

APPEAL TO

**ZONING BOARD OF APPEALS
TOWN OF DRYDEN
(Area Variance)**

Having been denied permission to _____

At _____ Dryden, N.Y. as shown on the accompanying Application and/or plans or other supporting documents, for the stated reason that the issuance of such permit would be in violation of

Section or Section (s) _____
of the Town of Dryden Zoning Ordinance

the UNDERSIGNED affirms that the benefit to the undersigned if the variance is granted outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant in that:

SEE ATTACHED 1-3

If you have additional supporting details of information, please attach such details to this application and make reference to such attachment.

Applicant Signature: _____

Applicant address: _____

Phone Number: _____ Date: _____

Zoning Variance and Special Permit Use Application

Salim Kasimov

Tax Map Parcel: 41-1-13.32

Area: 1.78 acre

Area Variance Application responses:

The undersigned affirms that the benefit to the undersigned if the variance is granted outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant in that:

1. Although the number of dwell units planned exceed the allowable of 2 per acre, the number of bedrooms associated with the development do not. There are eight (8) single bedroom units planned for the 1.65 acre parcel. Because there is only 1 bedroom per unit and a normal single family or 2 family dwelling unit would have 3 to 4 bedrooms each, the total occupancy of the parcel would not exceed that of an allowed number:
 - a. 1.65 ac
 - b. @ 2 Du / ac= 3+ Du allowed
 - c. @ 3 br /du= 9 bedrooms allowed
 - d. Proposed is 8 bedrooms
2. Nearby and adjacent lots contain several 2 family and multifamily developments
 - a. 501 Etna Road has four (4), three (3) bedroom units on 1.73 acres
 - b. Both 514 and 520 Etna Road have 2 family dwellings on 1 acre lots
 - c. The adjacent parcel 41-1-13.31 has a 2 family unit of unknown number of bedrooms each - but likely at least 3 each.
3. Based on the above, it is felt that the proposed 8, single bedroom units cause NO detriment to the health, safety and welfare of the neighborhood.

Answers to questions on area variance application:

- A. As per information provided by the applicant, no undesirable change would occur to the character of the neighborhood.
- B. The applicant purchased the lot prior to the 2016 zoning change with the intent of developing the eight single bedroom units. Allow other higher number of bedroom units could be built, the single building with eight much smaller units provides for economies of scale that reduce environment impacts without reducing return.
- C. It is felt the variance is NOT substantial, since the total number of occupants that could be reasonably utilize the facility are fewer than the number that could be accommodated by a development in strict compliance with the code.
- D. The variance will not adversely impact the environmental or physical conditions of the neighbor in any manner more than an allowed development. It should be less since the total bedroom count is theoretically less and water and sewer and traffic issues therefore less.
- E. The difficulty was not self created. The applicant had purchased the property prior to the zoning change with the expressed desire to construct the development as presented. The plans had been discussed with the building department prior to proceeding with creating the drawings associated with the proposed work.