

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

Office Use Filing Date: 4/22/2023 Case: V-19-15M2 Zoning District: RA-1 (1902) RA

VARIANCE REQUESTED (Check applicable and briefly describe.)

- Area Variance: _____
Cited Zoning Ordinance _____
Part(s), Sec(s), Art(s): _____
- Use Variance: Addition and expansion of the previously approved use variance (V19-15, and V19-15 M1) which permit the operation of a Non-Profit Community Outreach Ministry Center within a Residential, Class A-1 zoning district.
Cite Zoning Ordinance _____
Part(s), Sec(s), Art(s): _____

TAX ASSESSMENT ADDRESS(ES)	TAX MAP ID(S) (000.-00-00.0)	OWNER(S)	DATE ACQUIRED
1) 127 Glen Ave East	071.-03-18.1	Road to Emmaus Ministry of Syracuse, Inc.	5/14/2019
2) 117 Glen Ave East	071.-03-19.0	Road to Emmaus Ministry of Syracuse, Inc.	7/22/2021
3) _____	_____	_____	_____
4) _____	_____	_____	_____

As listed in the Department of Assessment property tax records at <http://syrgov.net/Assessment.aspx> - 315-448-8280.

COMPANION ZONING APPLICATION(S) (List any related Zoning applications, if applicable, e.g., Resubdivision, Special Permit, Project Site Review, etc.)

- 1) Resubdivision 2) Project Site Review 3) _____

PROJECT CONSTRUCTION (Check all that apply and briefly describe.)

- Demolition (full and partial): _____
- New Construction: addition to existing building (127 East Glen Ave) onto adjacent lot (117 East Glen Ave)
- Façade (Exterior) Alterations: _____
- Site Changes: additional building footprint/expansion and additional parking

PROJECT INFORMATION (Briefly describe, as applicable.)

Business/Project Name: Road to Emmaus Ministry of Syracuse, Inc. Expansion
Current Land Use(s): Non-Profit Community Outreach Ministry Center
Proposed Land Use(s): Non-Profit Community Outreach Ministry Center
Number of Dwelling Units: 0
Days and Hours of Operation: 8AM-3PM Monday-Saturday
Number of Onsite Parking Spaces: 14

PROJECT DESCRIPTION (Provide a brief description of the project, including purpose or need.)

Road to Emmaus Ministry of Syracuse, Inc. is proposing to expand to add an approximately 2,223 sq. ft. building addition to their existing 2,461 sq. ft. building. The expansion will require expansion from the current facility, which is located at 127 East Glen Avenue onto the adjacent lot located at 117 East Glen Avenue. The proposed addition is necessary due to significant increases in the number of community members being served by the outreach and ministry services being provided by Road to Emmaus Ministry of Syracuse, Inc. These services include, but are not limited to, the following: meal preparation and distribution, food pantry, children's services, hygiene, space for various other assessments and counseling, meetings, ministry and prayer groups.

USE VARIANCE TEST (see [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 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):

See attached.

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

See attached.

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

See attached.

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

See attached.

AREA VARIANCE TEST (see https://www.dos.ny.gov/lg/publications/Zoning_Board_of_Appeals.pdf)

An Area Variance is permission to build in a portion of the property that is otherwise restricted by the Zoning Rules and Regulations, as amended. New York State law requires applicants to prove that the potential benefit of an Area Variance will outweigh any burden to community health, safety and welfare through a five-part balancing test. *Briefly describe how an Area Variance would affect the community using the following five tests and attach all supporting materials.*

1. Describe 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:

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:

3. Describe whether the requested area variance is **substantial**:

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:

5. Describe whether an alleged difficulty is **self-created**.

City of Syracuse Office of Zoning Administration

PROPERTY OWNER(S) (required)

As listed in Department of Assessment property tax records (<http://syrgov.net/Assessment.aspx> - 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.**

Sheila Austin	President/Executive Director	Road to Emmaus Ministry of Syracuse, Inc.		
<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>	
127 Glen Ave East		Syracuse	NY 13205	Phone: (315)928-5191
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i> <i>Zip</i>	<i>Email:</i> saustin@emmausministry.org
* Signature: <i>Sheila Austin</i>			Date: <i>4/10/2023</i>	

<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		<i>Phone:</i>
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i>
* Signature:			Date:		

<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		<i>Phone:</i>
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i>
* Signature:			Date:		

<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		<i>Phone:</i>
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i>
* Signature: <i>Sheila Austin</i>			Date:		

*** OWNER SIGNATURE DECLARATION**

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)

Sheila Austin	President/Executive Director	Road to Emmaus Ministry of Syracuse, Inc.			
<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		
127 Glen Ave East		Syracuse	NY 13205	Phone: (315)928-5191	
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i> <i>Zip</i>	<i>Email:</i> saustin@emmausministry.org	
<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		<i>Phone:</i>
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i>

REPRESENTATIVE(S)/CONTACT(S) (if applicable)

Daniel Fay	Achitect	Teitsch-Kent-Fay Architect, P.C.		
<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>	
132 Albany St. Suite M-1		Cazenovia	NY 13035	Phone: (315)655-9543
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i> <i>Zip</i>	<i>Email:</i> dfaytkf@gmail.com
Kurt M. Stroman	Attorney	Kurt M. Stroman, Esq.		
<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>	
605 West Genesee Street		Syracuse	NY 13204	Phone: (315) 569-9887
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i> <i>Zip</i>	<i>Email:</i> kmstroman@camexgroup.com

Variance Application

INSTRUCTIONS AND REQUIRED SUBMITTALS

Incomplete applications will not be processed.

Applications together with the required submittals listed below must be submitted in **HARD COPY, SINGLE-SIDED, and NOT BOUND** 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.

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

- 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 **ONE (1) FULL-SIZE AND TO-SCALE SET** 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**
 2. **demolitions and post demolition conditions**
 3. **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
 8. **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.)

LIST OF ROOMS (instead of floor plans) for **single- and two-family residential** *Area Variances only*.

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

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Road to Emmaus Ministry of Syracuse, Inc.				
Name of Action or Project: Road to Emmaus Ministry of Syracuse, Inc. Building Expansion				
Project Location (describe, and attach a location map): 127 East Gen Avenue, Syracuse, NY 13205 and 117 East Glen Avenue, Syracuse, NY 13205				
Brief Description of Proposed Action: Road to Emmaus Ministry of Syracuse, Inc. is proposing to expand to add an approximately 2,223 sq. ft. building addition to their existing 2,461 sq. ft. building. The expansion will require expansion from the current facility, which is located at 127 East Glen Avenue onto the adjacent lot located at 117 East Glen Avenue.				
Name of Applicant or Sponsor: Road to Emmaus Ministry fo Syracuse, Inc.		Telephone: 315 928-5191		
		E-Mail: saustin@emmausministry.org		
Address: 127 East Glen Avenue				
City/PO: Syracuse	State: NY	Zip Code: 13205		
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Resubdivision and Use Variance - City of Syracuse Office of Zonong Administration and Building Permit - City of Syracuse Codes			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ .30 acres b. Total acreage to be physically disturbed? _____ .10 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ .40 acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):				
<input type="checkbox"/> Parkland				

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:		
2200 square foot building addition.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Road to Emmaus Ministry of Syracuse, Inc., by Sheila Austin</u> Date: <u>3/6/2023</u>		
Signature: <u>Sheila Austin, RN.</u> Title: <u>President / Executive Director</u>		

PRINT FORM

KURT M. STROMAN, ESQ.

