

**AREA VARIANCE FINDINGS AND DECISION  
TOWN OF LANSING ZONING BOARD OF APPEALS**

**BACKGROUND INFORMATION**

Applicant and Owner:  
Matthew Poole  
166 Ludlowville Road  
Lansing, NY 14882

Variance No: 22-XX  
Zoning District: R2  
Public Hearing Published on: 9/7/22  
600' Notices Mailed: 9/7/22

Property Location: 166 Ludlowville Rd  
Tax Parcel #: 26.-5.12

Requirement for which Area Variances are requested: Town of Lansing Zoning Law § 270-11, Permission to Frontage, Yard, Height and Coverage Requirements

**RESOLUTION AND FINDINGS**

WHEREAS, Matthew Pool, Applicant and Owner of 166 Ludlowville Rd, Tax Parcel No. 26.-5.12, located in the Moderate Density Residential – R2 Zone applied for an Area Variance from Town of Lansing Zoning Law § 270-11, to construct a 10' x 16' accessory 3 feet from the side and year yard lines, where 10 feet is required.

WHEREAS, on 13 September 2022 the Town of Lansing Zoning Board of Appeals (the "ZBA") thoroughly reviewed and analyzed: (i) the information and evidence submitted by the applicant in support of the requested area variance; (ii) all other information and materials properly before the ZBA; and (iii) the issues and impacts raised for consideration by neighbors, the public, and the ZBA; and

WHEREAS, this application is classified as a Type II Action under 6 NYCRR Part 617.5(c)(16), granting of individual setback and lot line variances and adjustments, such that no further environmental review is required, nor does this matter require a GML Section 239 review; so, upon due deliberation upon the foregoing, the application, and all evidence and testimony presented to the ZBA,

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

1. The Town of Lansing Zoning Board of Appeals ("ZBA") hereby makes the following findings with respect to the specific criteria for area variances as set forth in Town Law § 267-b(3)(b), and other applicable provisions of law and of the Zoning Ordinance:

**a. 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?**

Yes \_\_\_ No \_\_\_ Findings:

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

Yes \_\_\_ No \_\_\_ Findings:

**c. Whether the requested area variance is substantial?**

Yes \_\_\_ No \_\_\_ Findings:

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

Yes \_\_\_ No \_\_\_ Findings:

**e. Whether the alleged difficulty was self-created?**

Yes \_\_\_ No \_\_\_ Findings:

**2. DETERMINATION BASED ON THE ABOVE FACTORS (choose one):**

It is hereby determined by the Town of Lansing Zoning Board of Appeals (the "ZBA") that the following area variance is **GRANTED/DENIED**, with any conditions hereafter stated (if any), it being further found and determined that (i) the benefit to the applicant outweighs any potential negative impacts or detriment to the neighborhood or community; and (ii) such area variance is the minimum necessary as adequate to grant relief and, at the same time, preserve and protect the character of the neighborhood and the safety and welfare of the community.

**DESCRIPTION OF SPECIFIC VARIANCES GRANTED: Area Variance under 270-11 (Frontage, Yard, Height and Coverage Requirements to construct a 10' x 16' accessory 3 feet from the side and rear yard lines, where 10 feet is required.**

ARE CONDITIONS IMPOSED WITH RESPECT TO THE AREA VARIANCES AS GRANTED?

Yes \_\_\_ No \_\_\_

STATEMENT OF CONDITIONS:

**THE VOTE ON THE FOREGOING DECISION, DETERMINATIONS, AND RESOLUTION OF THE TOWN OF LANSING ZONING BOARD OF APPEALS WAS AS FOLLOWS:**

**Motion by:**

**Seconded by:**

- Richard Hayes –
- Mary Stoe –
- Susan Tabrizi –
- Jack Young –
- Judy Drake –

Dated: 13 September 2022

Received in the Lansing Town Clerk's Office on \_\_\_\_\_

\_\_\_\_\_  
Debbie Munson, Town Clerk  
Town of Lansing  
Tompkins County, New York

DRAFT