________</td>
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<td>§325- _______________________________</td>
<td>§272- ______________________________</td>
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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. 3178____, dated April 6, 2021____
- Appeal No. __________, dated _____________
- Appeal No. __________, dated _____________
- Appeal No. __________, dated _____________

5. Notes or Special Conditions:
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

ONLY SUBMIT THIS FORM IF ZONING APPEAL APPLICATION IS BEING SUBMITTED/SIGNED BY
SOMEONE OTHER THAN CURRENT RECORD PROPERTY OWNER.

OWNER'S AUTHORIZATION FORM

ZONING APPEAL #:  3220                  DATE:  2022.04.13

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

I (We)  Ed Cope  of  309 Fire Tower Rd
          (Name)                                               (Street Address)

          Berkshire,  NY  13736
          (City/Municipality)                                  (State & Zip Code)

Owner of the property at  222 S Geneva St, Ithaca NY
                          (Street & Number)

☒ 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 STREAM Collaborative to appeal or request a Variance or Special Permit on my (our) behalf. I (we) understand the appeal will be heard at the 2022.06.07 meeting of the Board of Zoning Appeals.

                           (Signature)

STATE OF NEW YORK)
COUNTY OF TOMPKINS)

Sworn to this 4th day of April, 2022.

                                      Notary Public

SUSAN STICKEL
Notary Public - State of New York
No. 01ST5602173
Qualified in Tompkins County
My Commission Expires Dec. 30, 2023

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.
The house at 222 S Geneva St was given a variance in March 2021 to allow it to be converted from a 9 bedroom multiple dwelling to an 11 bedroom multiple dwelling that supports the accommodation of individual renters rather than being rented to a large group. As the project has progressed into the construction document phase, it has been determined that a ramp needs to be added to the south side of the building to allow for handicap access to the first floor, and a new deck with stairs needs to be added in the back yard to allow code compliant egress from the rear of the building.

The actual building area is not being increased, however the proposed ramp and steps require landings which are considered “decks” that need to be included in lot coverage. The property also has existing deficiencies in lot area, front yard, side yard, other side yard, and rear yard, which will not be exacerbated by the proposal.

The applicant is therefore seeking relief from 325-8 column 10, lot coverage by buildings.

As a result of being granted the March 2021 variance, the applicant obtained detailed field measurements of the building, including an existing fire escape and roofed trash enclosure, for the purpose of developing construction documents for the project. These measurements place the actual building footprint, including the fire escape and trash enclosure, at 2615sf. This is different from the 2103sf lot coverage previously used in the March 2021 variance. We presume this was from an inaccuracy in the survey from which the original number was derived, and perhaps the omission of the trash enclosure and fire escape. Because the building footprint was not changing back then, nor will change now, this discrepancy should have no bearing on either variance. However, we are correcting this information now so there will be no issues moving forward.

The current lot coverage as calculated by the recent field measurements is 60.2%. The maximum allowed in the R3aa zone is 35%. The addition of the new accessibility structures will increase the lot coverage to 61.8%.

The rear deck has been located such that the egress path from the kitchen door is more than 10’ away from existing windows perpendicular to the path of travel, as is required by code. In addition, an “area of assisted rescue” must be provided so that a resident in a wheelchair is safe while awaiting first responders to carry the wheelchair down the steps (see drawing A102). The size of the deck is the minimum required to allow wheelchair maneuverability to the area of assisted rescue. The landing for the ramp is the minimum needed to provide the required turn radius and turnaround space at the top of the ramp.
CITY OF ITHACA BOARD of ZONING APPEALS
Area Variance Findings & Decision

Appeal No.: 3178

Applicant: Joshua Cope of GreenScope Properties, LLC

Property Location: 222 South Geneva Street

Zoning District: R-3aa

Applicable Section of City Zoning Code: §325-8, Columns 4, 6, 7, 10, 11, 12, 13, and 14/15

Requirement for Which Variance is Requested: Off-Street Parking; Lot Area; Lot Width; Lot Coverage by Buildings; Front Yard; Side Yard; Other Side Yard; and Rear Yard.


Summary: Appeal of Joshua Cope of GreenScope Properties, LLC for an area variance from Section 325-8, Column 4, Off-Street Parking; Column 6, Lot Area; Column 7, Lot Width; Column 10, Lot Coverage by Buildings; Column 11, Front Yard; Column 12, Side Yard; Column 13, Other Side Yard, and Column 14/15, Rear Yard requirements of the Zoning Ordinance. The applicant seeks a variance to increase the number of bedrooms within the multiple dwelling located at 222 S. Geneva Street as part of a larger renovation. As part of the project, the applicant is constructing additional bathrooms and other improvements to support individual renters rather than a single large group. The proposed project will add two bedrooms to the existing 9-bedroom house, for a total of 11 bedrooms. The addition of these two bedrooms will exacerbate existing deficiencies in off-street parking. An 11-bedroom multiple dwelling is required to have 8 off-street parking spaces onsite. Six spaces are currently required, and the property provides only two spaces.

The property also has existing deficiencies in lot area, lot width, lot coverage by buildings, front yard, side yard, other side yard, and rear yard that will not be exacerbated by the proposal.

The Board of Zoning Appeals began consideration of this appeal and conducted the public hearing on March 2, 2021. The Board tabled the appeal to gather more information on allowed occupancy under the current configuration and the proposed project. The project was originally referred to as a rooming house, but after reviewing the requirements for rooming houses and multiple dwellings with Planning and Building staff, the applicant is proposing to meet the requirements for a multiple dwelling. This increases the off-street parking deficiency from the previous proposal (as described above) but no longer exacerbates the existing deficiency in lot area. In terms of occupancy, the current 9-bedroom multiple dwelling would be limited to 14 occupants due to the existing off-street parking deficiency. The proposed 11-bedroom multiple dwelling would permit up to 26 occupants with a variance for off-street parking.

The property is located in a R-3aa use district in which the proposed use is permitted. However, Section 325-32 requires that an area variance be granted before a building permit is issued.

Members present:
David Barken
Stephen Henderson
Stephanie Egan-Engels
Suzanne Charles, Chair

Liam and Llanya O’Kane, 223 S. Albany Street, submitted a written comment in opposition to the requested variance.

Tompkins County Review per Section 239 -l & -m of New York State General Municipal Law:
Not applicable.

Environmental Review: This is a Type 2 Action under the City of Ithaca Environmental Quality Review Ordinance and the State Environmental Quality Review Act and is not subject to Environmental Review.

Planning & Development Board Recommendation:
The Planning Board does not identify any negative long-term planning impacts and supports this appeal. The proposed project does not result in any exterior changes to the building and therefore has no impact to neighborhood character. The existing deficiencies are typical of the neighborhood.

Ithaca Landmarks Preservation Commission Recommendation:
The Henry St. John Historic District is characterized by and gains historic significance from its relatively dense assortment of 19th and early-20th century residences. Although many of the larger homes have been converted into multiple units, this important characteristic has been maintained. The introduction of additional parking spaces, particularly in highly visible locations, at any property in the historic district would have a negative impact on this important character defining feature. Therefore, the Ithaca Landmarks Preservation Commission fully supports the applicant's variance request for partial relief from the parking requirements.

Motion: A motion to grant variance #3178 for 222 S. Geneva Street with conditions was made by D. Barken.

