If you have a disability and would like specific accommodation in order to participate, please contact the City Clerk’s Office at 274-6570 by 12:00 p.m., no later than 2 days (not including weekends and holidays) before the meeting.
Public Hearing: Yes
Description: Request for an area variance from §325-8, Column 10, Lot Coverage by Buildings; Column 11, Front Yard; Column 13, Side Yard; and Column 14/15, Rear Yard to allow the construction of screen porch on the rear of the single-family dwelling.

III. CONTINUED APPEALS
None

IV. PRELIMINARY PRESENTATIONS & BOARD COMMENTS
A. 601 East State Street: 6:05 PM

V. APPROVAL OF MINUTES
None

VI. ADMINISTRATIVE MATTERS
A. Next Meeting - June 6, 2023 6:30 PM

VII. ADJOURNMENT 6:35 PM

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.

COMMENTS & QUESTIONS
Interested parties are invited to speak or submit written comments on appeals that come before the Board of Zoning Appeals. The Board considers "interested parties" persons who live, work or own property within 750 feet of the property, who are authorized representatives of recognized adjacent neighborhood civic groups, or who are elected City officials. Interested parties wishing to be heard must register by 3:00 PM on the day of the meeting. To register, please send your name and address to mwilson@cityofithaca.org, subject line: “BZA Speaker Registration – May 2023”.

Interested parties may submit comments for public hearings by mail or email. All comments must be received by 3 p.m. on the day of the meeting, and they will be included in 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 # 3248  109-11 VALENTINE PLACE

Appeal of Integrated Acquisition & Development, 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 25 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 22,500 SF is required for a 25-unit multiple dwelling, and the property is 21,901 SF, resulting in a deficiency of 599 SF of lot area. In addition, the proposed unit configuration requires 29 off-street parking spaces; the applicant is proposing nine on-site parking spaces, resulting in a deficiency of 20 spaces. The property owner will allow tenants of the new building to utilize existing off-street parking in one of the nearby Collegetown Terrace lots.

The applicant previously applied for an area variance for a previous version of this project. Based on feedback from the Board, that application was withdrawn. The applicant has revised the project in response to the Board’s comments.

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.
### 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>
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<tbody>
<tr>
<td>BZA-3248</td>
<td>109-111 Valentine Place</td>
<td>R-3a</td>
<td>4/4/2023</td>
<td>Herman Sieverding</td>
<td>Valentine Place Associates, LLC</td>
<td>Area Variance</td>
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</tbody>
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#### Column Number

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<tr>
<th>Column Title</th>
<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>
<th>Location of Accessory Structures</th>
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<td>~27'</td>
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<td>~32' or 18%</td>
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<td>2</td>
<td>21,901</td>
<td>98' 10&quot;</td>
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<td>44'</td>
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<td>18' 1.5&quot;</td>
<td>14'</td>
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<td>42' 1&quot; or 22.5%</td>
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<td>40'</td>
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<td>OK</td>
</tr>
</tbody>
</table>

**Notes:**
- The applicant is proposing an extra 4' of height as allowed by section 325-16C (1)-(4) if additional setbacks are met
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:
   ☑ AREA VARIANCE
   ☐ SPECIAL PERMIT
   ☐ USE VARIANCE
   ☐ SIGN VARIANCE
   ☐ ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

   APPEAL #: 3248  (FILLED IN BY STAFF)
   HEARING DATE: 5/2/2023
   BUILDING PERMIT #: 42363  (REQUIRED)
   RECEIPT #: 69796  (FILLED IN BY STAFF)

2. Property Address: 109-111 Valentine Place
   Use District: R-3a

   Owner’s Name: Valentine Place Associates, LLC
   Owner’s Address: 15 Thornwood Drive

   City: Ithaca  State: NY  Zip: 14850

3. Appellant’s Name: Herman Sieverding
   Appellant’s Address: 15 Thornwood Drive

   City: Ithaca  State: NY  Zip: 14850

   Telephone: 607-327-2346  E-Mail: hermans@inteprop.com

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

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

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

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 17th day of January, 2023

Notary Public

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, Columns 4, 6</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
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<tr>
<td>§325-</td>
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<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. 3221, dated 6/7/2022 (Withdrawn)
- 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 #: 3248 DATE: 2/6/23

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

I (We) _______________ of _______________
__________ (Name) _______________
Ithaca (Street Address) _______________
(City/Municipality) _______________
NY 14850 (State & Zip Code)

Owner of the property at __________________ _______________
(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 _______________ to appeal or request a variance or special permit on my (our) behalf. I (we) understand the appeal will be heard at the _______________ meeting of the Board of Zoning Appeals.

(Date) _______________
(Signature)

STATE OF NEW YORK) COUNTY OF TOMPKINS)

Sworn to this _______________ day of _______________, 2023

Notary Public

Notary Public available at City Hall

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.
ADOPTED RESOLUTION
S/CEQR Negative Declaration

City of Ithaca Planning & Development Board
109-111 Valentine Place
April 26, 2022

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for construction of a student housing building by Kathryn Wolf, TWMLA, and

WHEREAS: the applicant proposes to demolish two existing 2-story wood-frame houses and construct a 4-story 30-unit residential building, approximately 36,000 SF in area, as student housing. The project site is located in the R-3a Zoning District in which the maximum height for a building is 4 stories/40’. The project will require two area variances for minimum off-street parking and minimum lot size for quantity of units. The project includes a subdivision and parcel consolidation, and

WHEREAS: this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B(1)(k) and the State Environmental Quality Review Act (“SEQRA”) §617.4 b.(11) and is subject to environmental review, and

WHEREAS: the NYS Department of Environmental Conservation, the Tompkins County Department of Health, Common Council, and the Board of Zoning Appeals have been identified as potentially Involved Agencies in Environmental Review, and,

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency which has primary responsibility for approving and funding or carrying out the action, did on February 22, 2022 declare itself Lead Agency in Environmental Review for the project, and


WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, now, therefore, be it

RESOLVED: that the City Planning Board determined, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be issued in accordance with the provisions of Part 617 of SEQRA.

Moved by: Correa
Seconded by: Glass
In favor: Petrina, Blalock, Correa, Glass, Godden, Randall, Lewis
Against: None
Abstain: None
Absent: None
Vacancies: None
February 7, 2023

TO: City of Ithaca Board of Zoning Appeals
FROM: Valentine Place Associates, Herman Sieverding, Owner Representative
Re: BZA Appeal for the Proposed 111 Valentine Place Project – Area Variance

Introduction

This letter summarizes revisions to the proposed 111 Valentine Place project and the request for two minor area variances from the Board of Zoning Appeals (BZA). The BZA will recall that 111 Valentine Place had previously been proposed as a 30 unit residential apartment building on a 17,119sf lot that has (after receiving comment from the BZA and staff) been reduced to 25 units on a lot that is now 21,901sf, as the applicant has changed floor plans and is acquiring an adjacent parcel. The site is located adjacent to the existing Collegetown Terrace properties off of East State Street. The proposed building is still approximately 29,320 overall GSF. Figure 1: Location Map shows the location of the property at the end of Valentine Place.