605 WEST GENESEE STREET
SYRACUSE, NY 13204

TELEPHONE: (315) 472-4431 FAX: (315) 472-3140
kmstroman@camexgroup.com

April 10, 2023

VIA HAND DELIVERY

City of Syracuse Office of Zoning Administration
Attention: Zoning Administrator
City Hall Commons Room 500
201 E Washington St
Syracuse, NY 13202

Re: Project Plan Review Application, 127 and 117 East Glen Avenue
Use Variance Application, 127 and 117 East Glen Avenue
Re-Subdivision Application, 127 and 117 East Glen Avenue

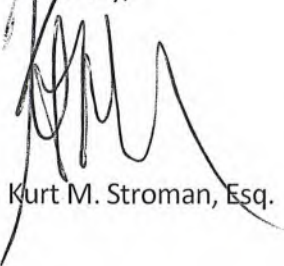
To Whom It May Concern,

On behalf of my client, Road to Emmaus Ministry of Syracuse, Inc. we hereby submit the above-referenced applications for coordinated review and approval of our proposed expansion of 127 East Glen Avenue.

Each application is complete and contains all of the required submittals.

If you have any questions, please do not hesitate to contact me at 315-569-9887 or kmstroman@camexgroup.com.

Sincerely,



Kurt M. Stroman, Esq.

April 10, 2023

VIA HAND DELIVERY

City of Syracuse Zoning Board of Appeals
Attention: Zoning Administrator
City Hall Commons
201 E Washington St
Syracuse, NY 13202

Re: Project Site Review Application, 127 and 117 East Glen Avenue
Use Variance Application, 127 and 117 East Glen Avenue
Re-Subdivision Application, 127 and 117 East Glen Avenue
Explanation of Need

To Whom It May Concern,

Road to Emmaus Ministry of Syracuse, Inc. (Emmaus) submits the above-referenced applications in connection with its proposed addition to its current Center located at 127 East Glen Avenue, Syracuse, New York 13205. Emmaus is a local 501(c)(3) entity inspired by the Roman Catholic Church's social teachings, and its mission is to serve the poor, hungry, isolated, and homeless in Syracuse. The Center operates six days a week, and we currently provide free meals, services, and programs to residents in the neighborhood surrounding our location at 127 East Glen Avenue. Our ministry includes providing our neighbors access to free meals, a food pantry, emergency clothing and personal hygiene items, shower and laundry services, haircuts, vision and hearing screening, case management services, blood pressure screening, children's programming, legal assistance, and a safe location for assessments, counseling, and meetings. We also provide free dental and medical services at our clinic located at 4335 South Salina Street, which is adjacent to our East Glen Center. Together, our two locations allow us to provide services for needy individuals and families in the community.

The services provided by Emmaus are in high demand in our community and, unfortunately, the demand is increasing. In fact since we started operating out of 127 East Glen Street, the number of meals we have provided has increased from 34,942 in 2020 to 66,229 in 2022. As a result, we have determined that our existing facility is too small to efficiently and effectively provide the various ministries that we are undertaking. Therefore, we propose expanding our existing building, located at 127 East Glen Avenue, to add approximately 2,223 square feet of useable space.

The proposed addition to the building requires an extension onto the adjacent building lot owned by Emmaus and located at 117 East Glen Avenue. In connection with this expansion, we seek to re-subdivide and combine 127 East Glen Avenue and 117 East Gen Avenue into one lot.



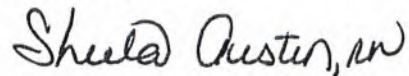
The proposed addition (onto the 117 East Glen property) also requires a modification of the existing use variance, granted by the City of Syracuse in 2019 (V19-15 and V19-15M1), which permits the operation of a Non-Profit Community Outreach Ministry Center at the 127 East Glen Avenue location. The lot located at 117 East Glen is currently zoned Residential, Class A-1.

We attach drawings prepared by Daniel Fay, Architect, in connection with this application. Included herein, you will find a proposed site plan with detailed parking calculations, proposed exterior improvements with elevations, and a detailed floor plan showing the proposed addition.

We respectfully submit this application for your review with confidence and hope that you will approve the same and allow Road to Emmaus Ministry of Syracuse, Inc. to continue to provide much needed ministry and services to our neighbors in need.

If you have any questions, please do not hesitate to contact our attorney Kurt M. Stroman at 315-569-9887 or kmstroman@camexgroup.com.

Sincerely,

A handwritten signature in black ink that reads "Sheila Austin, RN". The signature is written in a cursive, flowing style.

Sheila Austin, RN
President/Executive Director
Road to Emmaus Ministry of Syracuse, Inc.

Use Variance Application – Standards of Proof

Road to Emmaus Ministry of Syracuse, Inc.

Unnecessary Hardship/Lack of Reasonable Return

The applicant respectfully submits that failing to modify the existing variance would create an unnecessary hardship to the current property owner that is inconsistent with the general purpose and intent of the Zoning Rules and Regulations of the City of Syracuse.

The City of Syracuse has previously evaluated and approved a use variance that permits Road to Emmaus Ministry of Syracuse, Inc. to operate a Non-Profit Community Outreach Ministry Center at 127 East Glen Avenue. The proposed expansion of the current building at 127 East Glen Avenue on to the property located at 117 East Glen Avenue would require modification of the existing use variance and the re-subdivision of the property both of which are wholly consistent with the currently approved use and with the variance that has been in effect at this location for the last 50 years.

After operating at this location for the past four years and investing significant money into this location, Road to Emmaus Ministry of Syracuse, Inc., is now a fixture in this community and fulfilling a dire need for services. Unfortunately, because of the desperate need for services, Road to Emmaus Ministry of Syracuse, Inc., can no longer effectively operate from this location given the constraints on space that inhibit the efficient conveyance of services at a level that is consistent with the community demand.

Failing to modify the existing use variance will force Road to Emmaus Ministry of Syracuse, Inc. to make the difficult decision to close this location or to seek alternative locations from which to provide its ministry, which would place an unnecessary hardship and significant financial burden upon Emmaus, in addition to the hardship that would be placed on the City residents that we serve. As a 501(c)(3) Emmaus seeks to use the generous donations made by its benefactors for its ministry rather than for operating expenses like lease payments or property purchases. Relocation will be extremely expensive, time consuming and could remove the ministry from the neighborhood, subjecting the local population to hardship if the much-needed services provided by Emmaus are no longer readily available. Additionally, relocation would cause Emmaus to lose the operational efficiencies that it currently achieves by operating a dental and medical clinic at an adjoining property.

Finally, selling the building and recouping the investment made at this location to date would be nearly impossible. Because the building has been operated as a non-conforming use in an A-1 residential zone for nearly 50 years, and the building is inconsistent with residential use, the number of potential purchasers would be significantly limited. Tearing the building down to allow for a use that is conforming in the A-1 residential district would also be very costly at nearly \$150,000.00.