Deliberations & Findings:
The Board discussed the impacts on occupancy that the requested variances would have. Specifically, the off-street parking variance would allow a significant increase in occupancy. While the current owner has indicated he does not intend to maximize occupancy, there was considerable concern that allowing 26 people in the building would impact neighborhood character and have significant transportation impacts. All members agreed that an occupancy limitation that is greater than the current limit but not as high as allowed under Housing Code would be appropriate to address transportation concerns.

The existing deficiencies predate the Zoning Ordinance and cannot be changed.

Factors Considered:

1. Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties: Yes ☐ No ☒
The requested variance will allow the applicant to add two additional bedrooms as part of a larger project to renovate the property and provide amenities to encourage individual tenants and other family types, rather than a large group rental. The overall number of occupants of the building is not intended to increase significantly. The property has multiple existing deficiencies. Furthermore, the Ithaca Landmarks Preservation Commission (ILPC) and the Planning and Development Board have provided support for the requested variances and, in the case of the ILPC, opposition to the construction of additional parking within the historic district.
Upon review of the proposed site plan and the Board’s review of existing conditions, the Board finds that the proposed project will not result in an undesirable change on the character of the neighborhood.

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

Given site conditions, the required parking cannot be constructed on site. The applicant could opt to not add additional bedrooms but the proposed improvements will have a positive impact on the structure, housing availability, and the immediate downtown area.

The remaining lot area deficiencies are existing and cannot be addressed by any alternative to the variance.

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

The requested variance for off-street parking is for 6 of the 8 required parking spaces or 75% of the required amount. There is an existing deficiency in off-street parking, and the property has historically provided 2 of the 6 (33%) previously required spaces. The Board finds this to be a substantial request but believes the benefits to the neighborhood and property owner warrant the variances, conditioned upon an occupancy limitation.

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

The request for an area variance at 222 South Geneva Street is a Type II action that has been predetermined to not have a significant impact on the environment. Furthermore, the Board’s review of the submitted site plans, testimony from the applicant, and consideration of existing conditions have not provided evidence of adverse physical or environmental impacts. The property is located in an urban environment on a busy street. The reduction of required parking has not been proven to directly increase traffic congestion, but any impacts will be mitigated through an occupancy limit as a condition of this variance.

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

The alleged difficulty is self-created in that the property has established rights to its current occupancy with the existing off-street parking deficiency. However, the proposal will make the housing more functional and appealing to individuals, rather than a single large group of renters, which will likely have a positive impact on the neighborhood and is adaptive to changing trends and market demands in the city.

The existing deficiencies in Lot Area; Lot Width; Lot Coverage by Buildings; Front Yard; Side Yard; Other Side Yard; and Rear Yard predate the Zoning Ordinance and thus are not self-created.

Second Motion to Grant Variance: Made by S. Henderson.

CONDITION OF VARIANCE: Occupancy of the building shall be limited to 18 total persons (related or unrelated). No increase in occupancy shall be permitted except by variance issued by the Board of Zoning Appeals.

Vote: 4-0-0
David Barken YES
Stephen Henderson YES
Stephanie Egan-Engels YES
Suzanne Charles, Chair YES
Determination of the BZA Based on the Above Factors:
The BZA, taking into the five factors for an area variance, finds that the benefit to the applicant outweighs the detriment to the neighborhood or community. The BZA further finds that the variances from the Zoning Ordinance, §325-8, Columns 4, 6, 7, 10, 11, 12, 13, and 14/15 are the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

Megan Wilson
Megan Wilson, Senior Planner
Secretary, Board of Zoning Appeals

April 6, 2021
Date
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3220

TO: Owners of Property within 200 feet of 222 S Geneva St and others interested.

FROM: Ed Cope/STREAM Collaborative

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 2022.05.24 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 2022.06.07 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
309 Fire Tower Rd
Berkshire NY 13736

Address

Date 5-12-22
222 S Geneva St – reason for variance appeal

2022.04.13

Dear neighbor,

The house we own at 222 S Geneva St was given a variance in March 2021 to allow it to be converted from a 9 bedroom multiple dwelling to an 11 bedroom multiple dwelling that supports the accommodation of individual renters rather than being rented to a large group. As the project has progressed into the construction document phase, it has been determined that a ramp needs to be added to the south side of the building to allow for handicap access to the first floor, and a new deck with stairs needs to be added in the back yard to allow code compliant egress from the rear of the building.

Per the definition of building area, ramps, decks and steps required for building access must be included in the lot coverage. Actual building area is not being increased, and the proposed ramp and deck will be +/- 3'-4" above grade. The property also has existing deficiencies in lot area, front yard, side yard, other side yard, and rear yard, which will not be exacerbated by the proposal.

The applicant is therefore seeking relief from 325-8 column 10, lot coverage by buildings.

The current lot coverage as calculated by recent field measurement of the building is 60.6%. The maximum allowed in the R3aa zone is 35%. The addition of the new accessibility structures (ramp and deck) will increase the lot coverage to 64.3%.

The size of the ramp is dictated by the rise from grade to the existing front porch. The width is the minimum required by code.

The rear deck has been located such that the egress path from the kitchen door is more than 10’ away from existing windows perpendicular to the path of travel, as is required by code. In addition, an “area of assisted rescue” must be provided so that a resident in a wheelchair is safe while awaiting first responders to carry the wheelchair down the steps. A ramp to grade off the rear of the building would need to be at least 40’ long (+/-140sf), and would therefore be not only impractical, but would also occupy an area larger than the proposed deck (49sf), making the lot coverage deficiency even worse. (see drawing A102). The size of the deck is the minimum required to allow wheelchair maneuverability to the area of assisted rescue.

If you have any questions about the plans included in this mailing, feel free to call our architect, STREAM Collaborative, at 607.216.8802.

With best regards,

Ed Cope
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ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals        Zoning Appeal # 3220

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 5/17/2022. 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.

[Signature]
(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division        Phone: (607) 274-6550
108 E. Green St., 3rd Fl.        Fax:   (607) 274-6558
Ithaca, NY  14850
EXISTING CONDITION SUMMARY

LOT AREA 4344sf
BUILDING FOOTPRINT 2615sf
LOT COVERAGE 60.2%

FRONT YARD +/-4'-9-1/2"
SIDE YARD +/- 1'-0"
OTHER SIDE YARD +/-4'-3"
REAR YARD +/-2'-3-1/2"

EXISTING BUILDING FOOTPRINT, INCLUDING TRASH ENCLOSURE AND FIRE ESCAPE = 2615sf

D1 EXISTING FIRST FLOOR PLAN
1/4" = 1'-0"

IF THIS DRAWING IS PRINTED ON 11x17 PAPER, SCALE IS HALF OF WHAT IS INDICATED

222 S Geneva St
MULTI FAMILY RENOVATION

CITY OF PHILADELPHIA

EC102

2022.09.16

STREAM COLLABORATIVE

STREET ADDRESS

222 S Geneva St
PHILADELPHIA, PA 19103

PHONE: (215) 752-5600
FAX: (215) 752-5601
WWW.STREAMCOLLABORATIVE.COM

"COLLABORATIVE"
PROPOSED CONDITION SUMMARY

LOT AREA 4344sf
BUILDING FOOTPRINT 2683sf
LOT COVERAGE 61.8%

FRONT YARD +/-4’-9-1/2” NO CHANGE
SIDE YARD +/- 1’-0” NO CHANGE
OTHER SIDE YARD +/-4’-3” NO CHANGE
REAR YARD +/-2’-3-1/2” NO CHANGE

NEW LANDING: 48sf LOT COVERAGE ADDED

NEW LANDING: 20sf LOT COVERAGE ADDED

D1 PROPOSED FIRST FLOOR PLAN
1/4” = 1’-0”

IF THIS DRAWING IS PRINTED ON 11x17 PAPER, SCALE IS HALF OF WHAT IS INDICATED
IF THIS DRAWING IS PRINTED ON 11x17 PAPER, SCALE IS HALF OF WHAT IS INDICATED
RESOLUTION: Moved by K. Olson, seconded by S. Stein.

