# City of Syracuse Office of Zoning Administration

## VARIANCE APPLICATION

City Hall Commons - Room 500 \* 201 E. Washington Street \* Syracuse, NY 13202-1426 315-448-8640 \* zoning@syrgov.net \* www.syrgov.net/Zoning.aspx

V	Area Variance:	sido v	ard screening of pa	rking area	
	Cited Zoning Ordinance	side ye	ard screening or pa	iking area	
1	Part(s), Sec(s), Art(s):				
	Use Variance:	non-co	onforming use in Re	esidential Zone	
	Cite Zoning Oramanee	1011-00	officialing ase in re	esidertial Zone	
	Part(s), Sec(s), Art(s):				
ΓΑ	X ASSESSMENT ADDRESS	S(ES)	TAX MAP ID(S) (00000-00.0)	OWNER(S)	<u>DATE</u> ACQUIRED
1)	1152 Grant Blvd		01205-03.0	Samantha Connors	2022
2)	1154 Grant Blvd		01205-04.0	Samantha Connors	2022
3)	1142-1144 Grant Blvd	_	01205-02.0	Ka Toe	2018
4)			220000000000000000000000000000000000000	, <u>2.57-2.5-3</u>	100000000000000000000000000000000000000
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Spe	MPANION ZONING APPL cial Permit, Project Site Review, etc., resubdivision application		ION(S) (List any relate		
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USE VARIANCE TEST (see <a href="https://www.dos.ny.gov/lg/publications/Zoning\_Board\_of\_Appeals.pdf">https://www.dos.ny.gov/lg/publications/Zoning\_Board\_of\_Appeals.pdf</a>)
A Use Variance is permission to establish a land use which is not allowed by the Zoning Rules and Regulations, as amended. New York State law requires applicants to prove that this has caused an unnecessary hardship using all of the four tests below. Briefly describe below how each of the required Use Variance tests is met and attach all supporting materials.

1. Describe how the property is incapable of earning a **reasonable return** on initial investment if used for any of the allowed uses in the district (actual "dollars and cents" proof must be submitted):

The only permitted uses in a Residential zone would require construction to converted to another use, such as apartments. For "new construction" residential, a good investment is 14% Rate of Return. When comparing the construction costs to the HUD Fair Market Rent rate for two bedroom apartments of \$966 per month, the project looses money (negative rate of return) of -1% per year.

To get to brake-even, monthly rent would need to be \$1150 per month, near the HUD rate for a three bedroom apartment. These rents would be above the neighborhood rates and very

difficult to rent.

2. Describe how the property is being affected by **unique circumstances**, or at least highly uncommon circumstances:

The current building has existing since the 1970s on this site. The monument sales went out of business, and it was purchased by the previous owner, who sought to open a convienience store, which was denied, due to neighborhood opposition.

During the hearing, the neighbors repeated the comments that they wanted a low traffic business of some sort, rather than a high volume traffic business. They were also concerned about the large numbers of visitors from outside the neighborhood.

The beauty/barber establishment would have a maximum of 7 patrons per hour. The new owners propose construction of a new parking area, to eliminate the existing parking area which requires backing-out-into traffic on a busy corner.

3. Describe how the variance, if granted, will not alter the essential neighborhood character:

We believe that the building is about 50 years old, so it has existed in the neighborhood as a commercial use. We believe its continued use as a beauty/barber shop will not change the residential character of the neighborhood.

The new parking lot and HC ramp are proposed to be moved from Pleasant Avenue to the side lot at 1152. The present parking area would be converted to lawn, matching the adjacent residential properties. This change would actually improve the appearance of the neighborhood.

It will provide new local services within walking distance to the neighborhood residents.

4. Describe how the hardship is not **self-created**:

The previous owner, Mr. Nasher refused to hire a lawyer or real estate agent. This caused the buyer to pay their lawyer to to all the work of the property sale. Mr. Nasher flat out lied and submitted false docuements, stating that this building was zoned as commercial. This is a separate matter that the owner is taking to court.

The present owners would not have used all of their savings to purchase a building that did not have continued commercial use.

