

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

BACKGROUND INFORMATION

Applicant and Owner:
Thomas Martineau and Kiersten Downs
430 Auburn Road
Lansing, NY 13073

Variance No: 24- XX
Zoning District: AG
Public Hearing Published on:
600' Notices Mailed:

Property Location: 430 Auburn Road
Tax Parcel #: 28. - 1 - 28.6

Requirement for which an Area Variance is being requested: Town of Lansing Zoning Law § 270-11 Schedule II, Frontage, Yard, Height, and Coverage Requirements for a front yard setback of 57' were 80' is required.

RESOLUTION AND FINDINGS

WHEREAS, Thomas Martineau and Kiersten Downs, Applicant's and Owners of 430 Auburn Road, Tax Parcel No. 28.-1-28.6 located in the AG Zone, applied for one (1) Area Variance to install a freestanding sign. Relief is needed from Town of Lansing Zoning Law § 270-11, Schedule II Area, Frontage, Yard, Height, and Coverage Requirements for front yard (east) setback of 57 feet where 80 feet is required.

WHEREAS, on 11 September 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 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 617.5(c)(12), (construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density), such that no further environmental review is required; 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: one (1) Area Variance to install a freestanding sign. Relief is needed from Town of Lansing Zoning Law § 270-11, Schedule II Area, Frontage, Yard, Height, and Coverage Requirements for front yard (east) setback of 57 feet where 80 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:

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

Dated: 11 September 2024

Received in the Lansing Town Clerk's Office on _____

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