WHEREAS, 222 South Geneva 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 228-4 of the Municipal Code, an Application for a Certificate of Appropriateness, dated January 05, 2022, was submitted for review to the Ithaca Landmarks Preservation Commission (ILPC) by STREAM Collaborative on behalf of property owner PPM Homes, including the following: (1) two narratives respectively titled Description of Proposed Change(s) and Reasons for Change(s); and (2) two sheets of product specifications for Therma Tru® 6/8 Classic Craft doors; (3) two sheets of product specifications for Marvin® Ultimate Double Hung G2 windows; (4) nine sheets of photographs and architectural drawings by STREAM Collaborative, titled “Photographs” (A001) [dated 11.30.21], “Photographs” (A002) [dated 11.20.21], “Front Porch Photographs” (A003) [dated 01.05.22], “Existing Floor Plans” (EC101) [dated 08.27.21], “Existing Floor Plans” (EC102) [dated 08.27.21], “Proposed Floor Plans” (A101) [12.29.21], “Proposed Floor Plans” (A102) [dated 12.29.21], “Existing Conditions” (EC201) [12.29.21], “Proposed Elevations” (A201) [12.29.21], and “Front Doorway Elevations” (A401) [01.05.22], and

WHEREAS, the ILPC has reviewed the entry in the annotated list of properties included within the Henry St. John Historic District for 222 South Geneva Street and the City of Ithaca’s Henry St. John Historic District Summary Statement, and

WHEREAS, as stated in the narrative Description of Proposed Change(s), the project involves varied alterations to the primary façade and secondary elevations, including modifications to the non-historic east porch’s columns, frieze, railing, flooring, and skirting; replacement of the non-historic primary entrance door on the east elevation; construction of a barrier free access ramp along the south elevation; removal of non-historic doors and windows on the west and south elevations, removal of two historic windows on the west elevation; installation of a door, stoop, and stairs on the west elevation; and the installation of new windows on the west elevation, and

WHEREAS, the issuance of a Certificate of Appropriateness is a Type II Action under the New York State Environmental Quality Review Act and the City Environmental Quality Review Ordinance for which no further environmental review is required, and

WHEREAS, the applicant has provided sufficient documentation and information to evaluate impacts of the proposal on the subject property and surrounding properties, and
WHEREAS, a Public Hearing for the purpose of considering approval of the Application for a Certificate of Appropriateness was conducted at the regularly scheduled ILPC meeting on January 18, 2022, now therefore be it

RESOLVED, that the ILPC has made the following findings of fact concerning the property and the proposal:

As identified in the City of Ithaca’s Henry St. John Historic District Summary Statement, the period of significance for the area now known as the Henry St. John Historic District is 1830-1932.

As indicated in the individual property entry in the annotated list of properties included within the Henry St. John Historic District, 222 South Geneva Street was constructed ca. 1865 and is an example of a substantial Italianate-style residence.

 Constructed within the period of significance of the Henry St. John Historic District and possessing a high level of integrity, the property is a contributing element of the Henry St. John Historic District.

The project impacts the non-historic east porch that was added between 1954-1975, outside of the district’s period of significance, and the south and west elevations that are not significantly visible from the public way.

In consideration of this and all approvals of proposals for alterations, new construction, or demolition in historic districts, the ILPC must determine that the proposed exterior work will not have a substantial adverse effect on the aesthetic, historical, or architectural significance and value of either the landmark or, if the improvement is within a district, of the neighboring improvements in such district. In considering architectural and cultural value, the Commission shall consider whether the proposed change is consistent with the historic value and the spirit of the architectural style of the landmark or district in accordance with Section 228-6 of the Municipal Code. In making this determination, the Commission is guided by the principles set forth in Section 228-6B of the Municipal Code, as further elaborated in Section 228-6C, and by the Secretary of the Interior’s Standards for Rehabilitation, and in this case specifically the following principles and Standards:

Principle #2 The historic features of a property located within, and contributing to the significance of, an historic district shall be altered as little as possible and any alterations made shall be compatible with both the historic character of the individual property and the character of the district as a whole.

Standard #2 The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features and spaces that characterize a property will be avoided.
Standard #9  New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Standard #10  New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

With respect to Principle #2, Standard #2, and Standard #9, the modifications to the east porch, construction of an accessible ramp, replacement of the non-historic primary entrance door, removal of non-historic windows, removal of two historic windows and the installation of a door and stoop, and the installation of new windows will not remove distinctive materials and will not alter features and spaces that characterize the property.

Also with respect to Principle #2, and Standard #9, the proposed porch modifications, ramp, and doors are compatible with the massing, size, scale, and architectural features of the property and its environment.

With respect to Standard #10, the ramp can be removed in the future without impairment of the essential form and integrity of the historic property and its environment.

RESOLVED, that, based on the findings set forth above, the proposal will not have a substantial adverse effect on the aesthetic, historical, or architectural significance of the Henry St. John Historic District, as set forth in Section 228-6, and be it further,

RESOLVED, that the Ithaca Landmarks Preservation Commission determines that the proposal meets criteria for approval under Section 228-6 of the Municipal Code, and be it further

RESOLVED, that the ILPC approves the Application for a Certificate of Appropriateness with the following conditions:

- If the applicant pursues the removal of the abandoned door on the south elevation, the applicant shall submit plans and materials samples to staff for consideration and approval.
- The removed historic window sash shall be clearly and durably labeled with at least the property address, date of removal, and original location in the residence, and stored in a dry, secure location at the property for future potential reuse.
RECORD OF VOTE:
Moved by: K. Olson
Seconded by: S. Stein
In Favor: K. Olson, S. Stein, D. Kramer, S. Gibian, E. Finegan
Against: 0
Abstain: 0
Absent: 1
Vacancies: 1

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, 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 # 3221 109-111 VALENTINE PLACE

Appeal of Trowbridge Wolf Michaels Landscape Architects on behalf of property owner Valentine Place Associates LLC for an area variance from §325-8, Column 4, Off-Street Parking, and Column 6, Lot Area, requirements of the Zoning Ordinance. The applicant proposes to demolish the two existing multiple dwellings at 109-111 Valentine Place and construct a new 4-story multiple dwelling with 30 apartments. The minimum lot area requirement of the R-3a district is based on the number of dwelling units provided on site. A minimum lot area of 26,250 SF is required for a 30-unit multiple dwelling, and the property is 17,119 SF, resulting in a deficiency of 9,131 SF of lot area. In addition, the proposed unit configuration requires 34 off-street parking spaces; the applicant is proposing no on-site parking. The property owner will allow tenants of the new building to utilize existing off-street parking in one of the nearby Collegetown Terrace lots.1

109-111 Valentine Place is located in the R-3a zoning district in which the proposed use is permitted. However, Section 325-38 requires that area variances be granted before a building permit is issued.