An Ru be fiv	REA VARIANCE TEST (see <a href="https://www.dos.ny.gov/lg/publications/Zoning">https://www.dos.ny.gov/lg/publications/Zoning</a> Board of Appeals.pdf) in Area Variance is permission to build in a portion of the property that is otherwise restricted by the Zoning alles and Regulations, as amended. New York State law requires applicants to prove that the potential mefit of an Area Variance will outweigh any burden to community health, safety and welfare through a re-part balancing test. Briefly describe how an Area Variance would affect the community using the allowing five tests and attach all supporting materials.
1.	Describe whether an undesirable change will be produced in the <b>character of the neighborhood</b> , or a detriment to nearby properties will be created by the granting of the area variance:
	The properties were originally one lot divided into two lots. The owner proposes a new resubdivision of the two lots back into one lot, so that parking will be on the same lot as the building.  Until this is accomplished, we as Waver of side yard setback and parking area screening towards the commercial building. Without such a waver the amount of off-street parking would have to be reduced.
2.	Describe whether the benefit sought by the applicant can be achieved by some other method which will be feasible for the applicant to pursue but would not require an area variance:  Given the lot's narrow width and small size, there are not alternate designs for parking. The only alternative would be to keep the existing parking are that faces Pleasant Street, and even that would require a variance for parking in the side yard of a corner lot.
3.	Describe whether the requested area variance is substantial:  The parking will be visually screened from the adjacent residential properties, so they will see the lack of screening between the parking lot and the existing building.
4.	Describe whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district:  The proposed creation of a new parking area and the removal of the existing parking area actually has a postive impact on the neighborhood.
5.	Describe whether an alleged difficulty is <b>self-created</b> .

See above description in the User Variance.

#### PROPERTY OWNER(S) (required)

As listed in Department of Assessment property tax records (<a href="http://syrgov.net/Assessment.aspx">http://syrgov.net/Assessment.aspx</a> - 315-448-8280). If not listed as the owner, please provide proof of ownership, e.g., a copy of the deed. Attorney's signing on behalf of the owner must include a letter describing the legal arrangement. If the property owner is a Corporation or Organization, the person signing must provide member verification. Contract purchasers, tenants, architects, engineers, contractors, etc. CANNOT sign on behalf of the owner.

Samantha	Connors	member	Sammi's Beauty Box LLC					
First Name	Last Name	Title	Company					
136 Wooden Av	re Worden	Syracuse	NY	123208	Phone: 315.516.0062			
Street Address	Apt / Suite / Other	City	St	Zip	Email: sammisbeautybox@yahoo.com			
* Signature: / Aun	outla One		Date:	1-9-	23			
First Name	Last Name	Title	Comp	anv				
	2000 1,0000		comp	,	Phone:			
Street Address	Apt / Suite / Other	City	St	Zip	Email:			
* Signature:			Date:					
First Name	Last Name	Title	Comp	any				
					Phone:			
Street Address	Apt / Suite / Other	City	St	Zip	Email:			
* Signature:			Date:					
First Name	Last Name	Title	Comp	any				
					Phone:			
Street Address	Apt / Suite / Other	City	St	Zip	Email:			
* Signature:			Date:					

I understand that false statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York. I declare that, subject to the penalties of perjury, any statements made on this application and any attachments are the truth and to the best of my knowledge correct. I also understand that any false statements and/or attachments presented knowingly in connection with this application will be considered null and void.

### APPLICANT(S) (if applicable)

First Name	Last Name	Title	Comp	oany	
					Phone:
Street Address	Apt / Suite / Other	City	St	Zip	Email:
First Name	Last Name	Title	Comp	pany	
			•		Phone:
Street Address	Apt / Suite / Other	City	St	Zip	Email:
REPRESENTATI	VE(S)/CONTACT(S) (if ap	pplicable)			
William	Ditchor	ВΛ	Dit	chor	Architect DITC

William	Pitcher	RA.	Pito	cher A	er Architect PLLC				
First Name	Last Name	Title	Comp	any					
124 Feigel Ave	nue	Syracuse	NY	13203	Phone: 315 474 1219				
Street Address	Apt / Suite / Other	City	St	Zip	Email: JobsPitArch@gmail.com				
First Name	Last Name	Title	Comp	any					
			^		Phone:				
Street Address	Apt / Suite / Other	City	St	Zip	Email:				

Please submit **ONE** (1) **COPY** of the following:

### Variance Application

### INSTRUCTIONS AND REQUIRED SUBMITTALS

### Incomplete applications will not be processed.

Applications together with the required submittals listed below must be submitted in <u>HARD COPY, SINGLE-SIDED</u>, and <u>NOT BOUND</u> to the City of Syracuse Office of Zoning Administration, City Hall Commons – Room 500, 201 East Washington St., Syracuse, NY 13202-1426. Faxed or emailed submissions will not be processed.