Exceptional, Unique and Extraordinary Circumstances Affecting the Subject Property

The neighborhood is zoned A-1 residential and, but for the property in question, there is no debate that the zoning in the area is appropriate and should not be changed. 127 East Glen Avenue is exceptional and unique in that it has been continuously operated as a commercial structure in this residential neighborhood for the last 50 years. The applicants are merely requesting that the Zoning Board of Appeals continue the existing variance with a modification narrowly tailored to allow Emmaus to expand its building to continue to provide its much-needed cadre of services to its neighbors in need.

Given the history of the site as an office building and union hall, the Board of Zoning Appeals determined long ago that the nonconforming nature of this use was unique and extraordinary to this structure and the parcel and not applicable to the balance of the neighborhood. The same is true today. Located on a largely residential street in a mixed-use neighborhood, the residents of this area have lived with, accepted and embraced the non-conforming nature of this property for a very long time. Many of the other properties in this area are in conformity with the current zoning and are residential in nature, both in architectural design and construction, as well as the current use.

No Alteration of the Essential Character of the Neighborhood

Modifying the existing use variance to allow Emmaus to continue performing its ministry in the neighborhood would have no detrimental effect on the public interest or the property or improvements in the district, nor would it alter the essential character of the neighborhood in any way. Additionally, modification of the existing use variance will not impair the purposes of the Zoning Rules and Regulations of the City of Syracuse.

Emmaus is currently operating from this location. Many of the residents of the immediate area rely upon the services provided by Emmaus and will continue to do so at this location. Emmaus has been a good neighbor and has served the community well. By granting the modification of the variance and allowing Emmaus to expand and continue to operate from this location, the Zoning Board of Appeals will play an active role in ensuring that Emmaus remains a critical element in the vitality of this neighborhood by preventing a closure or relocation of Emmaus.

The subject property has been used as a non-conforming use for 50 years continuously. The proposed use by Emmaus, following modification of the use variance, will result in no changes to hours of operation, traffic and/or existing use and will not in any way alter the nature and essential character of the street, neighborhood, or community.

After having operated in the neighborhood for many years and providing assistance to many local residents, the applicants contend that losing Emmaus and the essential services that it provides would have the most detrimental effect on the neighborhood.

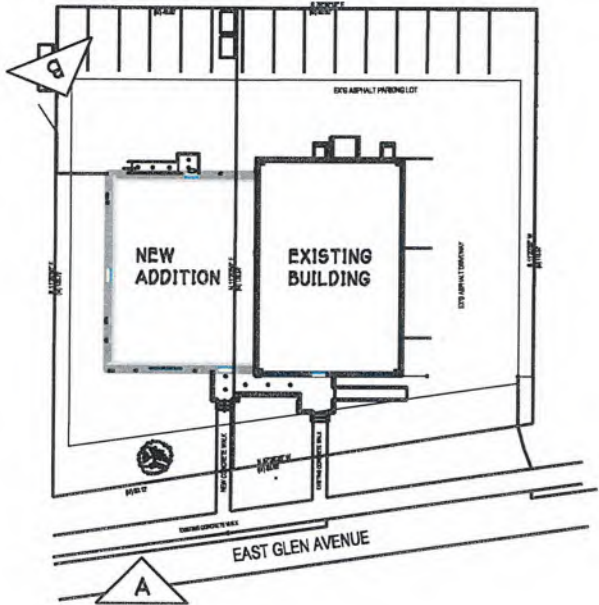
Self-Creation of Hardship

The history of 127 East Glen Avenue shows that the City of Syracuse Zoning Board of Appeals has supported a use variance for the subject property for the past 50 years. In the last 50 years the non-conforming use of the property has not had a detrimental effect on the neighborhood but has rather had a long history of harmony in this largely residential neighborhood. Emmaus inherited a building that was always operating under a use variance when it was donated to Emmaus in 2019.

At this time, we are not seeking a new non-conforming use at this location but merely an expansion of our existing non-conforming use to allow us to better serve the needs of the community.

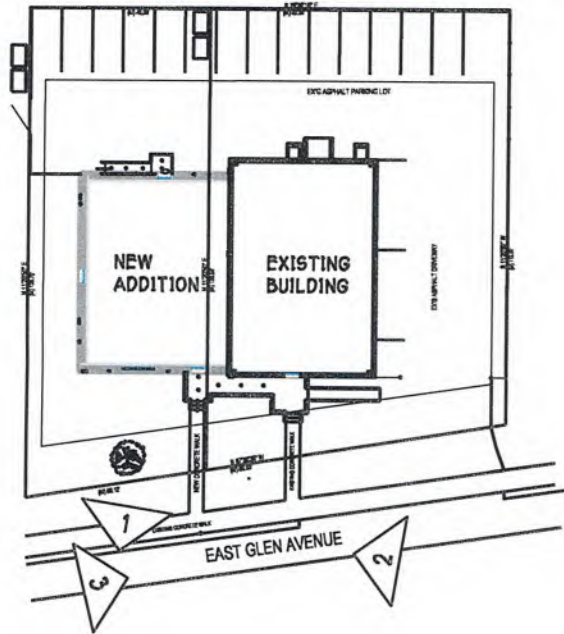
The hardship that is driving the proposed expansion is the hardship faced by the poorest members of our community. Many of those in our community that receive the critical services provided by Emmaus reside in this neighborhood and within walking distance of 127 East Glen Avenue. It is with this in mind that we are seeking permission to modify the existing use variance at this location, which will allow Emmaus to continue to provide vital services to this neighborhood and the local community.

PROJECT SITE PHOTOS



B

STREETSCAPE PHOTOS





R/O
CHRIST EVANGELICAL CHURCH OF GOD

R/O
SAMIR TAWIL

R/O
WAYMON D. HENSON

1 1/2 STORY
BRICK BUILDING
NO. 127

0.231 ACRES

EAST GLEN AVENUE
R/W 66'

EXISTING BRASS MONUMENT
ON EAST GLEN AVE.
STREET LINE

FENCE CORNER LIES
PERPENDICULAR 0.3' WEST
OF PROPERTY LINE

N 87°36'28" W
183.62'

N 87°36'28" W
83.53'

S 78°39'10" E
82.5'

N 11°20'50" E
128.79' (D)
128.54' (M)

S 11°20'50" W
115.59' (P)

ONLY COPIES OF THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S SEAL AND SIGNATURE IN RED SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE. IT IS THE LANDOWNER'S RESPONSIBILITY TO CONTACT U.F.P.O. AT 811 BEFORE ANY EXCAVATION OCCURS FOR LOCATION VERIFICATION.

THE CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSONS FOR WHOM THE SURVEY IS PREPARED, AND ON HIS/HER BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY, AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

SURVEY COMPLETED WITHOUT BENEFIT OF ABSTRACT OF TITLE.

UNAUTHORIZED ALTERATION OR ADDITION TO A BOUNDARY SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

THE SETTING OF PROPERTY CORNER MARKERS IS NOT INCLUDED IN A BOUNDARY LOCATION SURVEY UNLESS THEY ARE SPECIFICALLY REQUESTED. A REASONABLE ADDITIONAL FEE WILL BE CHARGED FOR ADDITIONAL WORK.

THE UNDERSIGNED SURVEYOR HEREBY CERTIFIES THAT THIS MAP IS MADE FROM AN ACTUAL SURVEY OF THE PROPERTY SHOWN HEREON COMPLETED NOVEMBER 3, 2015. SURVEY CHECKED AND RECERTIFIED APRIL 10, 2019.