1 The Collegetown Terrace project does not have excess parking per zoning that can be formally assigned to the new project. However, the property owners state that the existing parking is not fully utilized and there is capacity to accommodate additional demand generated by this new building.
City of Ithaca  
Board of Zoning Appeals Worksheet

<table>
<thead>
<tr>
<th>Appeal Number</th>
<th>Address</th>
<th>Use District</th>
<th>Date</th>
<th>Applicant</th>
<th>Owner</th>
<th>Application Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>3221</td>
<td>109-111 Valentine Place</td>
<td>R-3a</td>
<td>6/7/2022</td>
<td>Trowbridge Wolf Michaels</td>
<td>Valentine Place Associates, LLC</td>
<td>Area Variance</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column Number</th>
<th>Column Title</th>
<th>Condition and Use</th>
<th>Off-Street Parking</th>
<th>Off-Street Loading</th>
<th>Lot Area (Sq. Feet)</th>
<th>Lot Width (Feet)</th>
<th>Number of Stories</th>
<th>Height in Feet</th>
<th>% of Lot Coverage</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Other Side Yard</th>
<th>14/15</th>
<th>16</th>
<th>325-25</th>
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</thead>
<tbody>
<tr>
<td>Existing</td>
<td>Multiple Dwelling</td>
<td>11</td>
<td>17,119</td>
<td>102.2'</td>
<td>2</td>
<td>~27'</td>
<td>18.1%</td>
<td>&gt;10</td>
<td>&gt;10</td>
<td>&gt;10</td>
<td>~32' or 18%</td>
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<td>OK</td>
<td>Def.</td>
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<td>14,000</td>
<td>50</td>
<td>4</td>
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<td>10</td>
<td>5</td>
<td>20% or 50' but not less than 20'</td>
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<td>3'</td>
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<tr>
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<td>OK</td>
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<td>OK*</td>
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<td>OK</td>
<td>OK</td>
</tr>
<tr>
<td>Conforming</td>
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<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Proposed</td>
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<td>4</td>
<td>44'</td>
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<td>26’ 7”</td>
<td>14’</td>
<td>45’ 2” or 25.7%</td>
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<td></td>
</tr>
<tr>
<td>Condition</td>
<td>Multiple Dwelling</td>
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<td>None</td>
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<tr>
<td>Note Non-</td>
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<td>Def.</td>
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<td>Conforming</td>
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</tbody>
</table>

Notes: *The applicant is proposing 30 dwelling units. The R-3a district requires 6,000 square feet of lot area plus an additional 750 square feet for each of the remaining 27 units.
CITY OF ITHACA
108 E. Green St. — Third Floor  Ithaca, NY  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  E-Mail: mwilson@cityofithaca.org

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 #: 3221 (FILLED IN BY STAFF)
   HEARING DATE: June 7, 2022
   BUILDING PERMIT #: 42363 (REQUIRED)
   RECEIPT #: 67723 (FILLED IN BY STAFF)

2. Property Address: 109-111 Valentine Place, Ithaca, NY 14850  Use District: R-3a

   Owner’s Name: Valentine Place Associates, LLC  Owner’s Address: 1001 West Seneca St. Suite 201

   City: Ithaca  State: NY  Zip: 14850

   Kathryn Wolf, TWMLA/Fisher

3. Appellant’s Name: Agent for Owner  Appellant’s Address: 1001 West Seneca St. Suite 201

   City: Ithaca  State: NY  Zip: 14850

   Telephone: 607-210-8351  E-Mail: kaw@twm.la

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.

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

   Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 13th day of April, 2022

Notary Public

DEBRA J. BRYDEN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01BR5062101
Qualified in Cortland County
My Commission Expires 7/21/25

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- 8, Column 4, 6</td>
<td>• §272-</td>
</tr>
<tr>
<td>• §325-</td>
<td>• §272-</td>
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<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:
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

ONLY SUBMIT THIS FORM IF ZONING APPEAL APPLICATION IS BEING SUBMITTED/SGNED BY
SOMEONE OTHER THAN CURRENT RECORD PROPERTY OWNER.

OWNER'S AUTHORIZATION FORM

ZONING APPEAL #: ___3221____   DATE: ___04/13/22___

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

I (We) ____________________________  of ____________________________

__________________________  ____________________________

Ithaca  Ithaca
                            NY  14850
       (City/Municipality)                     (State & Zip Code)

Owner of the property at ____________________________

__________________________

   X 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 ____________________________ to appeal or request a

Variance or Special Permit on my (our) behalf. I (we) understand the appeal will be heard at the

__________________________

June 7, 2022  ____________________________

(Date)                    (Signature)

STATE OF NEW YORK)
COUNTY OF TOMPKINS)

Sworn to this 13th day of

__________________________

April, 2022  ____________________________

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.

DEBRA J BRYDEN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01BR.5082101
Qualified in Cortland County
My Commission Expires 7/21/25

1 Notary Public available at City Hall
May 16, 2022

TO:  Board of Zoning Appeals, City of Ithaca
FROM:  Kathryn Wolf, Principal, TWM| A Fisher Associates Landscape Architecture Studio
Re: BZA Appeal for the Proposed 111 Valentine Place Project – Area Variance

Introduction

109-111 Valentine Place (tax parcel 83-3-13) is an older brick side by side duplex building that has long been used as student housing. There is a total of 11 bedrooms in the two buildings. There is a detached garage at the rear of the property which is used for storage and several paved parking spaces. The structure is generally in poor condition, with significant deferred maintenance items throughout. No upgrade of interior layout, finishes, appliances, etc, appears ever to have been done, other than cutting up each floor into separate bedrooms with shared bathroom and kitchen facilities.

Valentine Place Associates, LLC acquired the property in September 2021 and immediately began developing plans for redeveloping the site having previously determined that the existing structure needs far more work than is economically viable and that the existing structure significantly underutilizes the site. The resultant redevelopment plan calls for 30 units in a mix of largely studio apartments with a modest number of 3 and 4 bedroom units as well as a ground floor leasing and property management office. The offices will house the staff for the proposed project.

The proposed redevelopment of the site was first presented to the Planning Board during a Sketch Plan Review on December 21, 2021. A full Site Plan and Environmental Review package was presented to the Planning Board on February 22, 2022 at which time the Planning Board declared itself Lead Agency for the SEQR review. The Planning Board reviewed both the Site Plan and Environmental review documents on March 22, 2022 and the Board adopted a Negative Declaration of Environmental significance on April 26, 2022. It is anticipated that the Planning Board will recommend the BZA grant the two area variances necessary to move this project forward at the May, 24, 2022 meeting. These area variances are:

1. Off street parking. The site is located in a R-3a zoning district which requires 34 parking spaces for the proposed uses. The project proposal does not include any onsite parking.
2. Minimum Lot size for the number of units proposed. The R-3a zoning requires 6,000sf of land area for the first 3 units of new construction plus 750sf of land area for each additional unit. The project proposal has 30 units which by this calculation the project site would need to be 26,250sf. The area of the proposed site is 17,119sf.
SUMMARY OF AREA VARIANCES REQUESTED
The following chart summarizes the zoning per the City Code and the requested variances.