APPLICATION – filled out completely, dated, and signed by property owner as instructed. **DENIAL OF PERMIT** – provided by the City of Syracuse Central Permit Office at 315-448-8600. STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR) Short Environmental Assessment Form (SEAF) - Part One - filled out to the best of your ability, dated, and signed. PHOTOGRAPHS (COLOR) of the PROJECT SITE keyed to a property survey or site plan. PHOTOGRAPHS (COLOR) of the STREETSCAPE, including properties adjacent to and across the street from the project site, labeled with addresses and keyed to a property survey or site plan. **APPLICATION FEE** – \$25 check or money order made payable to the Commissioner of Finance. Please submit THREE (3) FULL-SIZE AND TO-SCALE SETS for review purposes, and ONE (1) REDUCED SET (11X17, or smaller) for copying, of the items listed below. All plans must include a title block with author, date, scale, and Property Tax Assessment address, and must be an accurate graphic representation of all pertinent information that can be correctly interpreted by any person without additional explanation. Plans do not need to be stamped by a licensed professional unless noted below. AS BUILT PROPERTY SURVEY(S) of all involved properties illustrating boundaries, easements, and current conditions including structures, fencing, parking surface, and retaining walls if not illustrated on the Resubdivision or Lot Alteration Map (signed and stamped by a licensed surveyor). SITE PLAN(S) illustrating site alterations and post project conditions that are/will be different from the As Built Property Survey: 1. Zoning (density, setbacks, bldg. and parking surface coverage, screening) and onsite parking requirements demolitions and post demolition conditions structures, facilities, utilities and drainage 4. parking areas including surface type, dimensioned spaces, number of spaces, traffic patterns, and coverage 5. loading dock and delivery areas 6. dumpsters and/or trash receptacles 7. landscaping including type, height, and number of plantings screening/fencing including type and height including parking, dumpsters, and site 9. **lighting** including structure heights and luminaries wattage 10. ground signs 11. STREET rights-of-way conditions, existing and proposed, including curb cuts, driveways, sidewalks, and plantings 12. ENROACHMENTS, existing or proposed, into the City rights-of-way including stairs, signs, and awnings **EXTERIOR BUILDING ELEVATIONS** illustrating proposed exterior (façade) alterations, if applicable, with all dimensions, materials, and colors clearly illustrated and noted. (Schematics or color renderings can be submitted in addition to elevation drawings (plans), if available.)

## FLOOR PLANS with all uses, dimensions, and square footages clearly labeled.

### **Commercial Layouts**

- 1. Customer areas
- 2. Employee areas
- 3. Storage areas and restrooms
- 4. Office space
- 5. Counters, tables, chairs, booths
- 6. Stages, dance floors, DJ booths
- 7. Shelving and display areas
- 8. All kitchen equipment
- 9. Coolers, freezers, etc
- 10. Vending machines, amusement games, etc

### **Residential Layouts (Dwelling units)**

- 1. Common areas (living and dining room, kitchen)
- 2. Bathrooms, hallways and closets
- 3. Bedrooms

# **USE VARIANCE & RESUBDIVISION**

# 1152 & 1154 Grant Blvd.

January 5, 2023



124 Feigel Avenue | Syracuse, NY 13203 315.474.1219 | JobsPitArch@gmail.com

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See attached drawings L-1, L-2, L-3, A-1, A-2, A-3 and A-4

### **EXECUTIVE SUMMARY**

Three properties are involved re-combining 1152 Grant with 1154 Grant, and including existing easement on 1142 Grant. Two approvals are sought from the City: a Use Variance for continued use of non-conforming commercial uses in a residential zone, and re-subdivision by combining two lots into one lot. The use variance also requests waiver of side yard screening between the 1154 building and the 1152 proposed parking, which will be unnecessary when the re-subdivision is completed, but will permit issuance of the building permit during the re-subdivision process.

# PROPOSED USE OF PROPERTY

The existing building is a commercial style building of 1960's design, with brick and stucco walls, flat roof, and areas with brick veneer. It had been in continuous use as a sales room and fabrication shop for cemetery headstones until about 5 years ago.

The property was purchased by the previous owner, who proposed a convenience store. The neighborhood largely objected to the large volume of traffic and on-street parking that such a store would create. The residents felt the increased activity on the lot would be detrimental to the character of the neighborhood. They repeatedly stated that some low-traffic uses would be more appropriate: a professional services business, a beauty shop, and corporate offices for a contractor. The proposed use is a beauty/barber shop, having four women's styling and three men's barbering chairs. At this time, the staff is proposed to be one women's hair dresser and one men's barber. A new parking lot is proposed for seven off-street parking spaces.