Figure 1: Location Map
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 are a total of 11 bedrooms in the two existing 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 to have ever been done, other than cutting up each floor into separate bedrooms with shared bathroom and kitchen facilities. In addition, since the last meeting with the BZA the project sponsors have acquired 107 Valentine Place. 107 Valentine Place is a vacant lot consisting of approximately 4,782 sf and will be incorporated into the project site area -- increasing the lot size to 21,901sf from its previous 17,119sf. The project sponsors have also proposed to utilize this additional property to provide onsite parking. See the revised site plan which includes a parking layout for 9 parking spaces, attached.

Valentine Place Associates, LLC acquired 109-111 Valentine Place in September, 2021 and immediately began developing plans for redevelopment of the site having previously determined that the existing structure needs far more work than is economically viable and significantly underutilizes the site. The resultant redevelopment plan -- as recently modified -- now calls for 25 units in a mix of a reduced number of studio apartments and 2 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 original 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. The project proposal was well received and the Planning Board recommended that the BZA grant the two area variances necessary to move this project forward at their May, 24, 2022 meeting. However, with the recent revisions to the development proposal described above the scope of the requested variance request has now been reduced. These reduced area variances are:

1. **Off street parking.** The site is located in a R-3a zoning district which requires 29 parking spaces for the proposed uses. The revised proposal includes 9 onsite, surface level parking spaces.

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 current project proposal has 25 units, which by this calculation the project site would need 22,500sf per the Code. The combined area of the proposed site is now 21,901sf, an increase of 28% in lot size over the previous proposal.

Thus, as summarized in the table below, the parking variance request has been reduced from 34 spaces to 20 spaces (an approximately 33% reduction). The Lot Area variance request has been reduced from a previous 9,131sf of relief to a 599sf request for relief (a 3% variance request).
SUMMARY OF AREA VARIANCES REQUESTED

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

<table>
<thead>
<tr>
<th>ZONE</th>
<th>CODE REQUIREMENT</th>
<th>PROPOSED BY APPLICANT</th>
<th>VARIANCE REQUESTED</th>
<th>NOTES / MITIGATIONS</th>
</tr>
</thead>
</table>
| R-3a | Off-Street Parking 29 | 9 | -20 | • Private shuttle provided  
• Parking available at Collegetown Terrace and TCAT stop and Car Share nearby  
• Proposed lease of 20 spaces at Collegetown Terrace, which would continue under any different ownership |
| R-3a | Lot Area 6000 SF for 1st 3 units + 750 SF per unit after X 22 = 22,500 SF required | 21,901 SF Existing lot size | 599sf | • 3% variance requested  
• Zoning would allow more bedrooms with fewer units than proposed |

Area Variance Requests

As demonstrated below, relative to the balancing test the Board of Zoning Appeals will employ in deciding whether to grant the variances, the record presented (and as now further modified to address the initial comments from the BZA) demonstrates clearly that 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 (now reduced) variances, and there has been no evidence to the contrary.

Valentine Place is characterized by large-scale student housing (Collegetown Terrace and predecessors) 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 construction 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 under the City’s regulations 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 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 technically below Code, this deficiency has now been substantially reduced by the acquisition of additional land area while the footprint of the proposed building has not changed and meets the setbacks from the lot lines and the lot coverage requirements of the R-3a zone.

111 Valentine Place also fulfills the objectives of the transportation section of the Comprehensive Plan. (See Section 3 Land Use, Sub-Section 3.3 Future Land Use Categories) The site is near two TCAT bus stops (one at State and Quarry Street and a second at Mitchell and College Ave). In addition, 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 a.m. to 11:30 a.m. (every 10 minutes) and in the afternoons from 12:15 p.m. to 4:15 p.m. (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 revised proposed project, yields 29 parking spaces -- a reduction in the relief requested from the original proposal. However, the overall goal of many of the City’s planning documents calls for 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 the undergrounding of all overhead electric and telecommunications lines. The project sponsors, as mentioned above, operate a robust shuttle service that operates almost continuously during weekdays carrying students to and from the Collegetown Terrace project to campus as well as on weekends to Wegmans for shopping trips and to 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 -- a trend which has been gaining in popularity. This is evidenced in part by the relatively low parking space utilization rates for the parking garages at the adjacent Collegetown Terrace project. (See letter previously submitted and attached) However, with the acquisition of the 107 Valentine Place site the project sponsors now
have an ability to construct 9 parking spaces onsite, in an effort to mitigate the scale of the requested parking variance.

Given the low parking utilization rate at Collegetown Terrace an additional mitigation factor to those described above is to provide for the dedication of 20 parking spaces in the adjacent Collegetown Terrace parking garage. As noted in a Valentine Parking memo dated 9/9/2022 and provided to the Board of Zoning Appeals there are 649 parking spaces at Collegetown Terrace. Based on the 2022-2023 academic year demand and utilization rates and commitments made to other developments there is a total demand for only 306 parking spaces. The 343 remaining spaces provide ample space to accommodate the zoning related parking deficiency for 111 Valentine Place. The availability of these parking spaces to satisfy the zoning parking requirement will be secured by a long term lease arrangement between the Valentine Place project and Collegetown Terrace, structured to continue in the event of a sale of either property.

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—a conclusion supported by the fact that no such undesirable change in character has been identified by the public, the Planning Board or any other department or agency in the City. Furthermore, this conclusion is also shared by Saratoga Associate, a multi-disciplinary planning and design firm with years of city planning experience throughout upstate New York (see letter report attached).

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

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. However, bedroom count is an important factor in the design of student housing since this is what drives project financial feasibility. Equally important is an understanding of current market conditions relative to types of units that are most desirable and most likely to be rented. Our leasing data demonstrate there is a significant demand for studio and other small unit types such as one and two bedroom units. The proposed project is therefore, focused on a studio/small apartment-style living experience for the benefit of the residents and the neighborhood. While this design approach generally yields a larger number of units than a building composed of large multi-bedroom apartments, based upon feedback and comments from the BZA, the project sponsors have now reduced the number of units originally proposed from 30 to 25 units.