<table>
<thead>
<tr>
<th>ZONE</th>
<th>CODE REQUIREMENT</th>
<th>PROPOSED BY APPLICANT</th>
<th>VARIANCE REQUESTED</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-3a</td>
<td>Off-Street Parking 34</td>
<td>0</td>
<td>-34</td>
<td>Private shuttle provided; parking available at Collegetown Terrace and TCAT stop and Car Share nearby</td>
</tr>
<tr>
<td>R-3a</td>
<td>Lot Area 6000 SF for 1st 3 units + 750 SF per unit after X 27 = 26,250 SF required</td>
<td>17,119 SF Existing lot size</td>
<td>-9,131</td>
<td>Zoning would allow more bedrooms with fewer units than proposed.</td>
</tr>
</tbody>
</table>

Area Variance Request

As demonstrated below relative to the balancing test the Board of Zoning Appeals will conduct in deciding whether or not to grant the variance, we believe the benefit to the Applicant greatly outweighs any perceived detriment to the health, safety and welfare of the neighborhood should the variance request be granted. We ask the Board to consider the following with respect to the criteria it will use in making its determination:

1. **There will be no undesirable change in the character of the neighborhood or any detriment to nearby properties created by the granting of the variances.**

Valentine Place is characterized by large-scale student housing with a smaller scale residential building to the north of the project site. Development of student housing on Valentine Place started in the 1980s with the development of Valentine Place Apartments and has continued with the development of Collegetown Terrace which was completed in 2017. The proposed project is consistent with this trend and the R-3a zoning classification for the area. The proposed 111 Valentine project will, as noted in the Planning Board’s SEQR determination that the project is consistent with Community Character, bridge the two scales of the large student housing complexes to the south and west with the smaller residential buildings to the north of the project site. This is achieved by the intermediate scale of 111 Valentine Place and with the saw-toothed parapet design that reflects the pitched roofs of the adjacent houses and that breaks up the building’s roofline. Using various materials and colors the front façade of the building will be light and transparent. The front elevation is also articulated with modules of three different depths further reducing the scale of the building and reinforcing the transitional nature of the project between the larger Collegetown Terrace buildings and the residential scaled house that remains on Valentine Place. Furthermore, it represents a vast improvement over the existing structure which is in rather poor condition.

The City’s 2015 Comprehensive Plan land use section calls for continued medium density residential development in this neighborhood as reflected in the R-3a zoning designation. The proposed use is
allowed and furthers the purpose of this zoning designation. As noted in the Plan the purpose of this zone is to provide a variety of housing types with infill development on vacant or underutilized sites. The Plan goes on to state that the new development should be sensitive to the character and setting of the existing neighborhood. 111 Valentine achieves these objectives by incorporating all the design elements referred to above on a site that is currently underutilized relative to what is allowed under current zoning. Although the lot size computation based on the number of units is deficient, the footprint of the proposed building meets the set back from the lot lines and the percent of lot coverage requirements of the R-3a zone.

111 Valentine Place also fulfills the objectives of the transportation section of the Comprehensive Plan. The site is nearby to two TCAT bus stops at State and Quarry Street and at Mitchell and College Ave. A campus shuttle operated by the project sponsors runs between Collegetown Terrace Apartments and Cornell University five days per week in the mornings from 7:30 to 11:30 every 10 minutes and in the afternoons from 12:15 to 4:15 every hour. This shuttle service also runs on Sunday from Collegetown Terrace to Wegmans. One of the designated stops for this shuttle service is on Valentine Place directly opposite the proposed project site.

The R-3a zoning designation does require onsite parking in a ratio defined in the District Regulations Chart which based on the number of units/beds in the proposed project yields 34 parking spaces. However, the overall goal of many of the City’s planning documents favor less parking and use of private automobiles in favor of walkability and multi-modal transportation options. These options are abundant on Valentine Place. Students choose to live on Valentine Place because it is within walking distance of the Cornell campus, an experience soon to be enhanced by the City’s substantial investment in College Avenue. The redesign of College Avenue will include wider sidewalks, better street lighting, enhanced landscaping and undergrounding all the overhead electric and telecommunications lines. The project sponsors, as mentioned above, operate a robust shuttle service that operates almost continually during weekdays carrying students back and forth from the Collegetown Terrace project to campus as well as on weekends to Wegmans for shopping trips there and nearby stores. This private shuttle will also service the Valentine Place property. In addition, there are two TCAT bus stops nearby and an Ithaca CarShare pick-up location. The project location and abundant multi-modal transportation options make Valentine Place an ideal location for the many students who choose not to bring a car to Ithaca. This is evidenced in part by the relatively low parking space utilization rates for the parking garages at the adjacent Collegetown Terrace project.

Given this low parking utilization rate at Collegetown Terrace an additional mitigation factor to those described above is to provide 34 parking spaces in the adjacent Collegetown Terrace parking garage. As noted in a Valentine Parking memo dated 2/17/2022 and provided to the Planning Board there are 649 parking spaces at Collegetown Terrace. Based on the 2021-2022 academic year demand and utilization rates and commitments made to developments there is a total demand for 492 parking spaces. The 157 remaining spaces provides ample space to accommodate the parking requirement for 111 Valentine Place. Furthermore, this mitigation measure avoids paving over nearly 8,800sf of the site with asphalt. This has both a positive environmental impact and improves the character of the neighborhood.

Based on the above, granting the requested variances will not create an undesirable change in the character of the neighborhood nor be a detriment to nearby properties. In fact, given the condition of the existing structure on the site the proposed new development with its associated robust planting plan for the entire property, including the street side of the site, will create a welcoming and
aesthetically pleasing experience that will enhance the character of the neighborhood and benefit nearby properties.

2. The benefit sought cannot be achieved by some other method that is feasible to the applicant, other than an area variance.

It has been the project sponsor’s experience that smaller apartments, particularly studios, are quieter, easier to manage and much less likely to create any neighborhood issues that often occur in student housing projects with large multi-bedroom apartments. Larger multi-bedroom units are far more likely to be the source of noise complaints, be party sites and create quality of life issues for the surrounding neighborhood. Thus, in Collegetown Terrace for instance, the largest apartment is a three-bedroom unit and there are far less of them than any other type of apartment. There have been no noise complaints we are aware of registered against this project. In general, it is the project sponsors’ experience that studio apartments occupied by students living alone are much quieter than other forms of student housing.

The lot size requirement for the R-3a zone is a ratio of land area per number of apartment units without regard to the number of bedrooms within each unit. A zoning compliant project in terms of lot size on the 111 Valentine site could have 15 3- and 4-bedroom apartments with a total of 52 beds. The project sponsors believe such a project would not be conducive to the character and quality of the neighborhood given the tendency of these larger units to be the source of neighborhood complaints and be more difficult to manage. Rather, the project sponsors propose constructing a 30-unit project where 77% of the units are studio apartments and the balance are a mix of 3- and 4-bedroom units for a total of 48 beds. While this creates a lot deficiency of approximately 9,130sf, the proposed project has fewer beds and far fewer large multi-bedroom apartments than a zoning compliant project. As a result, the composition of the proposed project is easier to manage and more beneficial and compatible with the surrounding neighborhood. This benefit can only be achieved by a variance relative to lot size in relation to the number of proposed units. As discussed in the previous section, while the lot size requirement is deficient relative to the proposed number of units, the proposed footprint of the building meets all the set back and lot coverage requirements of the R-3a zone.

