

Memorandum

To: Jeff Fern, Chairman

Cc: ZBA members, Town Clerk, Town Attorney,

From: Planning Department

Subject: Accessory structure location on lot and front yard setback encroachment – 366 George Road

Date: May 24, 2018

Jerry Ladd, 366 George Road, wishes to place a 12' x 20' garage on a 20' x 20' slab in his front yard. Placement of an accessory structure in a front yard is contrary to Town Zoning Law, Article III: Definitions - Use, Accessory, which states that 'unless otherwise permitted in the Law, an Accessory Structure shall not be permitted in the front yard of a Principal Use'.

Mr. Ladd seeks relief from the prohibition as well as relief from Section 600 – Area & Bulk Table – Rural Residential District, in order for the garage to be located 26' from the ROW, where 50' is the minimum setback.

The 20' x 20' slab replaces what was a 900 square foot (approximate) paved parking area that extended to within 5' of the ROW. There are no feasible alternative sites. The septic system is located in the south side yard and the well is in the north side yard.

Mr. Ladd would like to place the garage on the eastern (nearest the road) side of the slab, which will allow him to pull into the driveway and back his vehicle into the garage. The remaining 8' of slab may then be utilized as a patio or storage area.

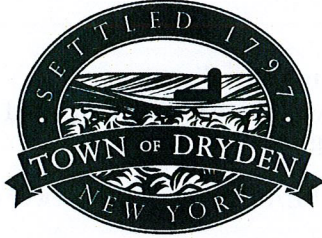
Mr. Ladd acknowledges that the requested relief is substantial and self-created but does not believe there will be an undesirable change or detriment to nearby properties if the variances are granted. Mr. Ladd also believes that there will be no adverse effect or impact to the physical or environmental conditions of the neighborhood.

SEQR, County Review, Ag & Market

The construction, expansion or placement of accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density are Type II exempt actions (SEQR - 617.5c10)., Tompkins County Planning GML 239 review is required. The property is in Agricultural District 1, however, only use variances require an Ag Data Statement.

Department Comments/Recommendations

The reduction of 500 +/- square feet of impervious area is a benefit to the environment. There is no practical alternative. While the requested relief is substantial, granting the variance will have no effect on the health, safety or general welfare of the community. A public hearing is scheduled for Tuesday, June 5, 2017, at 7:15PM.



Planning Department

93 East Main Street
Dryden, NY 13053

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F 607 844-8008
joy@dryden.ny.us

http://dryden.ny.us/planning-department

ZONING PERMIT APPLICATION

Date of Application: 5/24/18 Tax Parcel # 38-1-10.1

Name: TERRY LADD

Address: 366 GEORGE RD.
FREEDVILLE, N.Y. 13068

Phone #: [REDACTED]

Application for a Zoning Permit is HEREBY made to:

Build () Extend () Convert () Place a Manufactured Home () Other

Project Description: 12720 FOOT GARAGE

Project Site: SAME

Project Owner: SAME Estimated Project Cost: \$: 5500 w/TAX

Project Owner Signature: [Signature]

Land Owner: _____ Is this a Land Contract Sale? NO

Land Owner Signature: _____

Please note this is NOT A CONSTRUCTION PERMIT. After a Zoning Permit has been issued you will then be required to submit all necessary applications for construction and copies of other required agency permits before a Construction Permit will be issued.

Attached is a copy of the ZONING PERMIT REGULATIONS, a sample site plan, a space for you to provide your necessary site plan. More complex projects may require a more detailed site plan. It must contain the requested site plan details as described within this application.

Zoning Permit Fees

New construction on improved lands – no fee

New construction on unimproved (vacant) lands - \$25.00

Projects requiring an area/setback variance - \$25.00 + \$165 variance application fee

FOR Town Use ONLY:

Zoning Permit Approved: _____ Zoning Permit Denied 5/24/18

Under Section(s): Definition - Accessory use location / Section 600 and 13 Town of Dryden Zoning Law

