



**CITY OF ITHACA**

**108 E. Green Street — 3rd Floor Ithaca, NY 14850-5690**

**DEPARTMENT OF PLANNING, BUILDING, ZONING, & ECONOMIC DEVELOPMENT**

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## **BOARD OF ZONING APPEALS (BZA)**

### **REVISED AGENDA & LEGAL NOTICE**

**CITY OF ITHACA BOARD OF ZONING APPEALS (BZA):** Notice is hereby given, pursuant to Section 325-40. B. (2) (g) of City of Ithaca Zoning Ordinance, Public Hearings will be held **Tuesday, August 6, 2019 at 6:00 PM** in Common Council Chambers, City Hall, 108 E. Green St., Ithaca, NY, to consider the following appeals:

#### **APPEAL # 3129**

#### **815 TABER STREET**

Appeal of Frederic Bouche for area variance from Section 325-8, Column 12, Other Front Yard, Column 13, Side Yard, and Column 14/15, Rear Yard requirements of the Zoning Ordinance. The property at 815 Taber Street, known as Ports of New York Winery, is in need of additional storage space for the business. In order to provide the storage space, the applicant proposes to convey a 2,125 square foot portion of land from 817 Taber Street and consolidate the land into the 815 Taber Street parcel. The proposal is to install one new cold storage building and rebuild the existing maintenance garage that is currently on the property. The new consolidated portion of land will have street frontage on Cherry Street and will be required to meet the setback requirements for the Cherry Street District. The Cherry Street District requires that; building frontage have a setback of 5 feet for a sidewalk and an additional 8 feet for a tree lawn, for a total of 13 feet from the property line to the building front. The applicant proposes to setback the building 3'-6" from the property line and provide the 13 foot setback from the edge of the road to the building front. The zoning ordinance requires the distance from building to the property line have a 13 foot setback. The property has existing deficiencies in other side yard and the rear yard that will not be exacerbated by the proposal.

The property is located in a CSD – Cherry Street 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.

#### **APPEAL # 3130**

#### **205 FAIRMOUNT AVENUE**

Appeal of Aaron Rakow for area variance from Section 325-25 C, Location of Accessory Structure requirements of the Zoning Ordinance. The applicant proposes to replace an existing storage shed with a 14' x 20' garage at the property located at 205 Fairmount Avenue. The property is located on a corner lot and the applicant would like to position the garage one foot from the side lot line that is on the south end of the property. The applicant is limited in buildable area due to the proximity of the existing home, window locations, and a stone patio that the owner would like to preserve. The garage will meet the rear yard setback of 3' but will be deficient in the side yard setback having 1' of the 6' required by the ordinance. The property has an existing deficiency in the other front yard that will not be exacerbated by the proposal.

The property is located in an R-1b residential use district in which the proposed use is permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.

**APPEAL # 3131**

**215 MITCHELL STREET**

Appeal of Andrew Engelhart for area variance from Section 325-8, Column 4, Off-street Parking, Column 10, Percentage of Coverage, Column 11, Front Yard, Column 13, Side Yard, and Section 325-20 E (3) Front Yard Parking requirements of the Zoning Ordinance. The applicant proposes to remove an existing driveway located on the east side of the property located at 215 Mitchell Street. The proposal calls for the removal of the driveway and rear yard parking area on the west side will be partially located in the front yard to provide parking and maneuvering space for two cars. The portion of the parking area located in the front yard will be approximately 800 square feet in area or 48.8% of the required front yard. The ordinance restricts front yard parking to an area not greater than 25% of the total front yard area. The property has existing deficiencies in off street parking, percentage of lot coverage, front yard and side yard that will not be exacerbated by the proposal.

**POSTPONED**

The property is located in an R-1b residential use district in which the proposed use is permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.

**APPEAL # 3132**

**315 ELMIRA ROAD**

Appeal of John Snyder Architects on behalf of the owner Maguire Family Limited Partnership, LLC for area variance from Section 325-8, Column 11, Front Yard, and Section 325-29.2 B (2) SW-2 Building Setback requirements of the Zoning Ordinance. The applicant is proposing an improvement project at the property located at 315 Elmira Road. The project includes the reconfiguration of the interior space and upgrading the exterior facade to meet the Honda dealership requirements. As part of the project, the applicant proposes to construct a new addition that will be used as a vehicle delivery carport and also a display for the newest technologies in electronic vehicles. In order to maintain the existing building façade, the new carport will be setback 67.9 feet from the curb line in line with the existing building. Section 325-29.2 B (2) requires that buildings be setback a minimum of 15-34 feet from the curb. The carport will be a total of 916 square feet and extend 35.8 feet along the existing face of the building. This will exacerbating the existing front yard setback an addition 35.8 feet.

The property is located in an SW-2 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.

**APPEAL # 3133**

**900 WEST STATE STREET**

Appeal of Thomas Epolito on behalf of the owner Ishka Alpern for a sign variance from Section 272-6 B (2), Number of Permitted Signs. The applicant proposes to install three additional wall signs on the building at 900 W. State Street. The building is located on a corner lot that fronts on three streets, W. Seneca St., Taughannock Blvd., and W. State Street. Due to the unique location of the property, the applicant proposes to position the three sign to be visible from the each direction of oncoming traffic. The property currently has two existing signs mounted on the building that are permitted by the sign ordinance. The ordinance permits a total of two signs per business and the three addition signs will exceed the number of signs permitted by the ordinance.

The property is located in the WE/WF West End Water Front use district in which the proposed use is permitted. However, the Sign Ordinance, Section 272-18 requires that variances be granted before a sign permit is issued.

**ACCESSIBILITY:** If you have a disability and would like specific accommodation to participate, please contact the City Clerk's Office at 274-6570 by 12:00 p.m., 2-3 business days (not including weekends/holidays) before the meeting.

Gino Leonardi, Zoning Administrator  
Secretary to the Board of Zoning Appeals

**Publication Dates:** July 31, 2019 and August 1, 2019