As noted above, providing the required 34 parking spaces on site would in turn require approximately 8,800sf of paved area not counting a driveway to access such a parking lot. Such a large paved area increases the amount of stormwater runoff to manage, reduces the land area available for landscaping and lawn, and is both aesthetically and environmentally objectionable. The requested parking variance eliminates these concerns. The proposed site plan slightly increases the amount of greenspace on the site that is only possible by eliminating onsite parking. However, the impact of eliminating onsite parking is fully mitigated by providing the private shuttle services and other TDM options that will minimize the numbers of cars brought by residents, and for those who do bring cars, parking is available at the adjacent Collegetown Terrace project.

3. The requested area variances are not substantial

When considered in light of the proposed parking alternative relative to the zoning prescribed parking requirement and the benefit to the neighborhood by having fewer bedrooms albeit in more units that what the lot size requirement in the zoning ordinance dictates, the requested two area variances are not substantial.
As noted above the parking requirement is 34 onsite parking spaces. While that may appear substantial it is not given that the project location provides student residents a number of multi-modal transportation options for getting to campus and shopping including:

- have the option of walking to campus and Collegetown shopping
- utilizing the shuttle service provided by the project sponsor
- utilizing the two TCAT bus stops nearby
- Utilizing the nearby Ithaca Car Share location.

These factors all contribute to the relatively low parking space utilization at Collegetown Terrace and support the fact that students choose to live on Valentine Place precisely so they do not need to bring, or rely, on a car.

Similarly, the minimum lot size relative to the number of units provided is not substantial when considered in the context of the number of beds or occupants a zoning compliant project may have compared to what the project sponsor has proposed. While a zoning compliant project relative to lot size will have fewer units than what the project sponsor has proposed for 111 Valentine, the proposed project has fewer beds or occupants. The number of occupants should be the relevant measure in terms of how substantial the variance request is particularly in terms of enhancing the character and quality of the neighborhood. By that measure the requested variance is not substantial.

4. **There will be no adverse effects or impacts on the physical or environmental condition of the neighborhood**

As demonstrated through the submitted plans, documents and a full environmental assessment conducted by the Planning Board there will be no physical or environmental adverse impacts as a result of the requested variances. In fact, the project will significantly enhance these conditions in the neighborhood.

The proposed project is consistent with the character of the Valentine neighborhood, which is, mostly defined by large-scale student housing options. Significant design effort has been expended to create a unique project that also respects and incorporates the dominant design elements evident in the neighborhood. Compared to the existing structures on site, the proposed project enhances the overall quality of the neighborhood and responds to the Comprehensive Plan’s recommendation that new development in the R-3a neighborhood “should be sensitive to the character and setting of the existing neighborhood”.

Stormwater management will be improved relative to current conditions. There will be a slight decrease in the amount of impervious cover and all roof stormwater runoff will be collected and piped to a stormwater sewer manhole near the southwest corner of the site.

An extensive landscape plan has been developed that will add a diverse selection of coniferous and deciduous trees and shrubs. The plan includes approximately 20 large trees, 40 smaller ones and many shrubs throughout the site and around the building.

The project will not result in any negative impact on transportation and parking systems in the neighborhood. The project site is reasonably close to the Cornell campus so residents have the option of walking to campus, an experience likely to be improved once the City completes the streetscape
improvement along the full length of College Ave this summer. The project sponsor as noted above also provides a robust shuttle service with stops directly across the street from the proposed project. Finally, there are two TCAT bus stops near 111 Valentine. While the project will not provide any onsite parking there is more than enough parking available at Collegetown Terrace. Both the proposed project and Collegetown Terrace are owned by the same entity.

The Planning Board conducted an extensive environmental review of the project that considered all of the above conditions as well as impacts the project may have on energy, air, aesthetic resources, groundwater, etc. The Planning Board, as Lead Agency for the environmental review, determined that the project will have no adverse impact and concluded Valentine Place is an area of the city “where large, dense apartment complex which houses students is warranted”.

5. The difficulty is self created

The variance request for providing on site parking is self created. However, this request is fully mitigated by providing a robust private shuttle service which will minimize the numbers of residents who actually bring vehicles, and for those who do, parking will be provided across the street in the parking garages that are part of the Collegetown Terrace project. The project sponsor has provided documentation demonstrating that due to underutilization of these facilities there is sufficient capacity to satisfy the zoning required 34 parking spaces. In fact, we would suggest this required parking ratio is unusually high given current trends regarding students who opt to bring a car to Ithaca. Granting this variance has the added advantage, without any impact on the neighborhood or nearby properties, of slightly increasing site coverage which will be converted to additional landscaping and greenspace.

The variance request regarding the ratio of the number of units relative to lot size is also self-created. This request is also substantially mitigated by the design of the proposed project. The 111 Valentine lot is large enough to support an as of right project that would have at least 15 units in a combination of 3- and 4-bedroom apartments totaling 52 beds. The proposed project, while it has a larger number of units, has only 48 beds. Furthermore, 77% of the new units are studio apartments. Single occupancy units in the project sponsor’s experience are quieter, easier to manage and are far less likely to be the source of neighborhood complaints than large multi-bedroom apartments.

Conclusion

The applicant has presented a thoughtful, well designed project that will be a qualitative addition to the neighborhood while seeking the minimum variances necessary to realize the project. The positive attributes of the project far outweigh any detriments to the health, safety and welfare of the neighborhood. This conclusion is shared by the Planning Board after it conducted a thorough environmental review of the project and determined that the project will have no significant impact on the environment, neighborhood and community character. The applicant has satisfied its burden under the balancing test and accordingly we respectfully request the two variances be granted.
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3221

TO: Owners of Property within 200 feet of 109-111 Valentine Place, Ithaca, NY 14850 and others interested.

FROM: Kathryn Wolf TWMLA/Fisher Assoc.applicable to property named above, in R-3a zone.

REGARDING: (check appropriate box)

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 May 24, 2022 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtdJN1P_RPaFW2lVCnTrDG. 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 June 7, 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.
April 12, 2022

TO: Property owners within 200’ feet of the Proposed 111 Valentine Place Project
FROM: Kathryn Wolf, Principal, TWM | A Fisher Associates Landscape Architecture Studio
Re: BZA Appeal for the Proposed 111 Valentine Place Project – Area Variance

Summary of Project Proposal

This letter summarizes the proposed 111 Valentine Place project and the request for an area variance before the Zoning Board. 111 Valentine Place is a proposed approximately 30-unit residential apartment building located in the City of Ithaca. The site is located adjacent to the existing Collegetown Terrace properties off of East State Street. The proposed project is approximately 29,320 overall GSF.

The project site is approximately .43 acres and there is an existing apartment building on the site that will be demolished. The existing asphalt paving and parking will be demolished, and the site will be extensively landscaped. There will be a slight increase in greenspace. The existing private shuttle that services the Collegetown Terrace Apartments will also service 111 Valentine Place. The shuttle provides service to the Cornell Campus several times a day and Wegmans on weekends.
Zoning

The project is designed to be in substantial conformance with existing zoning. The site is currently zoned R-3a. Two variances are being requested as described below.