Kurt M. Stroman
April 10, 2019
LICENSED LAND SURVEYOR
No. 50279

CERTIFIED TO:
- ROAD TO EMMAUS MINISTRY OF SYRACUSE, INC.
- KURT M. STROMAN, ESQ.

REFERENCE:
- SURVEY MAP BY MODI ENGINEERING AND LAND SURVEYING, PC
DATED JULY 28, 1999, PROJECT 99.16.

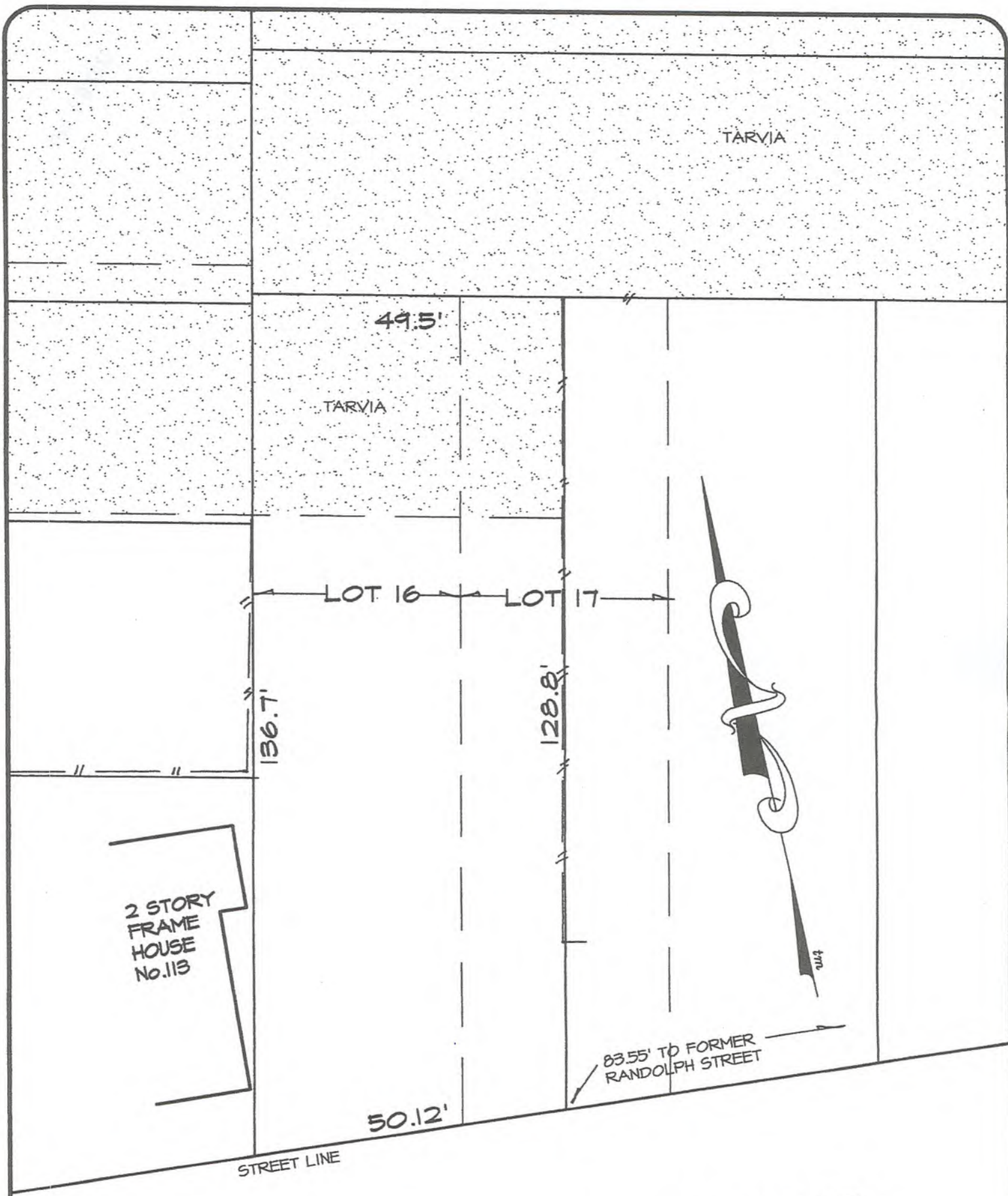
WARREN RAMIE SURVEYING
6437 COLLAMER ROAD
EAST SYRACUSE, NEW YORK 13057
PH: 315 458-8979 FAX: 315 458-8978



PART OF FARM LOT 108
CITY OF SYRACUSE
ONONDAGA COUNTY
STATE OF NEW YORK

BOUNDARY LOCATION SURVEY
OF
127 EAST GLEN AVENUE, SYRACUSE
FOR
4325 S. SALINA REALTY CORP R/O

DATE	11/03/2015	SCALE	1" = 20'
SHEET	1	DESIGNED BY	HDW
		DRAWN BY	HDW
OF	1	TAX MAP NO.:	071.-03-18.1
JOB NO.	15082		



EAST GLEN AVENUE

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW ARTICLE 145, SECTION 7209

DRAWING No.02189



LOCATION SURVEY ON LOT 16 AND PART OF LOT 17, OF THE WIGHT TRACT, CITY OF SYRACUSE, COUNTY OF ONONDAGA, STATE OF NEW YORK.
KNOWN AS No.117 EAST GLEN AVENUE

DATE 10/15/15

SCALE 1"=20'

REVISED 1/30/21

THE UNDERSIGNED SURVEYOR HEREBY CERTIFIES THAT THIS IS AN ACCURATE MAP OF AN ACTUAL SURVEY

Glen A. Mihal
GLEN A. MIHAL, L.S.#049865
 LICENSED LAND SURVEYOR SYRACUSE, NEW YORK

Gam
 Land Surveying

ONONDAGA COUNTY HEALTH DEPARTMENT

CITY OF SYRACUSE PLANNING COMMISSION

ASSESSMENT DEPARTMENT

FINANCE DEPARTMENT

ENGINEERING DEPARTMENT

WARREN RAMIE SURVEYING
6437 COLLAMER ROAD
EAST SYRACUSE, NEW YORK 13057
PH: 315 458-8979 FAX: 315 458-8978



LOTS 16, 17, 18 & 19
OF THE WIGHT TRACT
CITY OF SYRACUSE
ONONDAGA COUNTY
STATE OF NEW YORK

RESUBDIVISION/LOT ALTERATION SURVEY
OF
117&127 E. GLEN AVENUE, SYRACUSE
FOR
THE ROAD TO EMMAUS MINISTRY OF SYRACUSE, INC.



ONLY COPIES OF THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S SEAL AND SIGNATURE IN RED SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

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THE CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSONS FOR WHOM THE SURVEY IS PREPARED, AND ON HIS/HER BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY, AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

SURVEY COMPLETED WITHOUT BENEFIT OF ABSTRACT OF TITLE.