Signature of Code Enforcement Official: _____ Date: _____

Variance Date: June 5 2018 Hearing Date: _____ Approved or Denied; _____

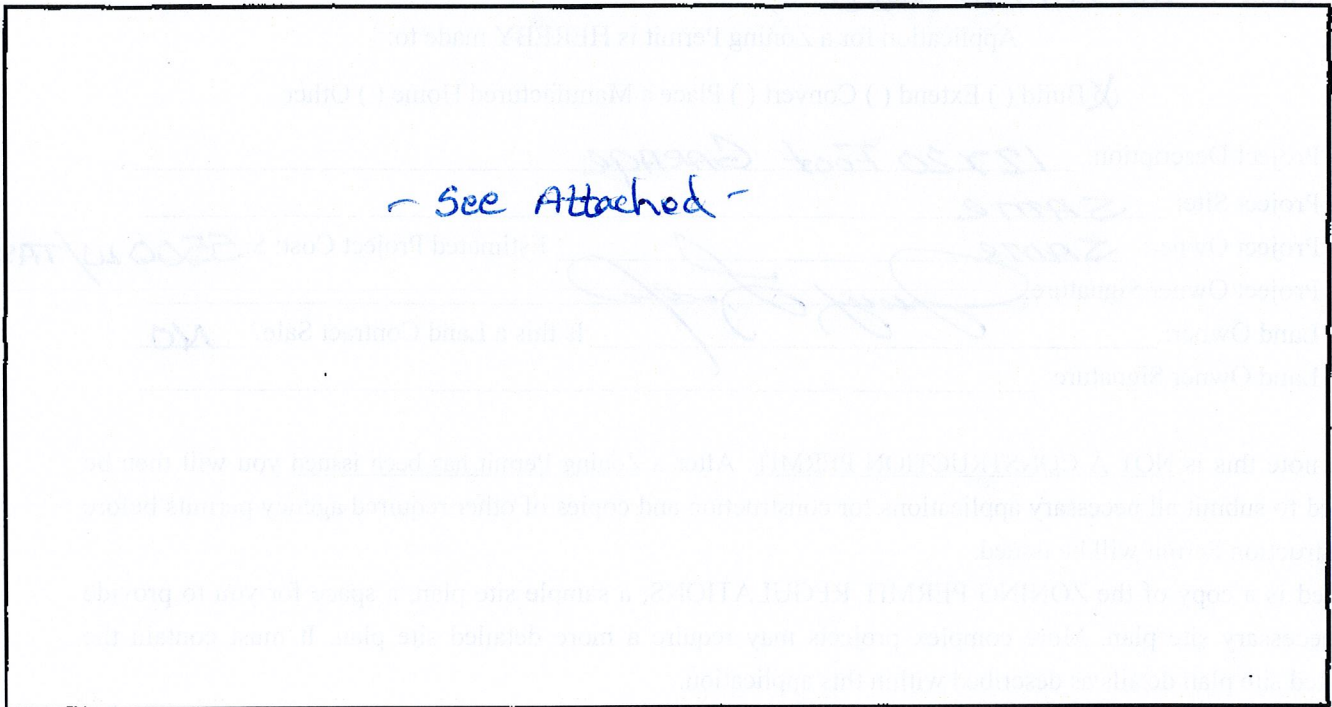
SITE PLAN which CLEARLY ILLUSTRATES Zoning Compliance

The Space below is provided for the applicant to draw a site plan which will show placement of and type of structure or structures FOR WHICH THIS ZONING PERMIT is being applied for.

The following information SHALL be sufficiently detailed on this SITE PLAN so that the reviewer can verify Zoning Compliance.

- | | |
|--|--------------------------------------|
| 1) Dimensions of the Lot in feet. |) Yard dimensions, set backs. |
| 2) Names of adjoining property owners | |
| 3) Location of Proposed Structures. |) Road Frontage in feet only |
| 4) Place all Driveway & Road Cuts. | |
| 5) Structure Dimensions & Separation | 10) Water Courses, contours |
| 6) Location of all Existing Structures | 11) Sewer Facilities and Wells |
| 7) Significant Topographical Features | 12) Utilities and Utility Easements. |
| | 13) North Arrow |

All lots within the Town of Dryden created after September, 1969 SHALL be at least 30,000 Square feet in area and have no less than 125 contiguous feet of Public Road Frontage. Where private septic systems and wells are necessary, Lot Sizes are determined by TOMPKINS COUNTY DEPT, of ENVIRONMENTAL HEALTH.



Attached is a sample site plan which would be acceptable if submitted. If there are questions, or compliance is not possible, please call 607-844-8888 X 216 as necessary 8:00 AM till 4:00 PM Monday through Friday. _

Applicants Signature: - see other side -

APPEAL TO

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

Having been denied permission to Build in a Pro TAB Garage
- in the front yard, 20' from ROW.

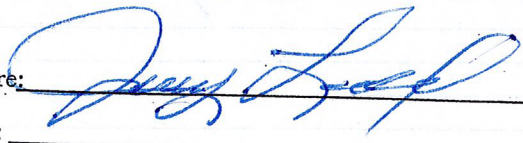
At _____ Dryden, N.Y. as shown on the accompanying Application and/or plans or other supporting documents, for the stated reason that the issuance of such permit would be in violation of

Section or Section (s) Article III, Definitions - Use, Accessory & Section 600
of the Town of Dryden Zoning Ordinance Area & Bulk Table - Rural Residential District

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:

Only Place to build the Garage it was an
existing driveway well on side of House
other side of house is Septic System

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: 366 GEORGE RD. FREEMILE, N.Y. 13068

Phone Number: [REDACTED] Date: 5/24/18

AREA VARIANCE REQUEST

Applicant: Jerry Ladd Project: 12x20 Garage
Date: 5/24/18 Address: 366 George Road

It is important that you clearly establish the grounds for relief from the requirements of the Town Zoning Law. NY State Law requires that you demonstrate that the benefit you stand to receive will outweigh any burden to the health, safety and welfare that may be suffered by the community.