**Off-Street Parking:** The proposed multiple dwelling requires 34 off-street parking spaces, and the applicant is proposing to construct no on-site parking. Residents will utilize the private shuttle and will be offered parking in the adjacent Collegetown Terrace parking garage.

**Lot Area:** The new multiple dwelling will provide 30 dwelling units. New construction with 30 dwelling units in the R-3a district requires a minimum lot area of 26,250 SF. The existing property has a lot area of 17,119 SF which allows 17 units. An alternative layout was considered which resulted in 52 beds. The preferred 30-unit building has fewer beds in more units. A higher percentage of 1-bedroom units is preferred by the applicant because they are preferred by older and more mature students.

### SUMMARY OF AREA VARIANCES REQUESTED

The following chart summarizes the zoning per the City Code and the requested variances.

<table>
<thead>
<tr>
<th>ZONE</th>
<th>CODE REQUIREMENT</th>
<th>PROPOSED BY APPLICANT</th>
<th>VARIANCE REQUESTED</th>
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<tr>
<td>R-3a</td>
<td>Off-Street Parking 34</td>
<td>0</td>
<td>-34</td>
<td>Shuttle provided; parking available at Collegetown Terrace and TCAT stop and Car Share nearby</td>
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<td>R-3a</td>
<td>Lot Area 6000 SF for 1st 3 units + 750 SF per unit after X 27 = 26,250 SF required</td>
<td>17,119 SF Existing lot size</td>
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<td>Zoning would allow more bedrooms with fewer units than proposed.</td>
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ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

Zoning Appeal # 3221

I, KATHRYN WOLF, 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 MAY 17, 2022. 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
The site plan for Valentine Place shows the proposed layout and features.

- **Proposed Deciduous Tree (Large), Typ.**
- **Proposed Deciduous Tree (Small), Typ.**
- **Proposed Evergreen Tree, Typ.**
- **Proposed Concrete Retaining Wall**
- **Proposed Limestone Block Retaining Wall**
- **Proposed Bike Racks**
- **Proposed Shrub, Typ.**
- **Existing Tree to Remain, Typ.**
- **Entrance Plaza**
- **Service Drive**
- **Lawn**
- **Gravel Strip, Typ.**
- **Dumpster and Enclosure**
- **Property Line**
- **Valentine Place Site Plan 3/22/2022**

The site plan includes a scale and directional indicators, showing the relative positions of the various elements proposed for the site.
Figure 14: Building Zoning

Column 1  Use District
R-3a – Multi-Family Residential

Column 2  Permitted Primary Uses
Multiple Dwelling

Column 3  Permitted Accessory Uses – Not Applicable

Column 4  Off-Street Parking Requirement
(1 space per 1-3 bed unit) x 26 units + (2 space per 4 bed unit) x 4 = 34 spaces required – VARIANCE REQUIRED
Adequate spaces available in neighboring 113 Valentine garage

Column 5  Off-Street Loading Requirement
2 Loading Zones Required

Column 6  Minimum Lot Size – Area in Square Feet
30 units provided - 6,000 SF for 1st 3 units + (750 SF per unit after x 27) = 26,250 SF Required
17,153 SF provided – VARIANCE REQUIRED
Note: Lot area allows for 17 Units. Alternate layout was considered with (17) studio, 3 and 4 bed units, which resulted in 52 beds. Preferred configuration has less beds (48) in more units.

Column 7  Minimum Lot Size – Width in Feet at Street Line
50’-0” minimum required – 98’-10” provided

Column 8  Maximum Building Height – Stories
4 stories maximum permitted – 4 stories provided

Column 9  Maximum Building Height – Feet
44’-0” maximum permitted (40’-0” by chart + 4’-0” for additional setbacks as allowed by 325-16 C [1]-[4]).

Column 10  Maximum Percent Lot Coverage By Buildings
17,118 SF x 35% = 5,991 SF permitted - 5,984 SF provided

Column 11-15  Yard Dimensions
(additional 4’-0” provided at each as per column 9 above)
Front: 14’-0” Required 14’-4 ½” Provided
1st Side: 9’-0” Required 14’-0” Provided
2nd Side: 14’-0” Required 26’-7” Provided
Rear: 41’-6” Required (187.5 x 20%) 45’-2” Provided

Column 16  Minimum Building Height - None

Figure 14: Building Zoning
City of Ithaca, NY - 750 Foot Buffer for Parcel - Final Tax Roll

LEGEND
- Tax Parcels w Related Historic Prop
- City Owned Property
- Historic District
- All Historic Properties
- Commons/Features Poly
  - Bench
  - Bernie Milton Pavilion
  - Fire Lane
  - Fountain
  - Parking
  - Playground
  - Tree Pit
  - Tramway Circle
- Parking Lots and Garages
- Buildings
- Railroad
- Parcel
- Border
- Park
- Impervious Surfaces
  - Paved Walk or Surface or Private Road
  - Paved Parking
  - Paved Rosedale or Public Road
  - Unpaved Drive or Walk or Surface
- Waterway

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.

Printed: 5/16/2022

BZA 3221 - 109-111 Valentine Place
Chair D. Barken called the meeting to order at 6:04 pm and read the opening statement.

I. NEW APPEALS

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.

Jason Demarest presented the revised design for the multiple dwelling within the CR-3 district of the site and explained the variance request for maximum building length.

Public Hearing
Chair D. Barken opened the public hearing.
There were no comments in either support of or opposition to the appeal.

Staff read the Planning and Development Board’s recommendation on the appeal:
The Planning Board continues to not identify any negative long-term planning impacts and supports this project.

There being no further comments from interested parties, Chair D. Barken closed the public hearing.

Deliberation & Decision
Members stated that they, along with the applicants, preferred the smaller unit configuration but understood the economics of the situation. The applicants have indicated that this property is unique as a corner lot located in two different zoning districts. While the proposed building still does not meet the maximum building length requirement, it is much closer to the 45’ required by the Zoning Ordinance. No significant impacts of the additional building length were identified.

The Board did note that their review of the longer building included the reduced lot coverage, and members believe that the reduced lot coverage reduced the impacts of the longer building on neighborhood character. The Board agreed that the building should meet the maximum lot coverage requirement of the CR-4 district as a condition of this variance. In addition, the Board appreciated the efforts made to provide additional parking on-site to accommodate the additional occupants permitted via this variance and Appeal #3203. The Board agreed that the building length variance should be conditioned on the provision of 8 off-street parking spaces on the site.

On a motion by M Cannon, seconded by D. Barken, the BZA voted 4-0-0 to approve Appeal #3217, with the following conditions:

- The applicants shall provide 8 off-street parking spaces on the consolidated site.
- The building shall not exceed the maximum 40% lot coverage requirement of the CR-4 district.

---

**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.

Ivana Isailovic presented her appeal. Board members questioned what methods were used to determine parking was unavailable to lease within 500’.

Public Hearing
Chair D. Barken opened the public hearing.
The following interested party submitted comments in support of the appeal:
- Theresa Alt and Wayles Browne, 206 Eddy Street

There were no comments in opposition to the appeal.