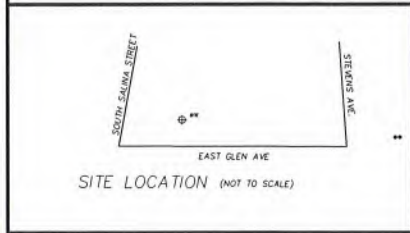
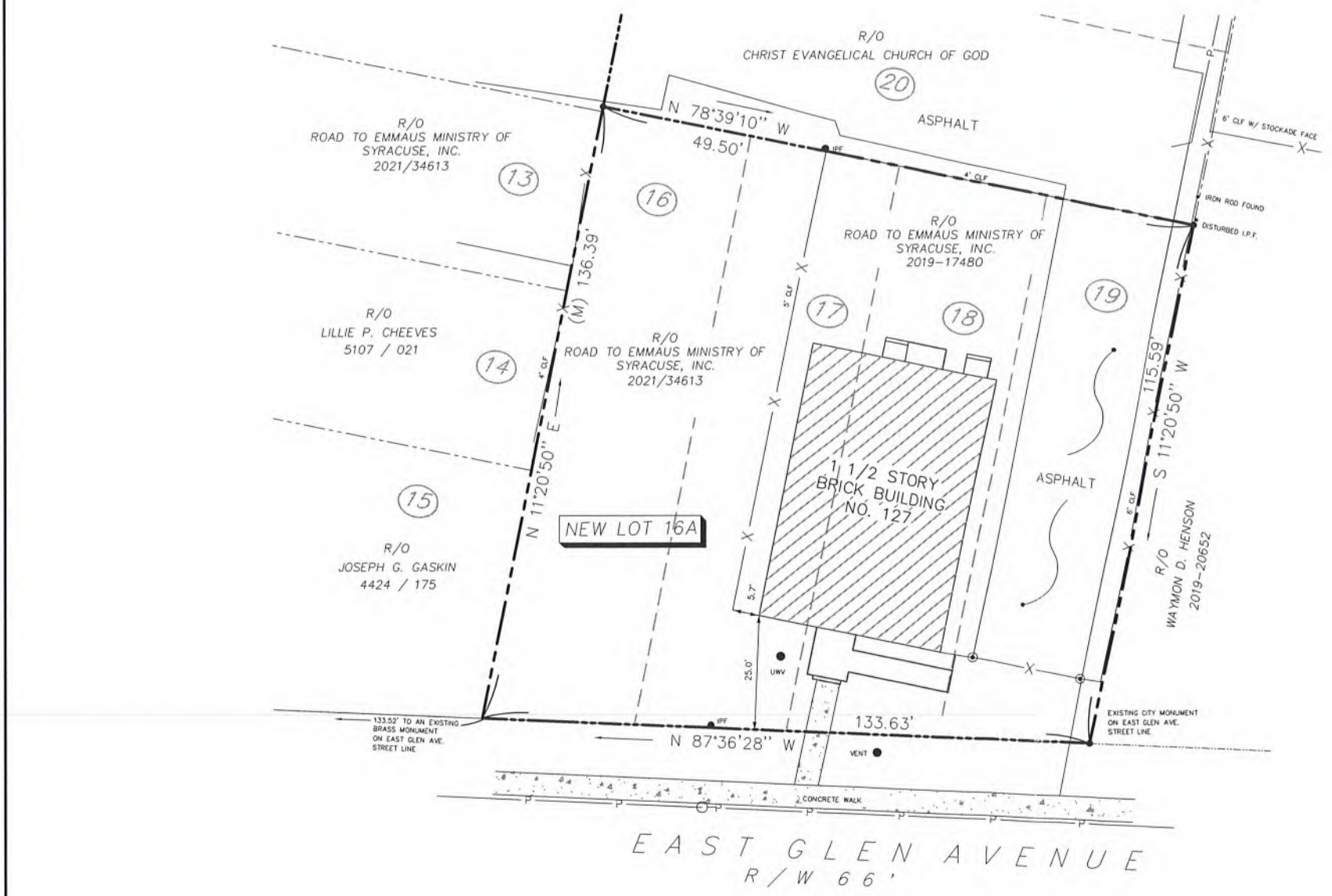
UNAUTHORIZED ALTERATION OR ADDITION TO A BOUNDARY SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

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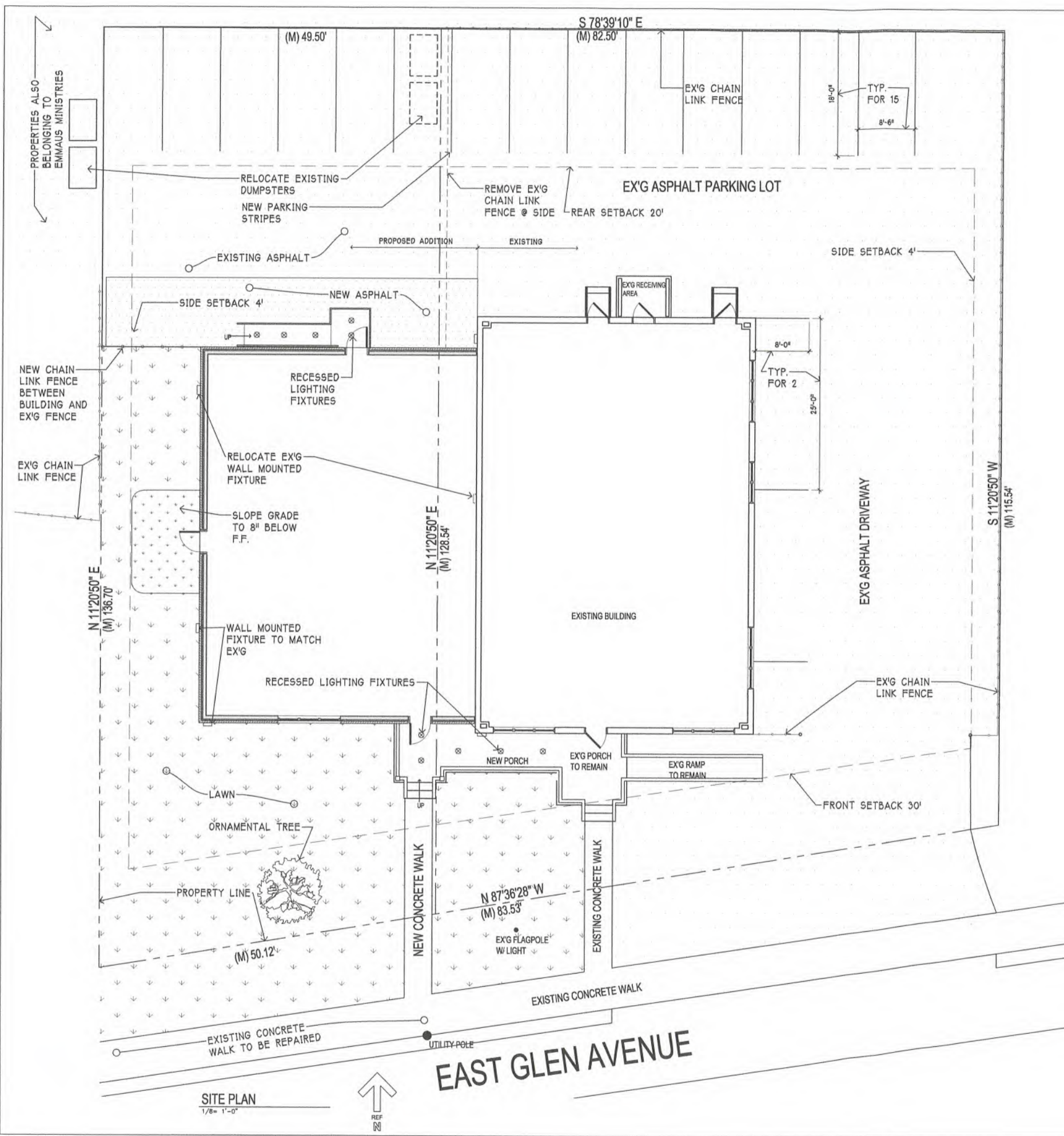
I HEREBY CERTIFY THAT THIS IS AN ACCURATE SUBDIVISION PLAT PREPARED BY ME ON MARCH 17, 2023. THIS SUBDIVISION PLAT MEETS THE CURRENT STANDARDS STATED IN THE NYSAPLS CODE OF PRACTICE FOR LAND SURVEYS PERTAINING TO ALL BOUNDARY/TITLE SURVEYS. THE SUBDIVISION BOUNDARY CLOSURE IS 1 IN 517609301154.1. THIS MAP IS NOT VALID WITHOUT THE ORIGINAL SEAL OF THE LAND SURVEYOR.