The following questions are the same questions the Zoning Board must answer when considering your variance request. Respond to the questions in order to establish the grounds for relief. Respond to each question individually or prepare a brief narrative that addresses each of the questions.

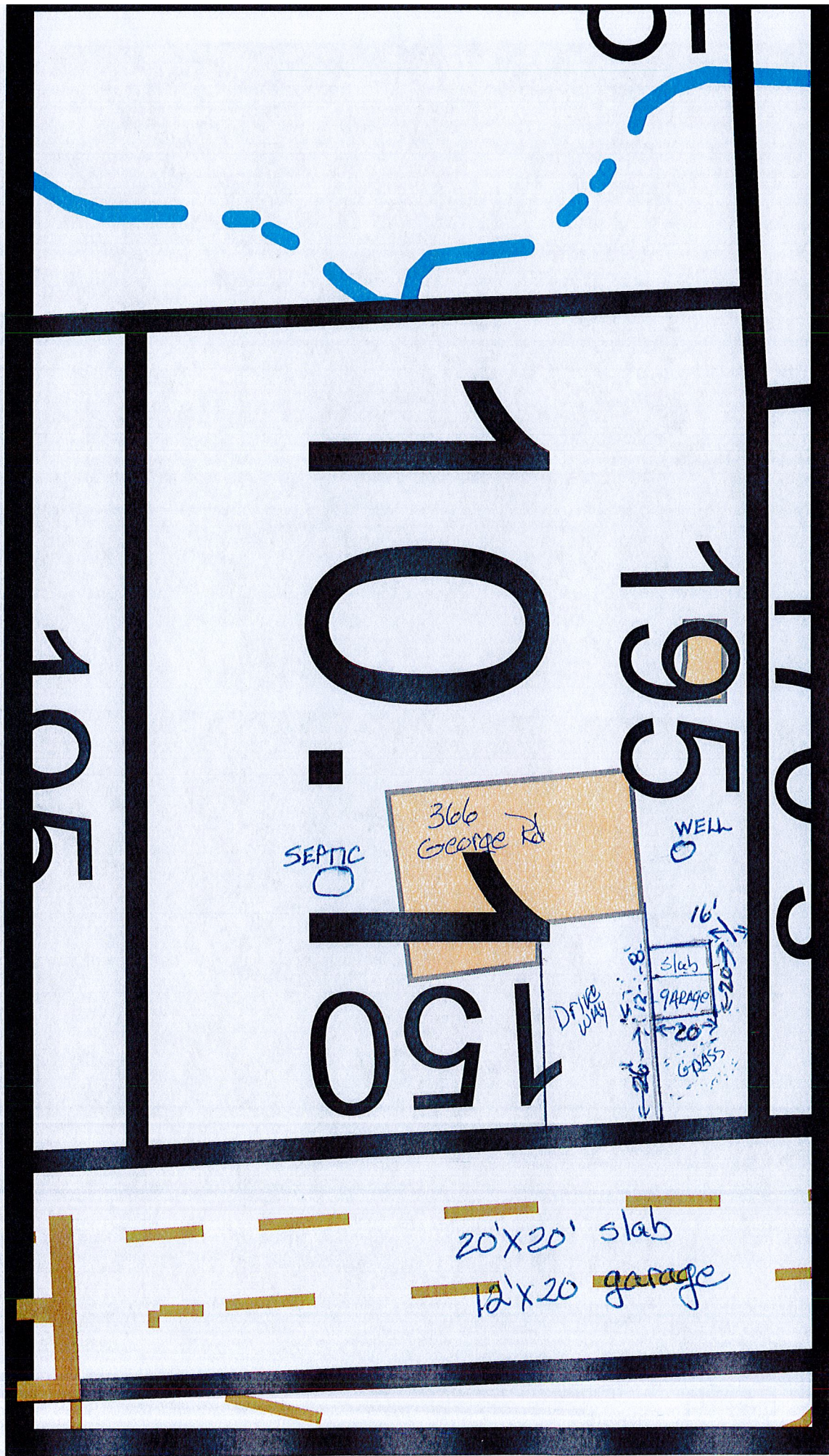
A. WILL AN UNDESIRABLE CHANGE BE PRODUCED IN THE CHARACTER NEIGHBORHOOD OR WILL A DETRIMENT TO NEARBY PROPERTIES BE CREATED OF THE BY GRANTING OF THE AREA VARIANCE? No a detached garage will not affect anything.

