

APPEAL TO

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

Having been denied permission to subdivide Tax Parcel No.73.2-9, into 3 lots, including a lot, a.k.a. Lot #3 that would not have the minimum required road frontage on Slaterville Road of 150 feet. The proposed Lot#3 would be a "flag" or "panhandle" lot with a width at the street line of 33 feet.

\_\_\_\_\_

At 1932 Slaterville Road \_\_\_\_\_ 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) Section 600 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:

**Grant of the proposed variance will permit construction of two new affordable dwellings in the Town of Dryden and rehabilitation of a third dwelling on the property, without and adverse effects on local community character, detriment to adjacent properties or any adverse effects on local comprehensive plans and land use policies in the Town of Dryden.**

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: \_\_\_\_\_



**Application for Variance - Proposed Subdivision of Lands  
at 1932 Slaterville Road  
Town of Dryden Tax Parcel**

Habitat for Humanity of Tompkins & Cortland Counties, Owner  
George R. Frantz AICP, Agent  
November 8, 2018

The applicant is seeking a variance from Section 600, *Area and Bulk Table*, of the Town of Dryden Zoning Law to permit the subdivision of a 3.04-acre parcel locate at 1932 Slaterville Road, a.k.a. Tax Parcel No. 73.2-9 containing an existing dwelling, into three (3) lots. The proposed subdivision as shown on the attached preliminary plat drawing entitled “Proposed Subdivision of 1932 Slaterville Road, Tax Parcel No. 73.2-9, Town of Dryden, Tompkins County New York.”

The proposed subdivision will permit the rehabilitation and re-occupancy of the existing dwelling at 1932 Slaterville Road and construction of two (2) new single-family dwellings.

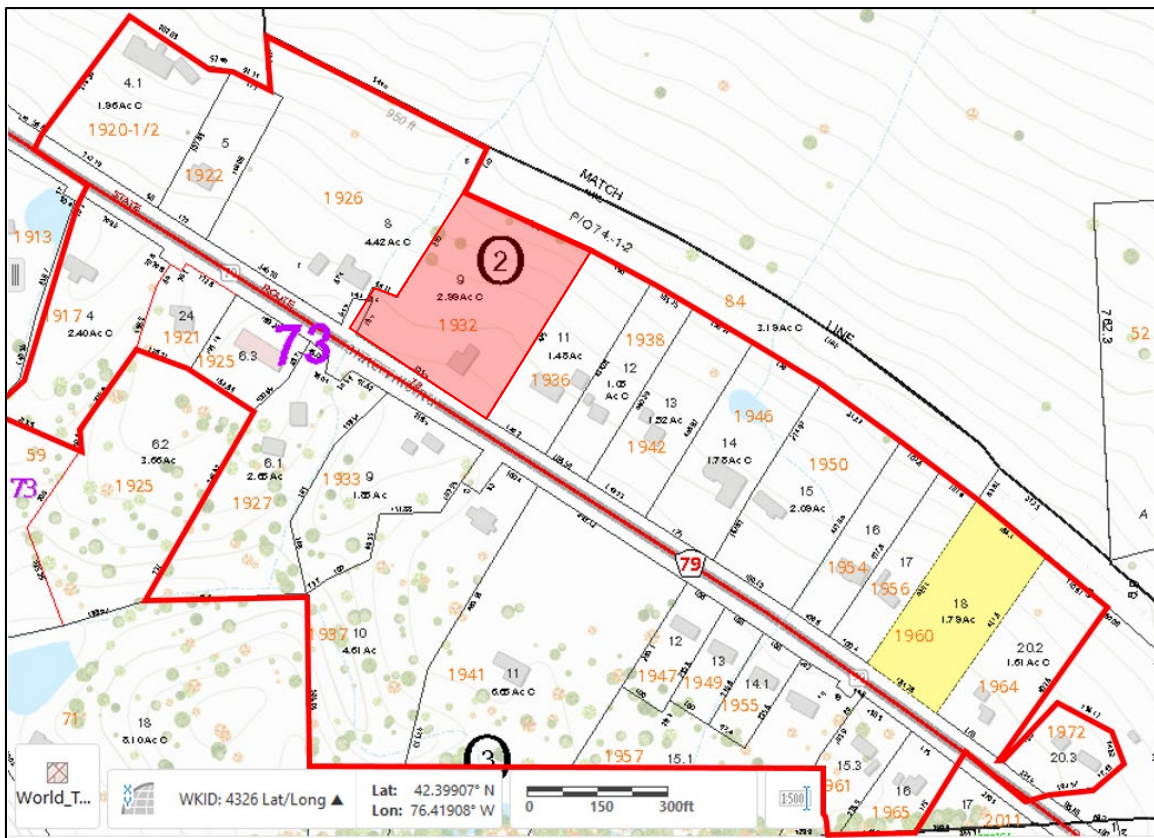
Two (2) of the three (3) proposed lots will conform to the area requirements of the NR-Neighborhood Residential zoning district, however the proposed Lot #3 will not meet the minimum required lot frontage for the NR-Neighborhood Residential zoning district. The lot is proposed to be a flag lot, with a lot width at the street on Slaterville Road of 33.00 feet, where 150 feet is required under the Zoning Law. ***A variance from the minimum lot width requirement of 150 feet is being requested.***



1932 Slaterville Road Site Location Map.

**Would the granting of the requested variance result in an undesirable change in the character of the neighborhood or a detriment to nearby properties?**

A review of the tax parcel map for the area surrounding 1932 Slaterville Road below reveals that many of the residential properties in the surrounding neighborhood exhibit deficiencies in terms of lot width, as well as lot area. Of the 27 lots outlined in the map below, 10 (37%) do not meet the minimum required lot area of 1 acre for the NR-Neighborhood Residential zoning district. Another 13 (48%) do not meet the minimum required lot frontage requirement for the zoning district, or deficiencies in terms of front- and side- yard requirements. Given this existing number and nature of zoning deficiencies on adjacent properties in the neighborhood, no undesirable change in the neighborhood or to individual properties is anticipated due to the granting of the requested variance from the minimum frontage requirement for the proposed Lot #3. This is particularly true because the home on the proposed Lot #3 will be set back substantially from Slaterville Road – approximately 320 feet – and be screened by a number of existing trees on the property that will be between the new home and Slaterville Road.



1932 Slaterville Road/Tax Parcel No. 73.2-9 (shaded red) and surrounding parcels



**Can the benefit sought by the applicant be achieved by some method feasible for the applicant to pursue, other than an area variance?**

The proposed subdivision will permit the applicant, Habitat for Humanity of Tompkins and Cortland Counties, to construct two affordable, owner occupied homes and rehabilitate an existing un-occupied and deteriorated home. The applicant proposes to create three (3) lots that meet the minimum lot area requirements of the NR Neighborhood Residential zoning district, with the exception of Lot #3, which will not meet the minimum frontage requirements.

Due to the existing amount of road frontage on Slaterville Road of 358 feet, under current zoning requirements it would only be possible to create two lots, including a lot with the existing dwelling. Due to the cost of property acquisition, plus the cost of rehabilitating the existing dwelling, Habitat for Humanity would not be able to construct a new home at a reasonable price for the families it serves. By creating three lots from the parcel, Habitat for Humanity can further spread out the property acquisition costs and deliver three affordable homes for the community.

In addition, by creating a third, flag lot, Habitat for Humanity can make more efficient use of the land, as well as more efficient use of increasingly scarce road frontage on Slaterville Road.

**Does the requested variance represent a relatively minor deviation from the area requirements in question?**

The requested variance can be considered a relatively substantial deviation from the minimum frontage requirement for the NR Neighborhood Residential zoning district. The proposed Lot #3 for which the variance is requested however will conform with all other area dimensions of the zoning district, including lot area, lot width and depth, lot coverage and lot setback requirements. Moreover, given the proposed location of the dwelling on Lot #3, the visual impact of the variance will be minimal.

In addition, the type of flag lot configuration for which a variance is being requested, with a frontage of 33 feet on Slaterville Road, is currently permitted in the RR Rural Residential, RA Rural Agricultural, and CV Conservation zoning districts in the Town of Dryden.

**Would the granting of the requested variance result in an undesirable change in the character of the neighborhood or a detriment to nearby properties?**

As noted above many of the residential properties in the surrounding neighborhood exhibit similar deficiencies in terms of lot width, or deficiencies in terms of lot area requirements. Of the 27 properties in the general area of 1932 Slaterville road, 37% do not meet the minimum required lot area of 1 acre for the NR-Neighborhood Residential zoning district. Another 48% do



not meet the minimum required lot frontage requirement for the zoning district. Given this existing number and nature of zoning deficiencies on adjacent properties in the neighborhood, no undesirable change in the neighborhood or to individual properties is anticipated due to the granting of the requested variance from the minimum frontage requirement for the proposed Lot #3.

**Would the grant of the proposed variance result in an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?**

No significant adverse effects or impacts are anticipated as a result of the grant of the requested variance. The existing 3.04-acre parcel is the remnant of an old farmstead with limited vestiges of the former agricultural uses of the parcel, gardens and landscaping. Approximately 2/3 of the site is covered with areas that appear to have been recently maintained as lawn areas of vegetable gardens. The remaining 1/3 at the rear of the parcel is old field brush and emerging woodland, with some scattered larger trees.

A review of the Tompkins County Natural Resources Inventory map indicates that there are no Tompkins County Unique Natural Areas or Natural Features Focus Areas, Town Critical Environmental Areas, Important Bird Areas or Agricultural Resources Areas on the property or in the immediate vicinity. There are also no stream/riparian corridors, wetlands or other water bodies on the property. No known or map historical or archaeological resources are located on the property or in the immediate vicinity. The nearest lands within County Agricultural District #1 are approximately 1,800 feet away.

**Is the alleged difficulty self-created?**

Yes. The mission of Habitat for Humanity is to provide high quality affordable housing to homebuyers who may not otherwise afford homeownership. This mission is accomplished through a unique combination of sweat equity by the selected future homeowners, volunteer construction crews, donations from residents and businesses, and by stretching our land acquisition dollars to the extent practicable.

Land prices in Ithaca and Tompkins County are comparably higher than surrounding counties. With the limited resources available Habitat for Humanity is often forced to purchase lots for future homes that have existing dimensional deficiencies under local zoning. As a result, the organization must request zoning area variances in the course of a subdivision application or building permit application in order to create an adequate number of buildable lots on such properties.

## Site Photos



View east along Slaterville Road.



View west along Slaterville Road



Existing dwelling on site. Proposed driveway to Lot #2 and Lot #3 would be just to the left of the utility pole in left-hand photo. Photo on right is taken from middle of proposed Lot#2.