### THE NEW OWNERS AND BUSINESS

Samantha Connors and her husband have operated a beauty/barber shop in Mattydale for the last 20 years, without any nuisance complaints during that time. The business slogan is "quality hair care services at affordable prices." They recently purchased a home in this neighborhood, and wanted to move their business closer to their home. Samantha has gone door-to-door through the neighborhood to introduce herself and explain that she planned to move her existing shop into this buildings. She left all of her contact information with everyone that she talked to. Everyone she met was very happy to hear that the vacant building was going to have a new business. The proposed Use Variance is necessary for legal operation under NYS Education Law licensing requirements.

Regarding potential negative impacts of the shop, the owners propose new parking lot which will move the existing parking from Pleasant Avenue to an interior lot, with access off Grant Boulevard. The present parking area requires backing into the street near a street intersection, which the city traffic planner has deemed as non-conforming under the Zoning Ordinance. So the proposed change of parking will have a positive effect on the neighborhood.

The new business will provide new local services within walking distances of the neighborhood homes. As a long term plan, the owners are considering hiring additional staff if additional business activity increases. So there is a potential for new local employment for residents.

The new business will have on-site occupants attending to the appearance, maintenance and repair of the property.

# THE USE VARIANCE & RE-SUBDIVISION

The applicants do not know how the "non-conforming commercial use in a residential neighborhood" was created. Whether the building existed before the last rezoning in 1970s, or it was always a residential lot, and the Use Variance was granted for construction of the building. In either case, the property was in commercial use until several years ago. Besides the existing building on ll54 Grant, the new proposed parking on 1152 Grant requires a Use Variance for use as a parking lot in a Residential zone. Given 1152's narrow width and shared-driveway access, it is very unlikely that the lot would ever be purchased for construction of a new house. Also removal of the existing parking area on 1154 would increase on-street parking. So use of 1152 as a parking lot improves traffic safety and visual appearance of the Pleasant View side yard. So 1152 doesn't have any economic value except as parking for the business. For these reasons the owners wish to combine the two lots into one lot.

The below economic analysis shows, that conversion of the building to the permitted use of residential dwellings, does not produce a reasonable return on the investment. The level of rents

required to make such a conversion possible are over-priced for this neighborhood, and would likely not attract tenants. The continued commercial use of the building requires minor interior renovation costs, with the new parking lot being the major improvement.

The economic analysis is based on published cost data (RSMeans). The "square foot construction cost of 1 to 3 story apartment buildings" has been modified to show only those portions of total cost that would be necessary for conversion. Existing portions of the building are shown a zero dollars.

The Use Variance is not a self-created hardship. The seller presented documents to the buyer's lawyer that the property could be used as a commercial property. Based on those assurances, they purchased the property. However, the Use Variance is necessary for continued commercial use.

# THE NEIGHBORHOOD PHOTOS



FRONT (1154 GRANT)



SIDE (WEST, PLEASANT VIEW)



PLEASANT VIEW (LOOKING NORTH)



**GRANT (LOOKING WEST)** 



LOOKING SOUTH WEST



LOOKING SOUTH



LOOKING SOUTH EAST



**LOOKING EAST** 



1152 GRANT (LOOKING NORTH)

# **ECONOMIC ANALYSIS**

Following is the estimated construction costs for conversion to a residential property.

#### **APARTMENTS, 1-3 STORY**

Property: 1154 Grant Blvd, 2022

Units of measure	SQ. FT.
SF floor slab	1,875
SF floor	1,875
SF roof	1,875
SF ground	-
SF ceiling	1,875
SF exterior walls	2,120
SF interior walls	1,340

