

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

BACKGROUND INFORMATION

Applicant and Owner:
Dale and Judy Williams
99 Armstrong Road
Lansing, NY

Variance No: 22-XX
Zoning District: R1
Public Hearing Published on: 9/29/22
600' Notices Mailed: 9/28/22

Property Location: 281 Bill George
Tax Parcel #: 38.-1-12

RESOLUTION AND FINDINGS

WHEARAS on September 14, 2021, the applicant was granted a 16' area variance to from Town of Lansing Code (the "Code"): Section 270, Schedule II: Area, Frontage, Yard, Heights and Coverage Requirements, to construct a 28' x 24 carport 44' from the center line of the road where a 60' setback is required. The proposal was located at 99 Armstrong Road, tax map #38.-1-12; and

WHEREAS, the applicants Dale and Judy Williams, Applicants, are requesting to modify a condition of the original approval which required substantial construction to begin within one year from the granting of an area variance on September 14, 2021, from Town of Lansing Code (the "Code"): Section 270, Schedule II: Area, Frontage, Yard, Heights and Coverage Requirements; and

WHEARAS, the condition of approval which the applicant has requested to modify states:

"As variances are exceptions based upon exigent need or emergency, should applicant fail to avail itself of the benefits of the above-described area variance within one year from the date hereof, this approval and such area variance shall expire. In cases where construction may be applicable, "avail itself of the benefits" shall mean a building permit obtained (if necessary) and substantial construction as commenced. Said one-year approval period may be extended for good cause by the ZBA if application for an extension is submitted before the expiration of the then applicable variance period."; and

WHEREAS, the Zoning Board of Appeals affirms the findings of the September 14, 2021 decision in regards to the balancing questions required by NYS Town Law for area variances; and

WHEREAS, the previous application was and continues to be classified as a Type II Action under NYCRR 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.

It is hereby determined by the Town of Lansing Zoning Board of Appeals (the “ZBA”) finds that removal of the condition of the September 14, 2021, area variance approval requiring substantial approval within one year of the issuance of the area variance, will not have an effect upon either the area variance granted or its conditions, review, determinations or the environmental impacts incident to the same.

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:

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

Dated: 11 October 2022

Received in the Lansing Town Clerk’s Office on _____

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