Heather Dawn Warren March 17, 2023
LICENSED LAND SURVEYOR
No. 50279

REFERENCE:
- SURVEY MAP BY MODI ENGINEERING AND LAND SURVEYING, PC
DATED JULY 28, 1999, PROJECT 99.16.



DATE	SCALE	DESIGNED BY	DRAWN BY	TAX MAP No.
11/03/2015	1" = 80'	HOW	HOW	071-03-18.19
SHEET	OF			
1	1			
JOB NO.	15082A			



SITE PLAN
1/8" = 1'-0"

DENSITY
SEE BELOW

SETBACKS
SEE DRAWING

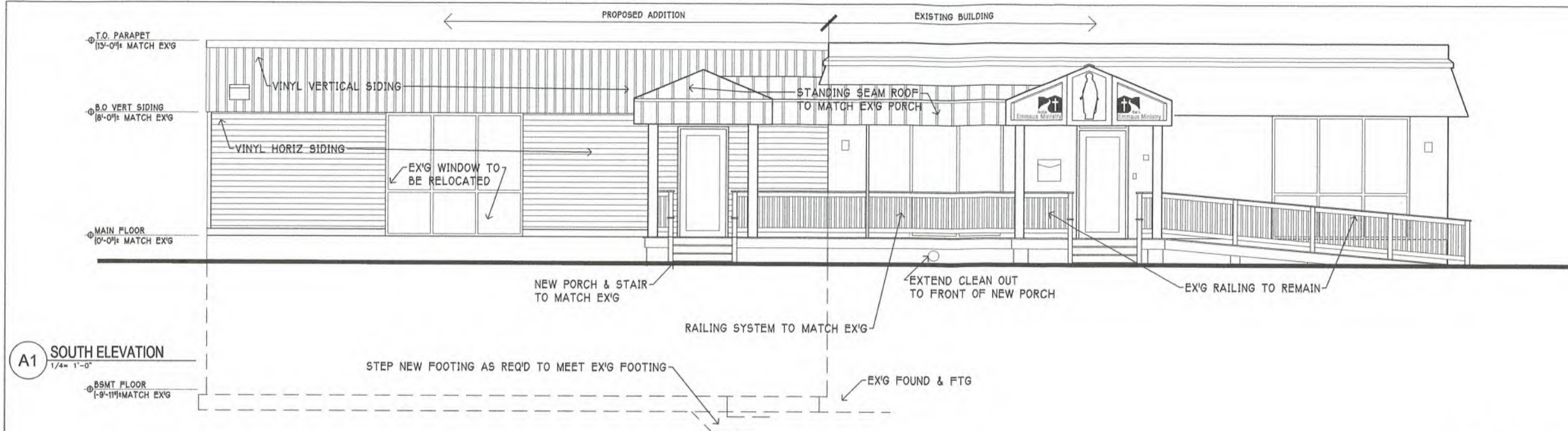
BUILDING COVERAGE	
LOT SIZE	16,647sf
COVERAGE ALLOWED(30%)	4,994sf
EXISTING BUILDING	2,465sf
EXISTING PORCH	71sf
PROPOSED ADDITION	2,223sf
PROPOSED PORCHES	232sf
TOTAL:	4,991sf
PARKING SURFACE	
COVERAGE ALLOWED	4,994sf
EXISTING PARKING	8,158sf
ADD. PROPOSED PARKING	455sf
TOTAL:	8,613sf
SCREENING NOT APPLICABLE	
PARKING REQUIREMENT NUMBER INDICATED	17
UTILITIES TO BE FED FROM EXISTING BUILDING	

IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED ARCHITECT OR ENGINEER, TO ALTER THIS DOCUMENT IN ANY WAY. IF ALTERED, THE ALTERING PROFESSIONAL SHALL WITH HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A DESCRIPTION OF THE ALTERATION. THIS STATEMENT IS PLACED HEREIN AS REQUIRED BY LAW.

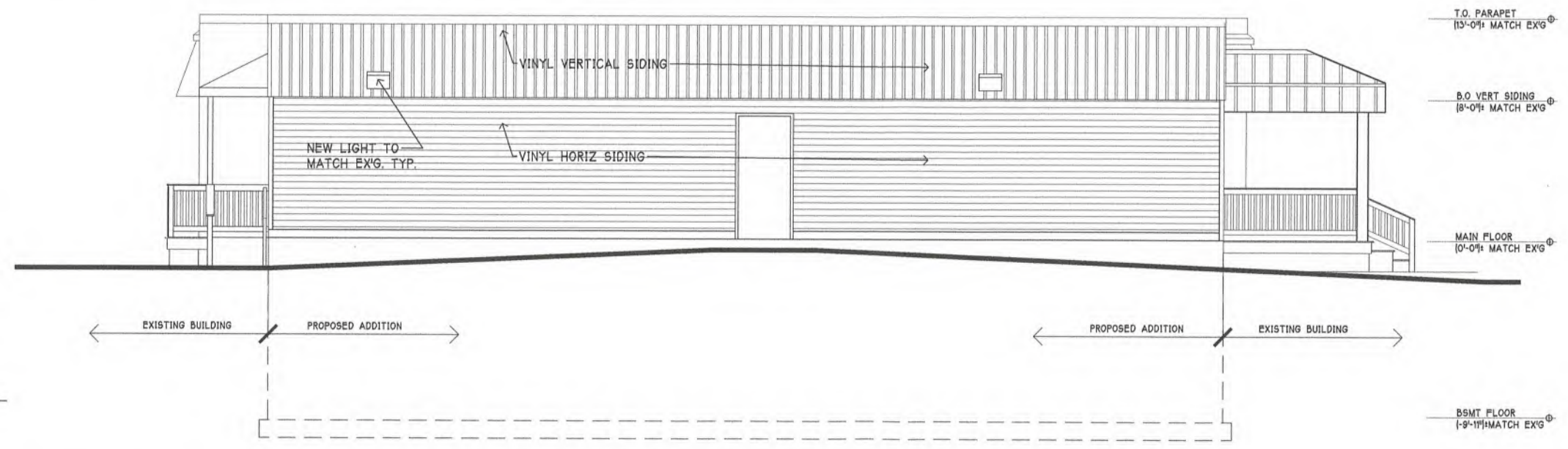
 Teitsch-Kent-Fay Architects, P.C. 132 Albany Street Suite M1 Cazenovia New York 13035	ADDITION AND ALTERATIONS TO:	
	ROAD TO EMMAUS MINISTRIES 127 EAST GLEN AVENUE SYRACUSE, NEW YORK 13205	

