



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 – 295 Gulf Hill Road

Date: June 26, 2019

Kimberly Rivers, 295 Gulf Hill Road, was denied a Zoning permit to construct a 24' X24' garage in her front yard. Accessory structures are not permitted in front yards: Town Zoning Law, Article III: Definitions - Use, Accessory - 'unless otherwise permitted in the Law, an Accessory Structure shall not be permitted in the front yard of a Principal Use'.

Ms. Rivers seeks relief from the prohibition noted above, as well as 18' of relief from Section 600 – Area & Bulk Table – Rural Agriculture District, in order for the garage to be located 32' from the ROW, where 50' is the minimum setback.

Ms. Rivers believes the front yard location is the only feasible spot to locate the garage, that there will be no impact to neighbors. The extra cost to locate the garage in conformance with the law would be prohibitive.

The proposed garage will sit mostly on the driveway turn-around area so environmental impacts will be minimal – very little new impervious surface.

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

A public hearing is scheduled for Tuesday, July 2, 2019, at 7PM