

FINDINGS AND DECISIONS
TOWN OF LANSING ZONING BOARD OF APPEALS

BACKGROUND INFORMATION

Applicant:
Jason Demarest, representing Lillian Babcock
950 Danby RD. Suite 105
Ithaca, NY 14850

Variance No: VAR 24-5
Zoning District: L1 with lake frontage
Public Hearing Published on: 5/31/24
600' Notices Mailed: 5/28/24

Property Location: 32 Ladoga Park West
Tax Parcel #: 33.-1-58

Requirement for which a Variance is being requested: Relief from an amended motion imposed during the June 20th, 2004, Zoning Board of Appeals hearing for an Area Variance for the construction of the cottage at 32 Ladoga Park (TPN 33.-1-58).

RESOLUTION AND FINDINGS

WHEREAS, Jason Demarest, representing Lillian Babcock owner of 32 Ladoga Park Tax Parcel No. 33.-1-58 located in the L1 zoning district with lake frontage, has applied for a variance to reverse the motion to not alter the ground level: "To approve the construction on existing footprint, with any additional structure located outside the existing footprint to be consistent with current Zoning Regulations. Ground level will not be altered, and any drainage will be reviewed by the Towns engineer at applicant's expense." The property owner (Mrs. Babcock) has since purchased adjoining TPN 33.-1-57 and wishes to add fill to the site to create positive drainage away from the two dwelling units. TG Miller, the Towns Engineer, has reviewed the plans and deemed no negative impacts to drainage; and

WHEREAS, on 12 June 2024 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 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 an Unlisted action, with further environmental review being required by the ZBA, which upon review found no negative environmental impacts; 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 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: a Variance to reverse the motion to not alter the ground level: “To approve the construction on existing footprint, with any additional structure located outside the existing footprint to be consistent with current Zoning Regulations. Ground level will not be altered, and any drainage will be reviewed by the Towns engineer at applicant’s expense.” The property owner (Mrs. Babcock) has since purchased adjoining TPN 33.-1-57 and wishes to add fill to the site to create positive drainage away from the two dwelling units.

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:

- Bruce Barber (alt) –
- Richard Hayes –
- Mary Stoe –
- Susan Tabrizi –
- Roger VandePoel –
- Jack Young –

Dated: 09 October 2024

Received in the Lansing Town Clerk’s Office on _____

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