PLEASE TYPE OR PRINT (LEGIBLY)

For Office Use Only: Tax map Section: D8.aBlock: 06 Lot: 15 Zoning District: RA
1. Address of subject property: 600-802 Park Avenue, Syracuse, New York
2. Year property was purchased by current owner: 2013
3. Applicant/contact information:
a. Owner(s) (current titleholder): Name(s): Nazih M. Salim Mailing Address: 627 Park Avenue, Syracuse, New York Zip: 13204 Daytime phone number: 315-935-0317 home phone number: 315-802-4610 E-mail (alternate contact for additional information request):
b. Contract purchaser(s), Lessee, or Co-applicant (if applicable) *note: Copy of contract to purchase must be included with application if this contract purchaser or lessee applies. Name(s): Mailing Address: Zip: Home phone number:
c. Representative: Attorney X, Architect, Contractor, Other (Only if involved in this application) Name(s): Robert L. Jokl, Jr., Esq. Mailing Address: 205 S. Salina Street, Suite 403, Syracuse, New York Zip: 13202 Telephone number: 315-471-1227
4. Current use of property: (i.e., 1 family, 2 family, grocery store, etc.): Vacant daycare center and a second commercial unit on the 1st floor
Proposed use and occupancy of property: Barber shop and a second commercial unit on the 1st floor Current number of onsite (off-street) parking spaces: 2
Proposed number of onsite (off-street) parking spaces: 2

Days and hours of operation (for any business uses):	9:00 a.m. to 6:00 p.m.	
		Any companies compressed consequences and appropriate from a series consequence and a
Explain in detail what (if any) new additions or construct	tion is proposed on the	e site:
Reason for request:		
The courts have distinguished between use variances (for excess lot coverage, additions into required yards, etc variance are much more demanding than for an area variance such proof in arguing their case. (See Standard or excess)	c.). Be aware that <i>the</i> ariance and that <i>the b</i>	e standards of proof for a use burden is on the applicant to
Use additional sheets of paper to present proof if nece	ssary.	
SEE ATTACHED SHEET		
		A JUNIORA MINISTRA MANTINI PROPERTINI PARA MANTINI A MANTINI PARA MANT
The following affirmation must be signed and dated l	by the CURRENT P	ROPERTY OWNER or the

owner's LEGAL representative (attorney, power of attorney, partner in the business, etc.).

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 make consideration of this application null and void.

CURRENT PROPERTY OWNER SIGNATURE

As listed on the City of Syracuse Tax Assessment Roll. If not listed as the owner on the current rolls, please include a proof of ownership, for example, a copy of the deed. Attorney's signing on behalf of the owner must include a one page letter describing the legal representative arrangement. Architects, engineers, contractors, tenants, etc. cannot sign on behalf of the property owner. If property owner is a Corporation or an Organization, then the person signing must provide verification they are a member of such, and can sign on the owners' behalf.

CURRENT PROPERTY OWNER SIGNATURE



OFFICE OF ZONING ADMINISTRATION Ben Walsh, Mayor

REFERRAL COMMENTS

01/10/2018

Variance (Use): V-18-03

Address: 800-02 Park Ave & Liberty St, Syracuse, 13204

Hearing Date: 1/25/2018

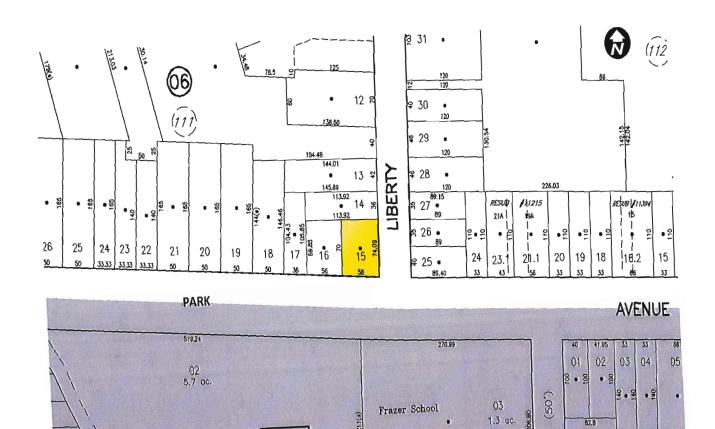
Request:

Establish a Retail and Personal Service Use

The departments and/or Boards below have reviewed the above application and provided the following comments for your information and action as appropriate.

Approval	Status	Status Date	Reviewer	Comments
DPW Street Repair - Zoning	Internal Review Complete	01/02/2018	Richard DeMarzo	no concerns
DPW Commissioner - Zoning	Pending	12/21/2017		
DPW Sewers - Zoning	Internal Review Complete	01/02/2018	Vinny Esposito	Any exterior site work will require separate site permit.
DPW Sidewalks - Zoning	Internal Review Complete	01/02/2018	Chris Ettinger	no concerns
Eng. Design & Cons Zoning	Internal Review Complete	01/04/2018	Charles Davidson	No objection to proposed variance. Any future alterations shall be submitted to the City for review and approval prior to construction.
City Engineer - Zoning	Internal Review Complete	01/04/2018	Ray Wills	-City Engineer Defers comment to Mapping, Design and Construction and other reviewing DeptsCity Engineer deferment does not render permits for any work in the ROW (i.e. Street Cuts, Encroachments etc) unnecessary. Should the project require it, the permits must be obtained in advance of work commencing -Review and acceptance of Project Site Reviews, Special Permits or any of the like does not absolve the applicant from the responsibility of obtaining permits for work inside the ROW (ex Street Cuts, Curb Cuts, Encroachments, Sidewalk replacement, etc), or where applicable obtaining a SWPPP prior to work commencingTHE CITY ENGINEER DEFERRAL APPLIES TO THIS REVIEW ONLY.
Eng. Mapping - Zoning	Internal Review Complete	12/29/2017	Ray Wills	No objection to proposal, any exterior work beyond façade would require review prior to work, including any signage that may encroach.