Providing all of the required 29 parking spaces onsite would in turn require approximately 10,500sf of paved area not counting a driveway to access such a parking lot. Including 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. Limiting the number of onsite parking spaces to 9 and granting the requested parking variance for 20 spaces eliminates these concerns. The proposed site plan slightly increases the amount of greenspace on the site that is only possible by limiting the onsite parking. However, the impact of limiting onsite parking is fully mitigated by a) a lease for available parking in an adjacent property, and b) providing the private shuttle services and other TDM options that will minimize the numbers of cars brought by residents. Given the documented
abundance of available parking spaces at Collegetown Terrace it would appear to be a waste of resources and environmentally irresponsible to build more parking that will in all likelihood go unused, a view that is shared by the Planning Board.

3. The requested area variances are not substantial

As noted above, the parking requirement for onsite parking is 29 spaces. The project sponsors now propose to provide 9 of these spaces onsite with the balance to be provided by a long-term lease for otherwise unused spaces at Collegetown Terrace. The substantiality analysis relative to this request is not simply driven by raw numbers but by the existing conditions of the site and the goals of the City (20 of 29 spaces = 69% variance, but in context the variance is for 20 spaces within hundreds of empty spaces at Collegetown Terrace). The project location provides student residents a number of multi-modal transportation options for getting to campus and shopping including:

- 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. However, for those residents who will reside at Valentine Place and desire to bring a car, parking will be available on the project site and at Collegetown Terrace where these spaces will be secured by a long-term lease between Valentine Place and Collegetown Terrace.

Similarly, the minimum lot size relative to the number of units provided is not substantial especially with the recent acquisition of additional land for the project and a reduction in the number of proposed units from 30 to 25 units which reduces this request for relief to just 3%. This compares to a nearly 35% lot size deficiency with our original proposal. As noted by Saratoga Associates the minimum lot area and parking variance requested are insubstantial particularly within the context of the neighborhood and substantial mitigation measures proposed.

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. This is even more so the case given the applicant’s decision to reduce the number of proposed units and acquire additional land. In fact, the project will significantly enhance positive environmental 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 onsite, 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”.

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

Proposed landscaping will also benefit the area under the proposed project. An extensive landscape plan has been developed on the original site 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 -- all a benefit to the area. This planting plan will not be impacted by the proposed 9 onsite parking spaces since these spaces will be developed on additional land acquired by the project sponsors.

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 allowing residents to 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 all of the zoning-required onsite parking there is ample excess parking available at Collegetown Terrace. Both the proposed project and Collegetown Terrace are owned by the same entity and a long term lease arrangement will be entered into between the Valentine Place project and Collegetown Terrace.

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. While the difficulty is self-created, it is not determinative of this application

The variance request for providing on-site parking is self-created, although reduced by virtue of this revised proposal. This request is fully mitigated by an existing 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 more than sufficient capacity to satisfy the 20 parking spaces not provided onsite. In fact, we would suggest this required parking ratio is unusually high given current trends regarding students who opt to not bring a car to Ithaca. Granting this variance has the added advantage, without any impact on the neighborhood or nearby properties, of decreasing site usage in favor of green space. Finally, the project applicants have proposed a long-term lease arrangement which will ensure these
parking spaces are available to the Valentine project into the future and regardless of potential changes in ownership structure of either property.

The variance request regarding the ratio of the number of units relative to lot size is also self-created, based on demand for additional housing units in the area. This request is also substantially mitigated by the design of the proposed project and the recent acquisition of additional land which reduces the requested relief for lot density to just under 600sf or 3%. The proposed project, while it has a relatively large number of units, has only 48 beds. With the acquisition of additional land and reduction of proposed units, the project sponsors have pushed the structure of the project as far as they can given market demand and project economics.

**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 a successful 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 and by Saratoga Associates after conducting a thorough evaluation of the proposed project relative to the requested variances. This is even more the case now that in response to previous BZA and staff comments and recommendations, the project sponsors have reduced the number of proposed apartments and thereby lowered the number of required parking spaces and acquired additional land, significantly reducing both requests. By all measures, the applicant has satisfied its burden under the balancing test and accordingly we respectfully request the two variances be granted.
Zoning Analysis – Revised Unit Count – 25 Units
111 Valentine Place

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Use District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R-3a – Multi-Family Residential</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 2</th>
<th>Permitted Primary Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Multiple Dwelling / Neighborhood Commercial Facility</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 3</th>
<th>Permitted Accessory Uses – Not Applicable</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Column 4</th>
<th>Off-Street Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(1 space per 1-3 bed unit) x 21 units + (2 space per 4 bed unit) x 4 = 29 spaces required – 9 spaces provided – <strong>VARIANCE REQUIRED</strong></td>
</tr>
<tr>
<td></td>
<td>Adequate spaces available in neighboring 113 Valentine garage in accordance with 325-20 D (4) a-e off-site parking.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 5</th>
<th>Off-Street Loading Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2 Loading Zones Required</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 6</th>
<th>Minimum Lot Size – Area in Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>25 units provided - 6,000 SF for 1st 3 units + (750 SF per unit after x 27)</td>
</tr>
<tr>
<td></td>
<td>= 22,500 SF Required</td>
</tr>
<tr>
<td></td>
<td>21,901 SF provided – <strong>VARIANCE REQUIRED</strong></td>
</tr>
<tr>
<td></td>
<td>Note: Lot area allows for 24 Units and 25 are provided. A 599sf deficiency.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 7</th>
<th>Minimum Lot Size – Width in Feet at Street Line</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>50'-0&quot; minimum required – 98'-10&quot; provided</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 8</th>
<th>Maximum Building Height – Stories</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4 stories maximum permitted – 4 stories provided</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 9</th>
<th>Maximum Building Height – Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>44'-0&quot; maximum permitted (40'-0&quot; by chart + 4'-0&quot; for additional setbacks as allowed by 325-16 C (1)-(4).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 10</th>
<th>Maximum Percent Lot Coverage By Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>17,153 SF x 35% = 7,648 SF permitted – 6,002 SF provided</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 11-15</th>
<th>Yard Dimensions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(additional 4'-0&quot; provided at each as per column 9 above)</td>
</tr>
<tr>
<td>Front:</td>
<td>14'-0&quot; Required</td>
</tr>
<tr>
<td>1st Side:</td>
<td>9'-0&quot; Required</td>
</tr>
<tr>
<td>2nd Side:</td>
<td>14'-0&quot; Required</td>
</tr>
<tr>
<td>Rear:</td>
<td>41'-6&quot; Required (187.5 x 20%)</td>
</tr>
</tbody>
</table>

| Column 16   | Minimum Building Height - None |
April 18, 2023

TO: Board of Zoning Appeals
FROM: Valentine Place Associates,
Re: BZA Appeal for the Proposed 111 Valentine Place Project

Response to Question Re: Parking Options

This letter is in response to the BZA’s question regarding whether our team had evaluated other nearby parking options as an alternative to seeking the requested parking Variance.

As per Section 325-20 of the City Zoning regulations among other requirements, off-street parking must be within 500’ of the parcel on which the use is conducted. We have attached a map that shows the 500’ radius from the proposed project parcel. Most of the lots are fully developed residential dwellings or part of the Collegetown Terrace property. We identified one lot (107 Valentine Place) that was an undeveloped parcel, and negotiated a purchase agreement with the property owner. We had our design team provide as many parking spaces as they could reasonably fit on the site, reducing our variance request substantially.

All other available parking inside of the 500’ radius is part of the Collegetown Terrace property, which does have in excess of 300 leased parking spots. We have added to our revised submission, the commitment and framework of a long-term lease agreement between the two properties as an additional mitigation to the variance requested.

We look forward to discussing our revised submission with the board.

Best Regards,

Nick Robertson
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3248

TO: Owners of Property within 200 feet of 107-111 Valentine Place and others interested.

FROM: Valentine Place Associates applicable to property named above, in R-3a zone.

REGARDING: (check appropriate box)

☒ Area Variance ☐ Use Variance ☐ Sign Variance

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

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

The Planning Board will consider this case on March 28 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVkTrDg. 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 May 2 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

For Valentine Place Associates LLC

Address

Date
500700 83.-2-15.2
VVA Phase I & II, LLC
1001 W Seneca St
Ithaca NY 14850

500700 83.-2-15.3
VVA Phase I & II, LLC
1001 W Seneca St
Ithaca NY 14850

500700 83.-2-15.4
VVA Phase III, LLC
1001 West Seneca St
Ithaca NY 14850

500700 83.-2-15.5
VVA Phase IV, LLC
1001 West Seneca Street
Ithaca NY 14850

500700 89.-3-1
East Seneca Properties, LLC
192 Inlet Valley Way
Ithaca NY 14850

500700 89.-3-11
935 East State, LLC
1001 West Seneca St
Ithaca NY 14850

500700 89.-3-12
Francis A Facer
PO Box 6437
Ithaca NY 14851

500700 89.-3-13
Valentine Place Assoc., LLC
876 Highland Rd
Ithaca NY 14850

500700 89.-3-14
Carl T Carpenter
Elizabeth Carpenter
241 Elm St Ext
Ithaca NY 14850

500700 89.-3-15
Sarah H Bell
26 Old Route 299
New Paltz NY 12561

500700 89.-3-2
East Seneca Properties, LLC
192 Inlet Valley Way
Ithaca NY 14850

500700 89.-3-3
Carl T Carpenter
Elizabeth Carpenter
2 Horvath Dr
Ithaca NY 14850

500700 89.-3-4
Car El Realty Inc
2 Horvath Dr
Ithaca NY 14850

500700 89.-3-5.1
Raymond Crognaile
Gretchen L Crognaile
933 E State St
Ithaca NY 14850

500700 89.-3-5.2
Francis A Facer
PO Box 6437
Ithaca NY 14851

500700 89.-3-6
Cheryl Smart
939 E State St
Ithaca NY 14850

---

3'-5'-6' Joyce Cattafalone
940 E. State St
Ithaca NY 14850

1/ FROM PROPERTY LINES OF (O) VALENTINE
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

Zoning Appeal # 3248

I, Nicholas Robertson, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before April 19, 2023. 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
500700 83.-2-15.2
VVA Phase I & II, LLC
1001 W Seneca St
Ithaca NY 14850

500700 83.-2-15.3
VVA Phase I & II, LLC
1001 W Seneca St
Ithaca NY 14850

500700 83.-2-15.4
VVA Phase III, LLC
1001 West Seneca St
Ithaca NY 14850

500700 83.-2-15.5
VVA Phase IV, LLC
1001 West Seneca Street
Ithaca NY 14850

500700 89.-3-1
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Ithaca NY 14850

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935 East State, LLC
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500700 89.-3-15
Sarah H Bell
26 Old Route 299
New Paltz NY 12561

500700 89.-3-16
Raymond Crogniale
Gretchen L Crogniale
933 E State St
Ithaca NY 14850

500700 89.-3-17
Francis A Facerr
PO Box 6437
Ithaca NY 14851

500700 89.-3-2
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Ithaca NY 14850

500700 89.-3-5-1
Raymond Crogniale
Gretchen L Crogniale
933 E State St
Ithaca NY 14850

500700 89.-3-5-2
Francis A Facerr
PO Box 6437
Ithaca NY 14851

83.-5.-6
JOYCE CATERALINO
933 E. STATE ST
ITHACA, NY 14850

FROM PROPERTY LINE S N (O) VALENTINE
September 9, 2022

Megan Wilson, Zoning Administrator and Members of the Board of Zoning Appeals
City of Ithaca
108 E. Green Street
Ithaca, NY 14850

RE: Valentine Place Appeal Number 3221

Dear Megan and Members of the Board of Zoning Appeals:

I am submitting this letter to provide supplemental information as requested by the Board at the June 7, 2022 meeting regarding the Valentine Place Appeal. I have been in the business of student housing development for over 45 years - in the City of Ithaca as well as in other college communities. In my professional experience, in these college communities, there has been an increasing demand across the board for studio style apartments in close proximity to local university campuses. Most recently this market condition has been severely impacted by the pandemic and a desire for students to live on their own and without other students present in close quarters.

Historically, apartment building development in Collegetown has concentrated overwhelmingly on multi-bedroom apartments, resulting in the current gap in the market for studio apartments. To better understand the existing supply of studios in Collegetown, we surveyed many of the landlords who have significant holdings. Following is a summary of the results of these landlords.

- Landlord A: 500 beds offered/8 studios
- Landlord B: 54 beds offered/0 studios
- Landlord C: 110 beds offered/2 studios
- Landlord D: 250 beds offered/0 studios

(We will gladly provide the landlord names to the Planning Department if desired.)

Our own current inventory of leasable properties is heavily weighted with 2 and 3-bedroom apartments. We are not properly balanced for the current demand for studios. Collegetown Terrace has a total of 1245 bedrooms with only 10% of the units being studios. The mix breakdown at Collegetown Terrace is as follows:

- 173 rooms
- 120 studios
217 beds in 1’s
486 beds in 2’s
249 beds in 3’s

While we rent to students at all levels of education, including undergraduates, our target market is graduate students. Graduate students overwhelmingly prefer studios and so we find ourselves selling out of studio apartments quickly - leaving us in the position of not being able to offer the product to many potential tenants who approach us.

In contrast, our 3-bedroom units are more challenging to rent. Currently, unlike in the past, we have a substantial number of 3-bedroom units remaining unrented in Collegetown. To address this, we leased 3-bedroom units as 2-bedroom units. At Collegetown Terrace, we end up renting a good share of the units by the room. This means that three persons are living together who did not choose each other. This sometimes results in internal conflicts and we sometimes need to reassign and juggle tenants around when there are problems. This is a management issue which we would prefer to avoid.

At the same time, we get phone calls every day from students looking for studios and 1-bedroom units that we have to turn away as there is insufficient inventory to meet market demand. Given these facts, building a project with 3 and 4-bedroom apartments to satisfy zoning is simply not viable.

While studios tend to be more expensive per square foot to construct (they require a bathroom, shower, and kitchens which tend to be the most expensive part of the improvement) they are readily leasable when placed into the marketplace. It is this demand that we are attempting to meet with the Valentine Place project and which necessitates the request for the lot size variance.

I would also point out that the proposed project will result in total fewer bedrooms than would be possible with an as-of-right 3 and 4-bedroom apartment project.

Parking

Our initial Appeal application outlined in detail the parking requirement per the R-3a zoning district and the various mitigations offered. The zoning district requires 34 parking spaces. As noted in the initial appeal, the project location and abundant multi-modal transportation options make Valentine Place an ideal location for the many students who choose to not 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 that the academic year is just beginning, we now have actual utilization rates for the 2022-2023 academic year and this is summarized below.

Total available spaces at Collegetown Terrace = 649
2022-2023 Utilization by Collegetown Terrace Tenants — 207 spaces
2022-2023 Utilization by 238 Linden and 119-125 College Avenue — 13 spaces
Projected use by Catherine Commons (assuming similar utilization rate) — 75 to 86 spaces
Total Parking Demand — 295 - 306 spaces

Total available = 649 – 306 = 343 spaces remain available; far exceeding the 34 required by zoning. Furthermore, this mitigation measure avoids paving over nearly 8,800 sf of the site with asphalt.

I have also attached the APPROVED RESOLUTION, dated April 25, 2017, adopted by the Planning Board and approving the use of excess parking at the Collegetown Terrace Apartment project for any other project in which Novarr or his legal successors, is the owner.

The lot size and parking variances we are requesting would create no environmental issues and will tend to allow for more peaceful occupancies desired by the surrounding neighborhood where they are located. In short, the benefit to our project would far outweigh any harms to the area by the granting of these variances. In fact, no such harms have been identified by the Planning Board, public or any other stakeholders.

I hope this information is helpful in understanding our proposed project. I look forward to further discussions with the Board.

Sincerely,

John Novarr
Developer
Valentine Associates, LLC
APPROVED RESOLUTION  
Project Change (Parking)  

Site Plan Review  
Collegetown Terrace Apartments  
East State Street  
City of Ithaca Planning & Development Board  
April 25, 2017  

WHEREAS: The Planning and Development Board has received a request from John Novarr, owner of 
Collegetown Terrace Apartments to change parking utilization at the project, and  

WHEREAS: the project, known as Collegetown Terrace Apartments, received final Site Plan Approval 
from the Planning Board on August 3, 2011, and  

WHEREAS: The project was a Type I Action subject to environmental review under the provisions of the 
State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review Ordinance 
(CEQRO), and  

WHEREAS: the Planning and Development Board, acting as Lead Agency, did on October 5, 2010 
accept the Final Environmental Impact Statement (EIS) for the Collegetown Terrace project as complete 
for filing, having duly considered the potential adverse environmental impacts and proposed mitigating 
measures as required under 6 NYCRR Part 617 (the SEQRA regulations) and Chapter 176 of the City of 
Ithaca Code (the City of Ithaca Environmental Quality Review Ordinance, CEQRO), with the 
additions/clarifications mutually agreed upon by the Applicant and the Planning Board on that date, and  

WHEREAS: on October 26, 2010, the Planning Board adopted the Findings Statement, which was a 
“positive” findings statement, meaning that the proposed Project was potentially “approvable” (a relevant 
term used in the State’s “SEQR Handbook”) by the Planning Board, as to its site plan, and  

WHEREAS: the Findings Statement contained the following language: “Parking will be provided solely 
for residents of the Project and no parking will be available on the Project site for non-tenant usage or 
rental, other than by guests of the residents of the Project on a short-term basis” and that “The Planning 
Board finds that no permanent adverse impacts caused by the proposed parking are anticipated as a 
result of the Project”, and  

WHEREAS: a condition of final approval stated the following: “Parking will be provided solely for 
residents of the Project and no parking will be available on the Project site for non-tenant usage or rental, 
other than by employees or guests of the residents of the Project on a short-term basis”, and  

WHEREAS: the language about parking, as written above, was a description of the applicant’s intention 
for parking utilization at the time. Although the Planning Board did receive some public comments about 
the use of parking for non-residents, the Board did not analyze any potential negative impacts related to 
the use of on-site parking for non-residents in the EIS because the applicant was not proposing such 
parking, and  

WHEREAS: in a letter from John Novarr, owner, to Lisa Nicholas, Planner dated April 5, 2017, Novarr 
explains that there is currently more parking on the site than is used by the residents, and requests a 
change to the project description such that parking is no longer limited to residents and guest of the 
project, and  

WHEREAS: at the April 25, 2017 Project Review Committee Meeting, the applicant and committee 
agreed to recommend that the Collegetown Terrace Apartments parking be available for any project in 
which Novarr or his legal successors, is the owner or shares an ownership interest, and
WHEREAS: the Planning Board has determined that, as the number of parking spaces remains the same, there is no environmental impact to the proposed change, and it is consistent with the 10-26-10 Findings Statement, and no additional environmental review is required, now, therefore, be it

RESOLVED: That the Planning and Development Board does hereby approve the project change to allow excess parking to be used for any project in which Novarr or his legal successors, is the owner or shares an ownership interest.

Moved by:        Jones Rounds  
Seconded by:     Schroeder
In Favor:        Blalock, Elliott, Johnston, Jones Rounds, Lewis, Schroeder
Against:         None
Abstain:         None
Absent:          None
Vacancies:       One
Memorandum

Date: February 13, 2023

To: City of Ithaca Board of Zoning Appeals

From: Daniel Shearer, P.E., and Alison Yovine, RLA
Saratoga Associates

Project Name: Professional Opinion of 111 Valentine Place Area Variance Requests

Members of the Board of Zoning Appeals:

Please accept the following analyses of the area variance requests made by Valentine Place Associates, LLC for 111 Valentine Place currently under review by the City of Ithaca Board of Zoning Appeals (BZA). Saratoga Associates (SA) is an expert in the area of visual assessment, community planning and development with recognized professionals from many disciplines, including architecture, landscape architecture and engineering, as well as community comprehensive planning. We have been asked by the applicant, Valentine Place Associates, LLC, to provide our professional opinion of the requested variances, based upon our experience and expertise, as well as a full review of the area and submissions made to both the BZA and the City Planning Commission. We therefore offer the following:

SA has reviewed the materials submitted by Valentine Place Associates, LLC for minimum off-street parking and minimum lot size area variances at 111 Valentine Place in the City of Ithaca. Specifically, the applicant proposes a minimum lot size variance of 599 sf and a minimum parking variance of 20 spaces.

After a thorough, holistic review of the open space, landscaping, and architecture proposed for 111 Valentine Place, it is our professional opinion that the site is well suited for the proposed development, and that the applicant has on balance satisfied all five factors for the respective area variances.

Under state law, the Board of Appeals must apply a balancing test between “the benefit to be realized by the applicant against the potential detriment to the health, safety and general welfare of the neighborhood or community if the variance were to be granted”³ -- “no single statutory consideration is determinative in assessing an area variance application”².

The following observations are divided based upon the five factors under consideration.

The project will not result in an undesirable change in neighborhood

The board must consider whether the dimensional alterations proposed are seriously out of place in the neighborhood, weighing the applicant’s interests against that of the neighborhood. In a case where “the

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¹ New York State, Division of Local Government Services, James A. Coon Local Government Technical Series, Zoning Board of Appeals
² John Realty Grp., LLC v. Bd. of Appeals of Amityville
construction itself would cause no physical or environmental harm to the neighborhood... [these factors] weigh in favor of granting the variance. The following facts are present:

- Student housing is the predominant typology in the subject neighborhood. The project sits adjacent to the existing Collegetown Terrace properties off East State Street. It is situated adjacent to the existing Collegetown Terrace project to the south and west.
- The building design bridges the architecture between the smaller residential buildings to the north, and the adjacent student housing complexes to the south and west. The heart-shaped cutout in the upper corner of the façade plays off the street name, Valentine. These architectural features constitute a design response that is appropriate to and respectful of the existing context, and fits appropriately within the character of the neighborhood.
- The landscape plans propose a generous number of trees which will further ground the building into the context of the neighborhood, while providing screening from adjacent properties.
- As noted in the Full Environmental Assessment Form:
  - "This is an area of the city where a larger, dense apartment complex which houses students is warranted."
  - "No significant impact on community character is anticipated."

Based upon the above analyses, it is our opinion that the project, with the variances approved, would not create an undesirable change to the neighborhood.

There are no feasible alternatives to the variance

Despite every effort to do so, no reasonable alternative would allow the applicant to develop this project.

- In Chandler Property, Inc. v. Tratta, a court noted that applicants should consider alternatives like acquiring adjoining properties. It should therefore be noted that the applicant here has acquired an adjoining vacant property which has significantly reduced the prior lot size deficiency – from 9,000 to less than 600 square feet or only a 3% variance. Further, the additional land has reduced the parking deficiency – from 30 parking spaces to 20 parking spaces, a 33% reduction in the size of the requested variance. The project is located next to the Collegetown Terrace properties on East State Street and is adjacent to the Collegetown Terrace project on the south and west sides.
- After feedback from the board, the applicant has reduced unit count from 30 to 25 to achieve the minimum viable variance. A further reduction would likely render the project financially unfeasible.
- Unbundling parking from residential rents skews traveler demand towards public transit, cycling, and walking. Research suggests that buildings with at least one parking space per unit have more than twice the car ownership rate of buildings that have no parking.

The difficulty was not meaningfully self-created

While a use variance requires an applicant to demonstrate that the hardship was not self-created, an area variance only requires that the board consider the extent of self-created difficulty and evaluate the request for relief under the balancing test set forth by law. That a difficulty was self-created does not, in and of itself, constitute a reason to deny the grant of an area variance. Indeed, really all area variances are in some fashion self-created.

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3 Pecoraro v. Board of Appeals of the Town of Hempstead
The City of Ithaca has a long and complicated history when it comes to zoning requirements for parking. In 2012, the city had implemented maximum parking requirements in some neighborhoods which were eventually repealed. This occurred even as the city sought to eliminate minimum parking requirements, with Mayor Myrick arguing that "if there weren’t a requirement, you could build more, smaller apartment units, and those units would be affordable." According to the Rockland County Business Journal, as of 2022, "the City of Ithaca does not require any off-street parking in its downtown Central Business District, the West End, Cherry Street District, Newman District, Market District or Mixed-Use Districts."

Changes in car ownership and the propensity of students to bring cars to campus have changed over time. The applicant has taken every measure possible in order to satisfy the letter and intent of the law by reducing unit count, adding parking where feasible, and securing a long-term off-site parking agreement.

The area variances proposed are insubstantial

Substantiality, as it relates to these variances, involves a reasoned judgment as to whether the actual impacts of nonconforming parking and lot size on neighboring sites is too great compared to the lawful dimensions.

The project will require a variance of 20 spaces and a minimum lot area of 599 square feet. Based on our firm’s professional understanding of the project documents as well as evidence from site review, no elements of the requested area variances are substantial.

• While the parking variance could be considered substantial under a simple mathematical analysis, a reasoned judgement would suggest that it is insubstantial given the Lead Agency’s findings that the “there is ample amount of parking spaces for residents at Valentine Place at Collegetown Terrace” and due to the effective mitigations proposed, surrounding land-use development context, and citywide investment in multimodal transportation.
  - Based on the 2022-2023 school year, of the 649 existing parking spaces at Collegetown Terrace, 306 spaces are being utilized, leaving 343 spaces available.
  - Concerns over the long-term availability of parking are mitigated by a lease arrangement that will survive a change in ownership.
  - Nine parking spaces are provided despite ample parking to mitigate on-street parking demand.
  - The applicant provides a robust daily shuttle service free of charge with multiple buses circulating every 10 minutes between Collegetown Terrace and the proposed project site and the Cornell campus.

• The minimum lot area variance is insubstantial from both a mathematical analysis and reasoned judgement perspective. As noted by the Lead Agency “this is an area of the city where a larger, dense apartment complex which houses students is warranted”, is consistent with the community character which is “predominantly large student housing complexes”, and “is near to the campus and follows the land use goal [given its] proximity to campus”.

Therefore, by all measures, the extent of the variances is insubstantial.

The project will have no significant environmental impacts

The board of appeals should weigh the proposal’s potential impact on such factors as drainage, traffic circulation, dust, noise, odor, and impact on emergency services, among other factors.

• Per the lead agency, no significant impacts to aesthetic resources, traffic or community plans are anticipated. The site is in an appropriate area in which to build student housing, near the campus and
adjacent to a transit corridor. The proposed variances will not impact any identified environmental resources or impact drainage or any other concerns. Mitigations have been designed into the project for stormwater and the design has been specifically developed to allow for the project to act as a thoughtful transition in the neighborhood.

- The traffic-demand management solutions proposed are well-suited to the neighborhood. Unbundled parking can reduce travel modality preference for private automobiles while encouraging public transit, cycling, and walking. To further reduce demand, applicants propose supplementing public transit with a resident shuttle service and providing pedestrian and bicycle amenities. This includes a bicycle rail to allow for cyclists to park and secure their bicycle.

Conclusion

It is our professional opinion that the proposed project is appropriate in this location due to the proximity to the existing Collegetown Terrace apartments. The applicant’s acquisition of property to the north has enhanced the project and shows a great deal of compromise and motivation to make this project successful. The applicant’s variance application provides a comprehensive and detailed response to each of the five criteria that the Board must consider when deciding to grant an area variance. It is SA’s opinion that based on the above the minor variances requested should be granted since the benefit of granting the variances far outweigh any negative impacts to the neighborhood.
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 of property owners Chris and Cindy Milner, for an area variance from Section 325-8, Column 10, Maximum Lot Coverage by Buildings, Column 11, Front Yard, Column 13, Side Yard, and Column 14/15, Rear Yard requirements of the Zoning Ordinance. The applicant proposes to add a roof to the existing front stoop and to construct a screened-in porch on the rear of the dwelling located at 66 Woodcrest Avenue. The addition of the roof to the front stoop is intended to provide shelter from weather throughout the year and will not create new or exacerbate existing deficiencies. The applicant also proposes to construct a 16’ x 18’ (288 SF) screened-in porch on the north side of the house. The new porch will allow the property owners to enjoy their yard for more of the year. It will also provide a visual screening of the main portion of the house from users of the adjacent access path to the East Ithaca Recreation Way. The property currently exceeds the maximum 20% coverage by buildings allowed in the R-1a zone, and the addition of the new porch will increase lot coverage from 21.9% to 24.3%. It will also create a rear yard deficiency by reducing the rear yard to 25’ 5" of the required 28’. The property has existing front and side yard deficiencies that will not be exacerbated by the proposal.

The applicant applied for an area variance for a previous version of this project and was granted an area variance by the Board of Zoning Appeals in 2019. The applicant was unable to start construction within two years of the approval and the variance expired. The applicant has now returned to the Board with a revised proposal.
# City of Ithaca Board of Zoning Appeals Worksheet

**Appeal Number**: 3251  
**Address**: 66 Woodcrest Avenue  
**Use District**: R-1a  
**Date**: 5/2/2023  
**Applicant**: Chris Milner  
**Owner**: Chris and Cynthia Milner  
**Application Type**: Area Variance

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
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<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Side Yard</td>
<td>Other Side Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
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<td>109.3</td>
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<td>~18'</td>
<td>21.9%</td>
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<td>Def.</td>
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<td>109.3</td>
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<td>15.4'</td>
<td>9.1'</td>
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**Notes**: Existing deficiencies noted in blue; new or exacerbated deficiencies noted in red.
BOARDS OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:
   ☑ AREA VARIANCE
   ☐ SPECIAL PERMIT
   ☐ USE VARIANCE
   ☐ SIGN VARIANCE
   ☐ ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

   APPEAL #: [5351] (FILLED IN BY STAFF)
   HEARING DATE: May 2, 2023
   BUILDING PERMIT #: [ ] (REQUIRED)
   RECEIPT #: [70306] (FILLED IN BY STAFF)

2. Property Address: 66 Woodcrest Ave.
   Use District: [ ]
   Owner's Name: Christopher J. Milk
   Owner's Address: 66 Woodcrest Ave.
   City: Ithaca State: NY Zip: 14850

3. Appellant's Name: Same as above
   Appellant's Address: 
   City: [ ] State: [ ] Zip: [ ]
   Telephone: [ ] E-Mail: [ ]

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

   [Narrative]

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 ______ day of
_____________________, 20__

__________________________
Notary Public
1. Ordinance Section(s) for the Appeal:

<table>
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<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
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</thead>
<tbody>
<tr>
<td>• §325- 8, Columns 10, 11, 13, and 14/15</td>
<td>• §272- ______________________________</td>
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<td>• §272- ______________________________</td>
</tr>
<tr>
<td>• §325- _______________________________</td>
<td>• §272- ______________________________</td>
</tr>
</tbody>
</table>

2. Application of SEQR determination: [ ] Type 1 [X] Type 2 [ ] Unlisted

3. Environmental Assessment form used:
   [X] 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 [X] has / [ ] has not been made for this proposal:
   - Appeal No. 3142, dated 11/05/2019
   - 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. 3251

TO: Owners of Property within 200 feet of 66 Woodcrest Ave., Ithaca, and others interested.

(from property address)

FROM: Chris and Cindy Milner

(name of person or organization making appeal)

REACHING:

(check appropriate box)

☒ Area Variance ☐ Use Variance ☐ Sign Variance

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

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

The Planning Board will consider this case on 4/25/2023 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7r7JN1P_RFaFW2IVcTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The Board of Zoning Appeals will consider this case on 5/2/2023 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.

Christopher J. Milner

Signature of Appellant

66 Woodcrest Ave.

Address

April 11, 2023

Date
From: Chris and Cindy Milner
66 Woodcrest Ave.
Ithaca, New York 14850

April 11, 2023

To: Neighbors of Chris and Cindy Milner


Dear Neighbors,

We are sending you this letter regarding proposed alterations to our home at 66 Woodcrest Ave. We would like to make two improvements to our existing home, which will give us more functional spaces throughout the year as well as provide us more privacy.

**Proposed Scope of Work**

1. Adding a roof to the existing front stone entry
2. Constructing a rear-yard screened-in porch on the north side of the house

**Lot Coverage**

This proposed work exceeds the Lot Coverage requirements for the R-1a zone. Currently the house occupies 2,650 sq ft, or 21.94% of the allowable 2,416 sq ft or 20% coverage. The proposed work described above would create an additional 306 sq ft, for a total proposed coverage of 2,956 sq ft, or 24.47%.

**Existing Setback Deficiencies**

1. Existing primary bedroom addition encroaches on front-yard setback by 7’2”, reducing the required 25’ setback to 17’10”.
2. Existing garage encroaches on the east side-yard setback by 11”, reducing the required 10’ setback to 9’1”.

Neither of these existing deficiencies will be exacerbated by this proposal.

**Proposed Setback Deficiency**

1. New 16’x18’ screened-in porch is proposed on the north side of the house. The porch will encroach on the rear-yard setback by 5’ 7.5”, reducing the required 31’ (25% overall depth) setback to 25’ 4.5’.

The new rear-yard setback deficiency is not insignificant, however we don’t feel that we are creating any new egregious conditions for the neighbors to the west at 62 Woodcrest Ave., or to the east at 70 Woodcrest Ave.