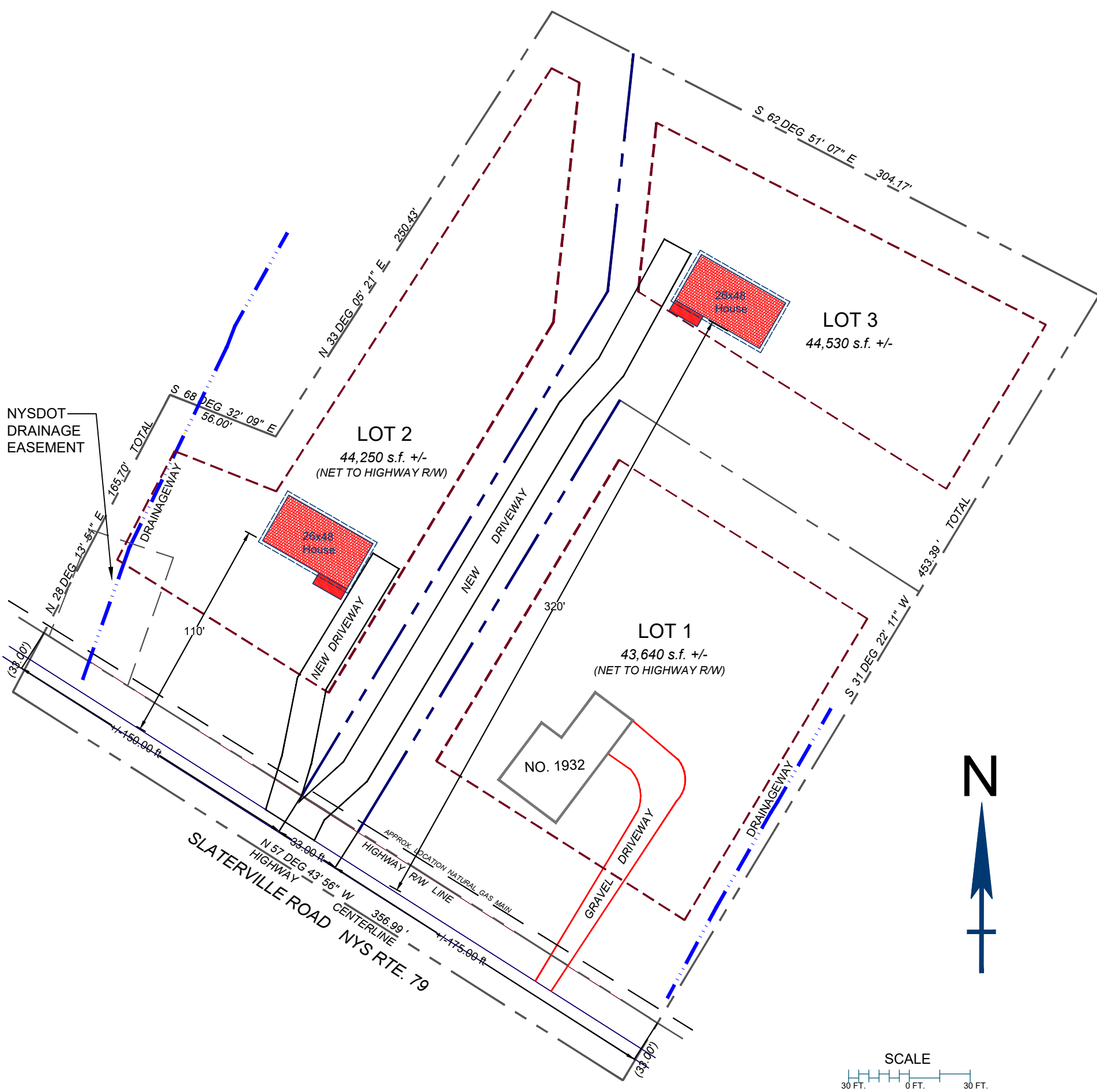
Views from northeast (left photo) and northwest (right photo) corners of property showing emergent forest and brush vegetation on former open land.



Photo of 1933 Slaterville Rd. (left) and apartment building and parking lot at 1925 Slaterville Rd.



View of 1936 Slaterville Rd. from southeast corner of 1932 Slaterville Rd. and view across proposed Lot #2 toward dwelling at 1926 Slaterville Rd.



NOTE:  
 PARCEL INFORMATION FROM A SURVEY  
 ENTITLED "SURVEY MAP NO. 1932  
 SLATERVILLE ROAD, TOWN OF DRYDEN,  
 TOMPKINS COUNTY, NEW YORK" BY  
 SHEIVE LAND SURVEYING AND DATED  
 12/5/2017.

# Proposed Subdivision Property at 1932 Slaterville Road

TAX PARCEL NO. 73.-2-9

Town of Dryden, Tompkins County, New York

DATE: May 5, 2018  
 REVISED: Oct. 11, 2018  
 REV.:  
 DRWN BY: G.R.F.