DPW - Transportation Planner	Internal Review Complete	12/26/2017	Neil Milcarek- Burke	This property has still not implemented the required site changes from the Board of Zoning Appeals March 2014 decision. Both DPW and the Zoning Board noted "There should be no asphalt in the front of the building, only concrete or grass" (Park Ave frontage).
				Parking is permitted in the driveway only. A physical barrier should be installed to prevent parking on the concrete walkways and/or to prevent vehicles from attempting to park side by side and encroaching into the building setback. This issue should be remedied before any retail operation is opened.
				This property is directly across the street from Frazer K-8 school and the area sees a high volume of young children walking to and from school.
Eng. Design & Cons Zoning	Internal Review Complete	01/04/2018	Charles Davidson	No objection to proposed variance. Any future alterations shall be submitted to the City for review and approval prior to construction.
City Engineer - Zoning	Internal Review Complete	01/04/2018	Ray Wills	-City Engineer Defers comment to Mapping, Design and Construction and other reviewing DeptsCity Engineer deferment does not render permits for any work in the ROW (i.e. Street Cuts, Encroachments etc) unnecessary. Should the project require it, the permits must be obtained in advance of work commencing -Review and acceptance of Project Site Reviews, Special Permits or any of the like does not absolve the applicant from the responsibility of obtaining permits for work inside the ROW (ex Street Cuts, Curb Cuts, Encroachments, Sidewalk replacement, etc), or where applicable obtaining a SWPPP prior to work commencingTHE CITY ENGINEER DEFERRAL APPLIES TO THIS REVIEW ONLY.
Eng. Mapping - Zoning	Internal Review Complete	12/29/2017	Ray Wills	No objection to proposal, any exterior work beyond façade would require review prior to work, including any signage that may encroach.
Water Engineering - Zoning	Pending	12/21/2017		



800-802 PARK AVENUE

132

109

Frazer Park

- E-609,000

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₹ 59*

58

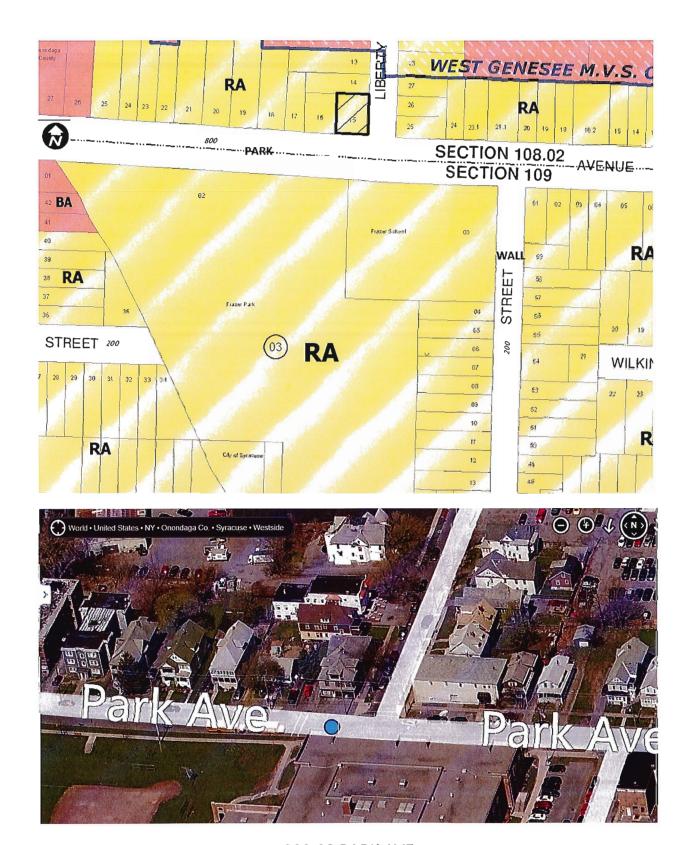
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TREET

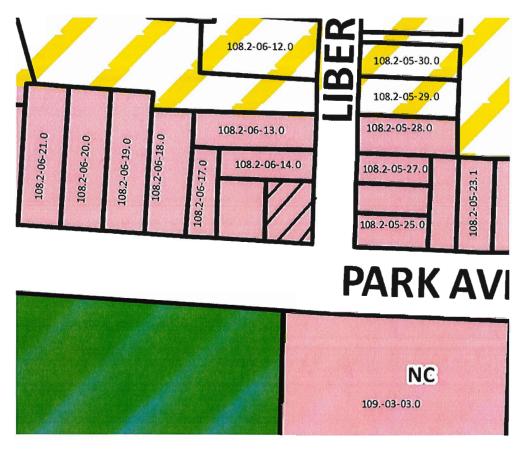
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04

V-18-03



800-02 PARK AVE



Neighborhood Center

These neighborhood-scale commercial centers were designed to serve pedestrians and so buildings were tightly packed together, built up to the sidewalk, and featured large storefront windows to entice shoppers—all of which are desirable characteristics in new development today and assets of these neighborhood centers that should be protected and expanded upon. Most buildings here are one-to-two stories tall, but some with residential or office uses above can be up to four stories tall.

Uses here include retail, services, restaurants, office, and residential. Active uses should be located on the ground floor whenever possible. Large new buildings inserted into the streetscape should break up their sidewalk-facing façade with vertical articulation and windows to fit in with the smaller surrounding buildings and avoid visual monotony. