

**Village of Lansing
Board of Zoning Appeals
November 16, 2017**

1 The meeting of the Village of Lansing Board of Zoning Appeals was convened at 7:00 P.M. by
2 Chairperson Lynn Leopold. Present at the meeting were Board members, Patrick Gillespie, Roy
3 Hogben; Monica Moll and Mary Sirois; Code Enforcement Officer, Adam Robbs. Amanda
4 Phelps Howley was also present.

5
6 Leopold appointed Mary Sirois as an acting member for the meeting in place of John Wisor.

7
8 **Public Comment Period:**

9 Sirois Moved to open the public comment period. Seconded by Moll.

10
11 AYES: Leopold, Gillespie, Hogben, Moll, and Sirois

12
13 With no one wishing to speak Sirois moved to close public comment period. Seconded by
14 Hogben.

15
16 AYES: Leopold, Gillespie, Hogben, Moll, and Sirois

17
18 **Public hearing to consider:**

19 **Appeal No. 2017-05**, Thomas K. & Amanda Phelps Howley to construct a sunroom
20 addition on their single-family residence at 2 Millcroft Way. A variance is required
21 because the proposed sunroom would encroach on the side yard setback. An area
22 variance is required because a portion of the proposed sunroom would be out of
23 compliance with section 145-40 E. (5) of the Village of Lansing Code, which requires a
24 25ft side yard setback. The property is located in a Medium Density Residential District,
25 Tax parcel No.45.2-1-47.225 and;

26
27 Hogben moved to open the public hearing for Appeal No. 2017-05. Seconded by Sirois; Ayes by
28 Leopold, Gillespie, Hogben, Moll, and Sirois.

29
30 Mrs. Howley stated that she and her husband wish to add a 16'x16' four season room to the east
31 end of the home they own at 2 Millcroft Way. This would require a variance because the
32 proposed addition would encroach upon the side yard setback required by 4 feet on one corner of
33 the addition.

34
35 **VILLAGE OF LANSING BOARD OF ZONING APPEALS RESOLUTION ADOPTED**
36 **NOVEMBER 16, 2017 FOR APPEAL NO. 2017-05**

37
38 Motion made by: Hogben

39
40 Motion seconded by: Moll

41
42 **WHEREAS:**
43

44 This matter involves consideration of the following proposed action:
45

46 A. Appeal No. 2017-05,
47

48 **Appeal No. 2017-05**, Thomas K. & Amanda Phelps Howley to construct a sunroom
49 addition on their single-family residence at 2 Millcroft Way. A variance is required
50 because the proposed sunroom would encroach on the side yard setback. An area
51 variance is required because a portion of the proposed sunroom would be out of
52 compliance with section 145-40 E. (5) of the Village of Lansing Code, which requires
53 a 25ft side yard setback. The property is located in a Medium Density Residential
54 District, Tax parcel No.45.2-1-47.225
55

56 and;
57

58 B. On November 16, 2017, the Village of Lansing Board of Zoning Appeals held a
59 public hearing regarding such action, and thereafter thoroughly reviewed and
60 analyzed (i) the materials and information presented by and on behalf of the
61 applicant(s) in support of this appeal, (ii) all other information and materials
62 rightfully before the Board, and (iii) all issues raised during the public hearing and/or
63 otherwise raised in the course of the Board's deliberations; and
64

65 C. On November 16, 2017, in accordance with Article 8 of the New York State
66 Environmental Conservation Law - the State Environmental Quality Review Act
67 ("SEQR), and 6 NYCRR Section 617.5, the Village of Lansing Board of Zoning
68 Appeals determined that the proposed action is a Type II action, and thus may be
69 processed without further regard to SEQR; and
70

71 D. On November 16, 2017, in accordance with Section 712-b of the Village Law of the
72 State of New York and Village of Lansing Code Section 145-74 A(1), the Village of
73 Lansing Board of Zoning Appeals, in the course of its deliberations, took into
74 consideration the benefit to the applicant if the area variance is granted as weighed
75 against the detriment to the health, safety and welfare of the neighborhood or
76 community by such grant;
77

78 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**
79

80 1. The Village of Lansing Board of Zoning Appeals hereby makes the following
81 findings with respect to the specific criteria for such area variance as set forth in Section 712-b of
82 the Village Law of the State of New York and Village of Lansing Code Section 145-74 A(1):
83

84 *Whether an undesirable change will be produced in the character of the neighborhood or*
85 *detriment to nearby properties will be created by granting the area variance.*
86

87 Finding: No

88

89 *Whether the benefit sought by the applicant can be achieved by some method*
90 *feasible for the applicant to pursue other than an area variance.*

91

92 Finding: No

93

94 *Whether the requested area variance is substantial.*

95

96 Finding: No

97

98 *Whether the proposed area variance will have an adverse effect or impact on the physical or*
99 *environmental conditions in the neighborhood or district.*

100

101 Finding: NO

102

103 *Whether the alleged difficulty was self-created.*

104

105 Finding: Yes, because they are wanting to build the addition.

106

107 2. It is hereby determined by the Village of Lansing Board of Zoning Appeals that the
108 following variance is **GRANTED AND APPROVED** (with conditions, if any, as
109 indicated), it being further determined that such variance is the minimum necessary
110 and adequate to grant relief and at the same time preserve and protect the character of
111 the neighborhood and the health, safety and welfare of the community:

112

113 **Description of Variance:** Allow for the (East) side yard setback to be reduced to eleven (8) feet
114 to accommodate for a four-season room.

115

116 **Conditions of Variance:** None

117

118 The vote on the foregoing motion was as follows: Hogben motioned to approve the variance
119 reducing the side yard set back by 8 feet to allow for building and overhang of roof. Seconded
120 by Moll.

121

122 AYES: Leopold, Gillespie, Hogben, Moll, and Sirois

123

124 NAYS: None

125

126 The motion was declared to be carried.

127

128 STATE OF NEW YORK)
129 COUNTY OF TOMPKINS) SS:
130 VILLAGE OF LANSING)

131

132 I, Jodi Dake, Village Clerk of the Village of Lansing, do hereby certify that the attached
133 Resolution is an exact copy of the same adopted by the of the Village of Lansing Board of
134 Zoning Appeals at a regular meeting on November 16, 2017.

135
136
137
138
139
140

Village Clerk
Village of Lansing

141 **Approval of Minutes:**

142 None at this time

143

144 **Adjournment:**

145 Hogben moved to adjourn at 8:37 PM. Seconded by Moll: Ayes by Leopold, Gillespie, Hogben,
146 Moll and Sirois

147
148
149