As you may know, between 66 Woodcrest Ave. and 70 Woodcrest Ave., there is an access path that pedestrians and bicyclists use to get to the East Ithaca Rec Way. The path passes within feet of our home with direct lines of sight into a bedroom and living room on the north side. As a result, we are
proposing a screened-in porch which will provide a visual buffer between the house and the access path. The screened-in porch will also allow us to enjoy our rear-yard views for a greater portion of the year.

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 me at chrismilner5@gmail.com. There will be a public hearing for this project at the Planning and Development Board meeting on April 25, 2023, and then also at the Board of Zoning Appeals meeting on May 2, 2023.

Sincerely,

Chris and Cindy Milner
Stoever, Jennifer L.
P.O. Box 153
Ithaca, NY 14851

Smith, Michelle and Jeremy
58 Woodcrest Ave.
Ithaca, NY 14850

Barton, William T
Ryan, Cheryl
61 Woodcrest Ave.
Ithaca, NY 14850

Waller, Maureen
Russel, Aaron
130 Homestead Circle
Ithaca, NY 14850

Bedard, Claire
Garbarino, James
P.O. Box 7074
Ithaca, NY 14851

Cornell University
P.O. Box DH
Ithaca, NY 14853

Meidlinger, Mandi and David
71 Woodcrest Ave.
Ithaca, NY 14850

Blumkin, Joy
Golinker, Lewis
70 Woodcrest Ave.
Ithaca, NY 14850

Brotman, Ben
Lang, Carrie
65 Woodcrest Ave.
Ithaca, NY 14850
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

I, Christopher J. Miller, 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 2, 2023. 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
Survey Map of 66 Woodcrest Avenue - City of Ithaca

Tompkins County - New York

NOTE: ANY REVISIONS TO THIS MAP MUST COMPLY WITH SECTION 7209,
SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

DATE SURVEYED: 1/2/97
DRAWN BY: KB
SCALE: 1" = 20'
JOB NO.: 2143

I hereby certify to M&T Mortgage Corp., its successors and/or assigns; First
American Title Insurance Company of New York; Albanese & Mulvey Law
Firm; Christopher James Milner; and Cynthia Ann Milner
that I am a licensed land surveyor, New York State License No. 049415, and that this
map correctly delineates an actual survey on the ground made by me or under my direct
supervision, that it was prepared in accordance with the current code of practice for land
title surveys adopted by the New York State Association of Professional Land Surveyors;
and that I found no visible encroachments either way across property lines except as
shown hereon.

SIGNED: Kenneth A. Baker
DATED: 5/9/97
CITY OF ITHACA BOARD of ZONING APPEALS  
Area Variance Findings & Decision

Appeal No.: 3142

Applicant: Emily Petrina, Firehouse Architecture Lab, for Chris & Cindy Milner, owner.

Property Location: 66 Woodcrest Avenue

Zoning District: R-1a

Applicable Section of City Zoning Code: Section 325-8, Columns 10, 11, 13, and 14/15

Requirement for Which Variance is Requested: Maximum Lot Coverage by Buildings; Front, Other Side, and Rear Yards

Publication Dates: October 30, 2019 and November 1, 2019.

Meeting Held On: November 5, 2019

Summary:
Appeal of Emily Petrina, Firehouse Architecture LAB, on behalf of property owners Chris and Cindy Milner, for an area variance from Section 325-8, Column 10, Maximum Lot Coverage by Buildings, Column 11, Front Yard, Column 13, Side Yard, and Column 14/15, Rear Yard requirements of the Zoning Ordinance. The applicant proposes to add a roof to the existing front stoop and to construct a screened-in porch on the rear of the dwelling located at 66 Woodcrest Avenue. The addition of the roof to the front stoop is intended to provide shelter from weather throughout the year and will not create new or exacerbate existing deficiencies. The applicant also proposes to construct a 306-square foot screened-in porch on the north side of the house. The new porch will allow the property owners to enjoy their yard for more of the year. It will also provide a visual screening of the main portion of the house from users of the adjacent access path to the East Ithaca Recreation Way. The property is currently deficient in lot coverage by buildings and the addition of the new porch will increase this deficiency from 21.9% to 24.5% of the allowable 20%. It will also create a rear yard deficiency by reducing the rear yard setback to 27’ 7” of the required 31’. The property has existing front and side yard deficiencies that will not be exacerbated by the proposal.

The property is located in an R-1a 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.

No public comments in opposition.
Joy Blumkin and Lewis Golinker submitted a letter in favor of the appeal.
Members present:
Steven Beer, Chair
Teresa Deschanes
Steven Wolf
Stephanie Egan-Engels
Suzanne Charles

Tompkins County Review per Section 239 -l & -m of New York State General Municipal Law:
N/A

Planning & Development Board Recommendation:
The Planning Board does not identify any negative long term planning impacts and supports this appeal. The additions is in the rear yard, will not be visible to the public and there are no immediate rear yard neighbors.

Environmental Review:  Type: 2
This is a Type 2 Action under the City of Ithaca Environmental Quality Review Ordinance (“CEQRO”), and State Environmental Quality Review Act (“SEQRA”) and is not subject to Environmental Review.

Motion: A motion to grant the variance request was made by Steven Wolf.

Deliberations & Findings:

Factors Considered:

1. Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties: Yes ☐ No ☑
The screened porch is located on the rear of the building. The neighbor immediately adjacent to the property has written that they are in support of the variance. Only at the eastern most corner of the porch Will the new porch impinges on the rear setback. This would not create a significant undesirable change to 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 ☑
A narrow porch that did not encroach into the rear yard setback would not serve purpose of even having a porch.

3. Whether the requested variance is substantial: Yes ☐ No ☑
The variance is not substantial either on a percentage basis or on a square footage basis. The variance request is not substantial.

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes ☐ No ☑
The Board discussed the adjacent access to the East Ithaca Recreation Way and questioned whether the public had rights to use the neighboring foot path to access the Recreation Way. The porch addition would therefore not have an impact on the physical or environmental conditions. The porch would enhance the livability and property values for the owner.
5. Whether the alleged difficulty was self-created: Yes ☑ No ☐
The need for the porch is self-created because the owner could live without a screened in porch. Although, this factor was not out weighted by the other factors.

Second Motion to Grant Variance: Made by Teresa Deschanes.

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

Determination of BZA Based on the Above Factors:

The BZA, taking into consideration the five factors, finds that the Benefit to the Applicant outweighs the Determinant to the Neighborhood or Community. The BZA further finds that variances from Zoning Ordinance, Section 325-8, Columns 10, 11, 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.

Gino Leonardi, Zoning Administrator
Secretary, Board of Zoning Appeals

November 26, 2019
Date
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.