B. IS AN AREA VARIANCE THE ONLY METHOD THAT THE BENEFITS SOUGHT CAN BE ACHIEVED? ARE THERE OTHER FEASIBLE METHODS TO ACHIEVE THE BENEFIT? No as existing driveway only place a garage can be put

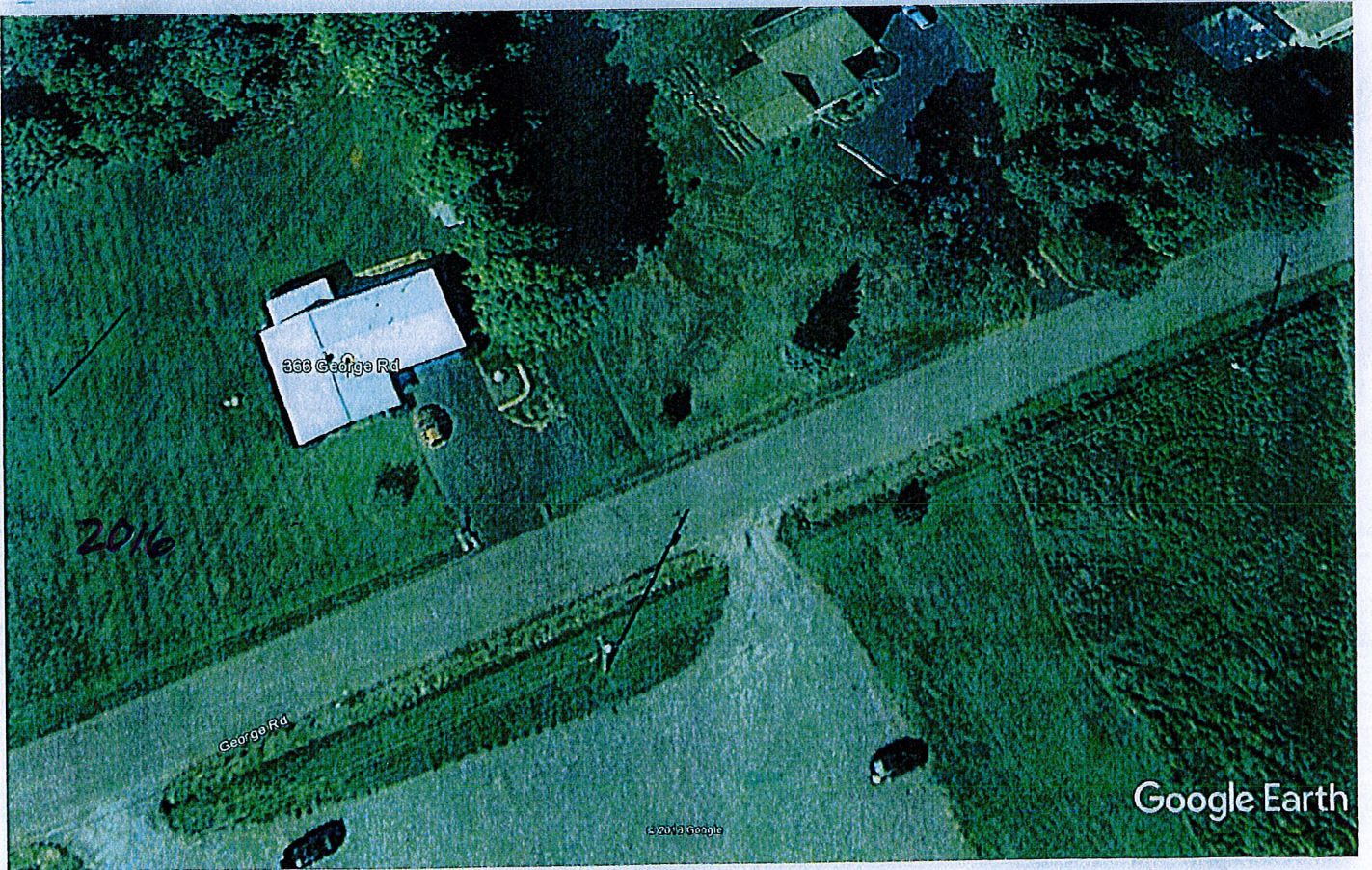
C. IS THE REQUESTED VARIANCE SUBSTANTIAL? Yes

D. WILL THE PROPOSED VARIANCE HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT? No put an existing driveway

E. IS THE ALLEGED DIFFICULTY SELF-CREATED? Yes



20'x20' slab
12'x20 garage



Google Earth

feet
meters

