

Village of Cayuga Heights
Zoning Board of Appeals
Application Form

ZBA Application Fee: \$100

Check All That Apply:

Area Variance

Use Variance

Interpretation Request

For Office Use Only	
Date Received	6/23/15
Cash or Check	#26441
Zoning District	RESIDENCE
Applicable Section(s) of Village Code:	7-b. LOT FRONTAGE

Property address: 105 BERKSHIRE RD Tax parcel: 2-8-2.1

Zoning Officer's determination: PARCEL B HAS 38.33' OF FRONTAGE WHICH IS LESS THAN 75' REQUIRED.

Requested variance or interpretation: _____

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.

See attached.

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: Katherine M. Durrant

Signature: Kath M. Dent Date: 6.23.15

Phone number(s): (607) 793-7555

Email address: Katiemdurrant@gmail.com

Applicant: Katherine M. Durrant
105 Berkshire Rd.
Ithaca, NY 14850
Parcel ID 2-8-2.1; 1.2-acre lot with 1864 sq. ft. house.

June 27, 2015

To the Cayuga Heights NY Zoning Board of Appeals,

I have been the owner of the property situated at 105 Berkshire Rd. since April 2012. The property is 324 x 145 x 313.5 x 163 (ft.); 1.14 acres or 49,658.4 ft. sq.; the house and garage footprint are 1,864 ft. sq. covering 3.8% of the lot.

Please consider my request to the zoning board of appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations. Specifically, I am requesting a variance to Village of Cayuga Heights Articles Section 7. b., which dictates that each lot shall have a minimum frontage of seventy-five feet on a public street.

The reason for this request is to subdivide the parcel into two parcels to create a building lot for sale, which will reduce the road frontage for my home so as to include only the driveway, as detailed in the attached map. Please see the attached maps for all relevant dimensions of the proposed subdivision.

In 2012, I sold my 130-acre historic farm and moved my family to Cayuga Heights because I wanted to have neighbors and more of a sense of community, which, indeed, I have found within the Village. Initially, I had no intention of subdividing my large lot, but unfortunately and unexpectedly, my husband left the family and moved to Michigan last year, significantly altering our financial situation. My four children, especially my youngest daughter, who is currently in high school, and my oldest, who wishes to return to Ithaca for graduate school at Cornell, have quickly grown attached to our house and community.

Our house sits at the end of a long driveway, set far back from the road. Our usable lawn space is all on the far side and behind the house, not visible from the road. We do not use the wooded land by the road at all. I think it would make a lovely spot for a house, without damaging the beloved *park-like* atmosphere of the village. At present, my house feels isolated and I would welcome some new neighbors.

My lot is 1.2 acres and I know of many houses in the village that sit on less than half that, in many cases substantially less. For example, I believe the chair of the zoning board of appeals lives on a lot that is only approximately 1/3 of an acre. In my neighborhood, there are several houses on lots of less than 0.5 acre. Regarding the minimum road frontage, on North Sunset there are three houses sharing a driveway/un-maintained road, and others in the village sit on flag lots. Landlocked homes sit on Strawberry lane and Kleinwoods. These homes do not appear to detract from the atmosphere of the Village. The house that would be most affected by adding a new house on the front part of our lot would be mine, as the new house would be clearly seen from our driveway; but, I don't think that would be a problem. Our privacy is already much more impacted by the proximity of 211 Berkshire Rd., which sits very close to our house with a driveway that passes right outside my kitchen window. Looking from Berkshire Rd., the neighborhood would not seem crowded as my house is set back so far that it is barely visible to passers by. Because I propose sharing the driveway via an easement, no new curb cut would be necessary.

Address of the five criteria for granting a zoning variance request:

1. Does the request create an undesirable change in the character of the neighborhood or to the nearby properties?

No. It appears that the requested variance would not be significantly different from other lots in the neighborhood (especially on North Sunset) that share right-of-ways and have little or no road frontage.

2. Could the variance request be achieved by other means?

Possibly, but alternative options for subdividing the parcel would require more than one variance.

3. Is the request substantial?

Yes, the requested variance, either eliminating or minimizing road frontage requirements, is substantial.

4. Will this request have an adverse physical or environmental effect?

No.

5. Was the request self-created?

Yes, Durrant is choosing to divide the property, though, out of unexpected financial necessity.