	COST OF CONSTRUCTION								
		UNIT	UNIT	COST/ SF	EACH	BUI	LDING		
A. SUBSTRUCTURE	AND THE PARTY OF T		COST	J. Company	LACII	COS	15/20 100		
Standard foundations	Poured concrete; strip & spread footings, 4' foundation wall	SF ground	8.85	4.01		0	-		
Slab on grade	4" concrete	SF slab	5.23				4,433		
Basement Excavation	Site prep for slab, and trench for foundation walls	SF ground	0.28			0	.,		
B. SHELL		(H)51E2	0.20				9.39		
B10 SUPER STRUCTURE									
Floor Construction	Wood beam, joists & columns, fireproofed	SF floor	16.13	14.61			27,388		
Roof Construction	Wood roof truss, 4/12 slope	SF roof	7.14				6,064		
B20 EXTERIOR ENCLOSURE	77000 root (1033, 4/12 stope	31 1001	7.1-	5.25	160		0,004		
Exterior Walls	Ashlar stone veneer & wood stud 80% SF wall	SF ex wall	36	21.07	( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )		35,743		
Exterior Windows	Aluminum 20% SF wall	SF ex wall	498				2,039		
Exterior Doors	Steel, hollow metal with frame	each		0.71		4			
B30 ROOFING	Steel, Hollow Metal with Hame	each	2,949	0.71		4	11,796		
Roof Covering	Built up tay and gravel with flashing EDS inculation	of roof	6.63	0.01			16 901		
	Built-up tar and gravel with flashing, EPS insulation	sf roof	6.63	9.01		/5/2 S S S S S S S S S S S S S S S S S S S	16,891		
C. INTERIORS	Con hid on some districts	CC	6.77	0.40		100	10.004		
Partitions	Gyp bd on wood studs	SF partitions	6.77	8.18			10,961		
Interior Doors	Single leaf, frames & hardware	each	1,321	13.59		0	13,210		
Fittings	Cabinets, base & wall, lamiate counters	SF floor	4.62	6.28			11,770		
Stair Construction	wood stairs with railings	flight	2,820	1.02		0	-		
Wall Finishes	95% paint, 5% ceramic wall tile	SF surface	1.29	3.11			5,834		
Floor Finishes	80% carpet tile, 10% vinyl tile, 10% ceramic tile	SF floor	5.04	6.86			12,866		
Ceiling Finishes	Painted gyp board	SF ceiling	3.87	5.26			9,860		
D. SERVICES									
D10 CONVEYING			B 1 1						
Elevators & lifts	Hydrolic passenger elevator	each	110,475	6.67		0	-		
D20 PLUMBING									
Plumbing fixtures	Kitchen, bath ,laundry, service, supply and drainage	each	1,824	8.70			16,305		
<b>Domestic Water</b>	Electric water heater	SF floor	8.15	11.07			20,764		
Rain Water Drainage	Roof drains	SF roof	1.35	0.61			2,531		
D 30 HVAC									
Heating	Gas fired hot water, baseboard radiation	SF floor	7.38	10.03			18,802		
Cooling System	Chilled water, air cooled condenser	SF floor	8.06	10.95		0			
D 40 FIRE PROTECTION				44-24-34			1. The second		
Sprinklers	Wet pipe, light hazard	SF floor	3.21	4.36			8,178		
D 50 ELECTRICAL				1111000	77		1649		
Electric service & distb	800 amp service, panel board & leaders	SF floor	2.48	3.37			6,318		
Lighting & branch circuits	incadescent fixtures, recepticles, switchs, AC & misc. power	SF floor	6.7				17,070		
Comm & Security Syst.	Alarm system, emergency lighting, phone wiring	SF floor	1.63				4,153		
E. EQUIPMENT				5.00		A STELLED			
Kitchen	Gas ranges and dishwashers	SF floor	1.37	1.86			3,490		
	BORNE CONTROL OF THE	31 1100	1157	1.00		ń.	3,430		
TOTAL BARE COSTS						\$	266,467		
Contractor Fees	General conditions, overhead 5%, profit 10%	25%				\$	66,617		
Design Fees	222. Sortalitoris, Overhieda 370, profit 1070	7%				\$	18,653		
TOTAL CONVERSION COST		/ 70				- P	351,736		

### 1154 Grant Boulevard, Syracuse, NY - 2022 Cost Analysis

EXPENSES		Monthly	Annually
Mortgage: \$360,000 at 7% for 15 years = \$8.99 per \$1000	\$ 3	3,236.40	\$ 38,837
City Taxes			\$ 1,700
County Taxes			\$ 1,450
Insurance			\$ 2,200
Water			\$ 290
Repairs			\$ 2,000
Depreciation: 27 years			\$ 13,027
Snow & Grass			\$ 900
TOTAL ANNUAL EXPENSE			\$ 60,404
BREAK-EVEN POINT: 2 APARTMENTS X 12 MONTHS = 24 PAYMENTS PER YEAR			\$ 2,516.84
		per apt	
HUD FAIR MARKET RENT (40th Percentile, 2022, Syracuse, NY)	\$	966	\$ 1,932
Monthly lost income			\$ 585
Annual lost income			\$ 7,018













