

Village of Cayuga Heights Zoning Board of Appeals Application Form

ZBA Application Fee: \$150

Check All That Apply:

Area Variance

Use Variance

Interpretation Request

| For Office Use Only | |
|--|-------|
| Date Received | _____ |
| Cash or Check | _____ |
| Zoning District | _____ |
| Applicable Section(s) of Village Code: | _____ |
| | _____ |

Property address: 210 Comstock Rd. Tax parcel: 6.-8-4

Zoning Officer's determination: Defecient in total lot size compared to building coverage. 13.5% total lot coverage.

Requested variance or interpretation: _____

1.5% total lot coverage exceedance, of which .8% would result from the construction of the proposed addition. .7% is due to an existing non-conforming tree house structure. This structure is to remain unchanged with no exacerbation of the deficiency.

Reason(s) that the requested variance or interpretation should be granted:

- See attached page for the criteria that the ZBA must use.
- Use additional sheets if necessary.

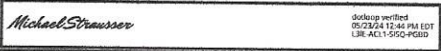
The applicant believes there will not be an undesirable change to the character of the neighborhood, the addition is in keeping with surrounding properties and construction styles. The addition will allow for the continued usage and investment in the primary residence, though there is no alternative to the variance given the lot size requirement. The applicant also wishes to remedy the overage unknowingly caused by the tree house, with the variance being the best remedy.

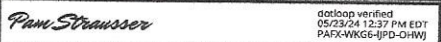
Please See Attached Variance request pertaining to the 5 cited factors.

Please attach any additional information that will help the ZBA to evaluate your appeal, such as a narrative, survey map, photos, building plans, etc.

By filing this application, you grant permission for Village of Cayuga Heights ZBA Members and Village Staff to enter your property for inspections related to your appeal.

Owner/Applicant: Pam and Michael Strausser

Signature:  Date: 05-23-2024



Phone number(s): 607-423-8303

Email address: ps34@cornell.edu , mws6@cornell.edu

Variance Request for New Addition at 210 Comstock Rd.
Village of Cayuga Heights, Ithaca NY
Applicants: Michael and Pam Strausser, Owner occupants
Contractor: Pinnacle Building & Remodeling

Variance Request: 1.5% exceedance in total lot coverage. .8% due to the construction of a new addition, with .7% exceedance due to an existing tree house on the property. This .7% deficiency will remain unchanged and will not be exacerbated.

Determining Factors:

- 1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance:

No. As homeowners, Pam and Michael are excited to further invest in the quiet enjoyment of their home. The character of the neighborhood is for single-family dwellings. This addition maintains and enhances the established character of the neighborhood, in line with its residential zoning and intended use.

- 2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance:

No. Due to a limited lot size and the unexpected need to address the treehouse, the area variance is the homeowners' viable remedy. The homeowners worked closely with Village staff and their contractor to design a compliant project, prior to receiving their denial notice.

- 3) Whether the requested area variance is substantial:

No. The homeowners believe the 1.5% total lot coverage exceedance is not a substantial request. The new lot coverage amounts to .8% of the ask. If it were not for addressing the treehouse, the additional structure coverage would amount to a total deviation from zoning of 6.67% over the .41 acre parcel.

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district:

No. The total lot exceedance will not have an adverse effect. The existing treehouse has been present throughout without stated neighborhood impacts to date. The proposed addition is in the rear of the property and the parcel is well landscaped with ample foliage. These mitigations, alongside the substantial financial investment from the work will further reduce the risk of perceived negative impacts and will enhance the property's aesthetic.

- 5) Whether the alleged difficulty was self-created: which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance:

Yes. Ultimately, this addition and its resultant .8% lot exceedance is self-created. The .7% lot exceedance (caused by the tree house) was present at the time of purchasing the home, though the homeowners wish to rectify this deficiency as well and bring their property into full compliance with the Village. The self-created nature of the appeal does not outweigh the other factors and the homeowners' request for relief.