	DRAWING TITLE:	REVISIONS:
	PRELIMINARY SITE PLAN	
	PROJECT NO. 2215	SCALE: AS NOTED
	DATE: 04/04/2023	DRAWN BY: DWF/KAB
		S1

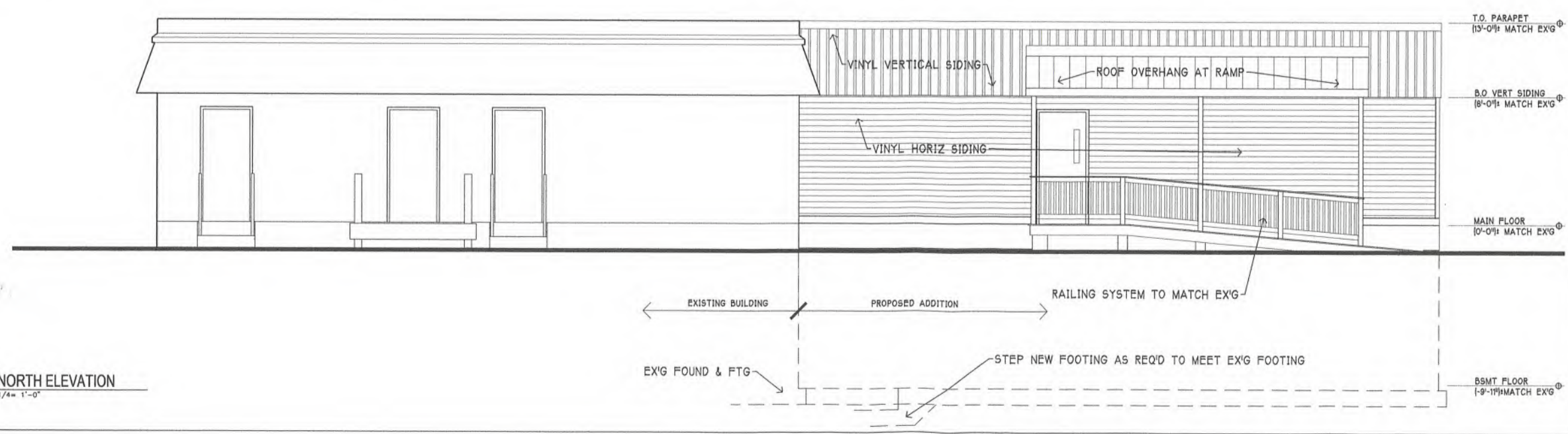
DO NOT SCALE THE DRAWINGS. ALL MEASUREMENTS TO BE VERIFIED BY CONTRACTOR. ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND SHALL BE USED ONLY ON THE JOB DESIGNATED.



A1 SOUTH ELEVATION
1/4" = 1'-0"



C1 WEST ELEVATION
1/4" = 1'-0"



D1 NORTH ELEVATION
1/4" = 1'-0"

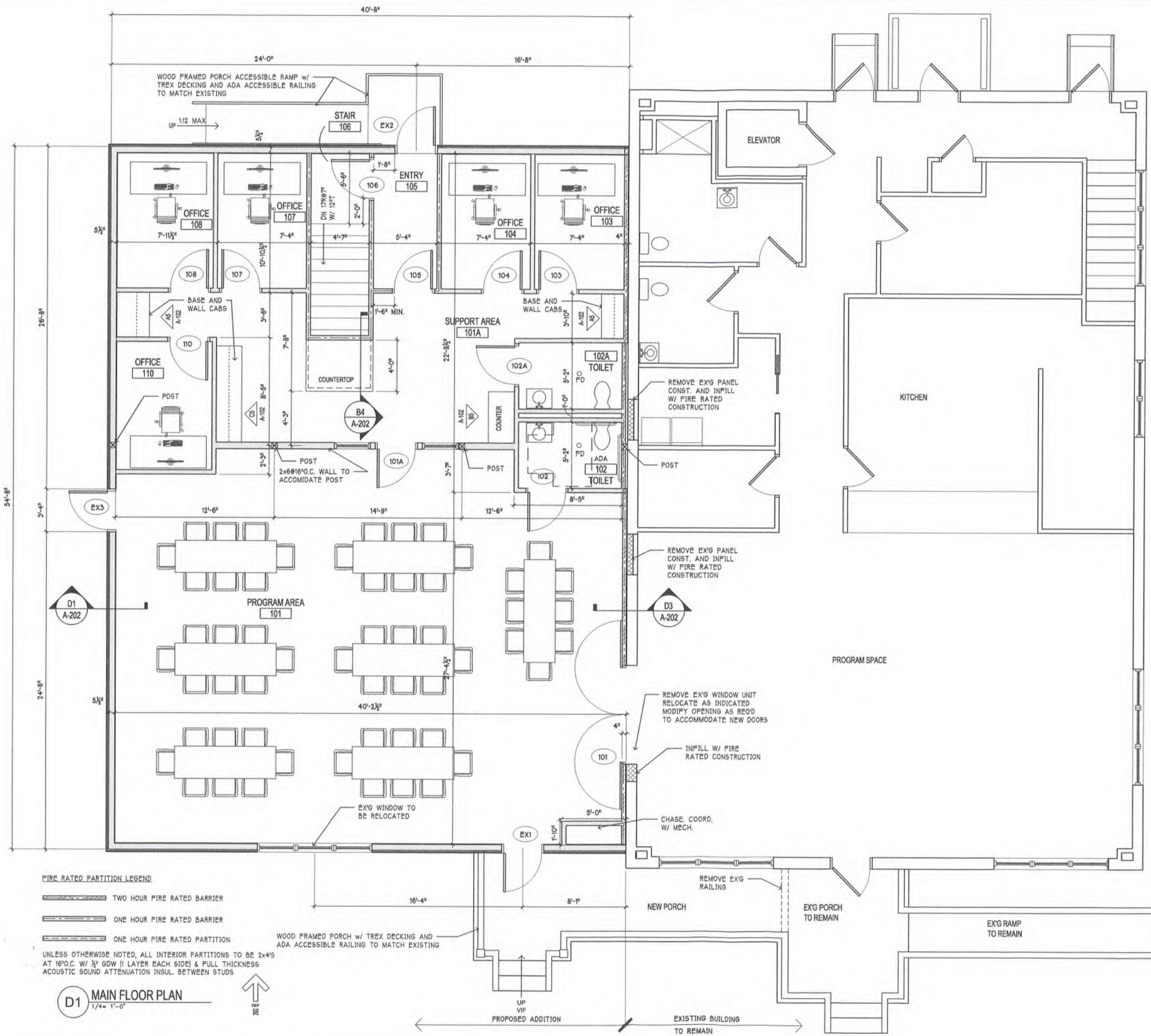
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Teitsch-Kent-Fay Architects, P.C.
132 Albany Street Suite M1
Cazenovia New York 13035

ADDITION AND ALTERATIONS TO:
ROAD TO EMMAUS MINISTRIES
127 EAST GLEN AVENUE
SYRACUSE, NEW YORK 13205

	DRAWING TITLE:		REVISIONS:
	EXTERIOR ELEVATIONS		
	PROJECT NO. 2215	SCALE: AS NOTED	
DATE: 04/04/2023	DRAWN BY: DWF / KAB		

DO NOT SCALE THE DRAWINGS. ALL MEASUREMENTS TO BE VERIFIED BY CONTRACTOR. ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND SHALL BE USED ONLY ON THE JOB DESIGNATED.