Staff read the Planning and Development Board’s recommendation on the appeal:
The Planning Board supports density where appropriate in the city, such as the location of this proposed multi-family house, as well they support home improvement and ownership investments in older homes and neighborhoods that do not involve new development. The Planning board finds no long-term negative impacts to planning as there is on-street parking available and the multi-family house is in a walkable student location, close to the Cornell campus.

Staff read the Ithaca Landmark’s Preservation Commission’s recommendation on the appeal:
The members of the ILPC reviewed BZA 3215 - 123 N. Quarry Street at their regularly scheduled meeting on April 19, 2022. The property is located in the local East Hill Historic District. Relief from constructing an additional parking space prevents the need to significantly alter the exterior of the property; therefore, the Commission supports the application. However, the Commission noted the request originates from the owner's desire to convert the single-family, formerly owner-occupied home into a duplex. Although the use of the property is outside of the purview of the ILPC, the members expressed a lack of support for this conversion as it will likely lead to changes that are not in keeping with the historic character of the property and historic district.

There being no further comments from interested parties, Chair D. Barken closed the public hearing.

Deliberation & Decision
The Board discussed the appeal and noted that there are no identified impacts of the requested variance. The ILPC’s concern was discussed, and Board members noted that while they understand the concern, the area is zoned for multiple dwellings. The single parking space variance will not create additional traffic impacts.

It was also noted that the Board has heard from multiple property owners that off-street parking is unavailable to rent in this particular neighborhood. The ILPC has expressed concern about modifying the site to provide a parking space and the impacts this would have on the historic district. The property owner has indicated that it would be prohibitively expensive to do this as well, due to the topography of the site.

On a motion by J. Kirby, seconded by M Cannon, the BZA voted 4-0-0 to approve Appeal #3216.

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.

Property owner Colin Tschida presented the appeal to the Board. Board members questioned the location of the proposed porch in relation to both the property line and the street.
Public Hearing
Chair D. Barken opened the public hearing.

The following interested party submitted comments in support of the appeal:
- Brenda and George Golden, 104 Woodcrest Terrace

There were no comments in opposition to the appeal.

Staff read the Planning and Development Board’s recommendation on the appeal:
The Planning Board supports home improvement and ownership investments in homes and neighborhoods. They find the addition of porch to be an improvement to the property’s appearance and aligned with neighborhood character. The Board finds no long-term negative impacts to planning.

There being no further comments from interested parties, Chair D. Barken closed the public hearing.

Deliberation & Decision
The Board noted that the proposed porch is a modest and attractive design. It will be an improvement to the property and will serve an important function for the homeowners. No negative impacts on nearby properties or the neighborhood were identified.

On a motion by M. Cannon, seconded by J. Kirby, the BZA voted 4-0-0 to approve Appeal #3216.

II. CONTINUED APPEALS

APPEAL #3198

228 DYRDEN 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.

Steve Hugo presented an overview of the project and highlighted design changes from the previously presented version of the project. Board members asked questions regarding the proposed balconies and patios; the feasibility of meeting the maximum lot coverage requirement; and proposed landscaping.

Public Hearing
The Board of Zoning Appeals resumed the public hearing opened on April 12, 2022.
There were no new comments in either support of or opposition to the appeal.

Staff read the Planning and Development Board’s recommendation on the appeal:
The Planning Board continues to not identify any negative long-term planning impacts and supports this appeal, as they did in October 2021. The Planning Board appreciates the applicants’ willingness to reduce the variances throughout this time, particularly appreciated that the project now meets the green space requirement. They are supportive of the maximum lot coverage deficiency due to the nature of project site which is very steep and additional coverage was needed to provide accessible ramps.

There being no further comments from interested parties, Chair D. Barken closed the public hearing.

**Deliberation & Decision**
The Board appreciated the applicant’s efforts to address the Board’s previous comments on the project. The Board noted that the property at 228 Dryden Road is an extremely difficult site with significant topography challenges. Board members noted that the lot coverage request is arguably substantial but is needed to provide accessibility without drastically reducing the size of dwelling units. The increased lot coverage will likely be imperceptible from the street, as the additional building area is provided at the rear of the structure.

On a motion by D. Barken, seconded by M. Cannon, the BZA voted 4-0-0 to approve Appeal #3198, with the following conditions.
- The applicant must provide a robust landscaping plan, as requested by the Planning and Development Board, for approval during the site plan review process to help screen the larger building.

**III. PRELIMINARY PRESENTATIONS – NONE**

**IV. ADMINISTRATIVE MATTERS**
- Special BZA Meeting Date: The BZA will hold a special meeting on Monday, May 9th at 12:00 pm via Zoom to catch up on minutes.
- June Agenda Review: There are 4 appeals currently scheduled for June: 3 area variance appeals and 1 sign appeal.

**V. APPROVAL OF MINUTES – NONE**

**VI. ADJOURNMENT** – Chair D. Barken adjourned the meeting at 7:48 pm.

Respectfully submitted,

Megan Wilson, Zoning Administrator
Secretary, Board of Zoning Appeals

May 3, 2022
Date
SUBMITTED PUBLIC COMMENTS

Appeal #3215

To the Board of Zoning Appeals

Our property at 206 Eddy Street touches or nearly touches at the back corner on the property at 123 North Quarry Street.

Regarding the addition of a second basement apartment and a variance from off-street parking requirements, we regard both requests as thoroughly appropriate. We welcome new neighbors. And at that address they should have no need for a car. We have lived without a owning a car since 1993 and can provide advice.

Sincerely,

Theresa F. Alt and Wayles Browne
206 Eddy Street

Appeal #3216

We live in the next block at 104 Woodcrest Terrace. We have no problem with the Tschida’s request to add a front porch to their home at 204 Homestead Terrace to replace the existing front stoop. It will look great fit nicely with their house and property and we support their request to go forward with this project.

Brenda and George Golden
104 Woodcrest Terrace
City of Ithaca Board of Zoning Appeals  
Minutes – May 9, 2022  

Board Members Present: David Barken, Chair  
Michael Cannon  
Andre Gardiner  
Joseph Kirby  

Staff Present: Megan Wilson, Zoning Administrator  

Chair D. Barken called the meeting to order at 12:05 pm.  

I. APPROVAL OF MINUTES  
   a. December 2021: On a motion by D. Barken, seconded by M. Cannon, the Board of Zoning Appeals voted 4-0-0 to approve the December 7, 2021 meeting minutes.  
   b. January 2022: On a motion by M. Cannon, seconded by J. Kirby, the Board of Zoning Appeals voted 4-0-0 to approve the January 4, 2022 meeting minutes.  
   c. February 1, 2022: On a motion by D. Barken, seconded by J. Kirby, the Board of Zoning Appeals voted 4-0-0 to approve the February 1, 2022 meeting minutes.  
   d. February 8, 2022: On a motion by A. Gardiner, seconded by M. Cannon, the Board of Zoning Appeals voted 4-0-0 to approve the February 8, 2022 meeting minutes.  

II. ADJOURNMENT – Chair D. Barken adjourned the meeting at 12:10 pm.  

Respectfully submitted,  

[Signature]  
Megan Wilson, Zoning Administrator  
Secretary, Board of Zoning Appeals  

May 9, 2022  
Date