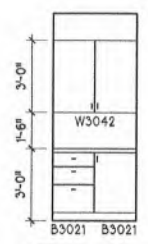


FIRE RATED PARTITION LEGEND

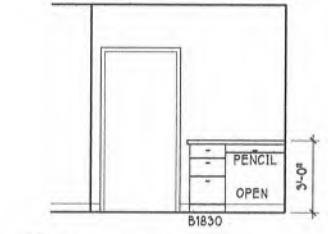
- TWO HOUR FIRE RATED BARRIER
- ONE HOUR FIRE RATED BARRIER
- ONE HOUR FIRE RATED PARTITION

UNLESS OTHERWISE NOTED, ALL INTERIOR PARTITIONS TO BE 2x4'S AT 16" O.C. W/ 1/2" G.D.W. (1 LAYER EACH SIDE) & FULL THICKNESS ACOUSTIC SOUND ATTENUATION INSUL. BETWEEN STUDS

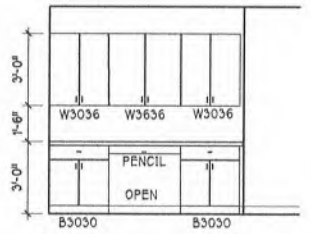
D1 MAIN FLOOR PLAN
1/4" = 1'-0"



A5 CABINET ELEVATION
1/4" = 1'-0"



B5 CABINET ELEVATION
1/4" = 1'-0"



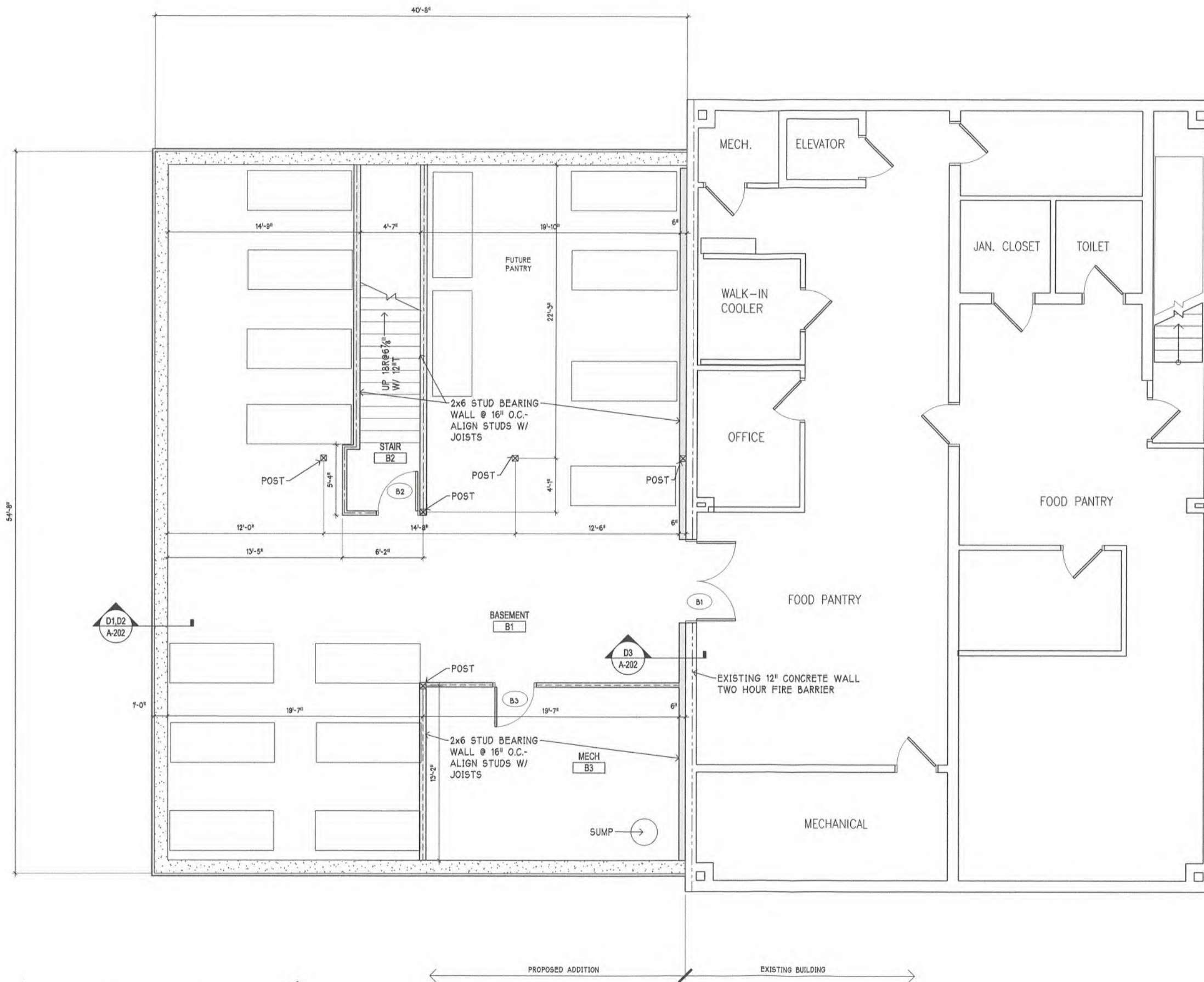
C5 CABINET ELEVATION
1/4" = 1'-0"

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 Teitsch-Kent-Fay Architects, P.C. 132 Albany Street Suite M1 Cazenovia New York 13035	ADDITION AND ALTERATIONS TO:	
	ROAD TO EMMAUS MINISTRIES 127 EAST GLEN AVENUE SYRACUSE, NEW YORK 13205	

	DRAWING TITLE:		REVISIONS:	
	MAIN FLOOR PLAN			
	PROJECT NO.	SCALE:		DRAWING NO.
	2215	AS NOTED		A-102
DATE:	DRAWN BY:			
04/04/2023	DWF / KAB			

DO NOT SCALE THE DRAWINGS. ALL MEASUREMENTS TO BE VERIFIED BY CONTRACTOR. ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND SHALL BE USED ONLY ON THE JOB DESIGNATED.



D1 BASEMENT PLAN
1/4" = 1'-0"



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Teitsch-Kent-Fay Architects, P.C.
132 Albany Street Suite M1
Cazenovia New York 13035

ADDITION AND ALTERATIONS TO:
ROAD TO EMMAUS MINISTRIES
127 EAST GLEN AVENUE
SYRACUSE, NEW YORK 13205

	DRAWING TITLE: BASEMENT PLAN	REVISIONS:
	PROJECT NO. 2215	SCALE: AS NOTED
	DATE: 04/04/2023	DRAWN BY: DWF / KAB

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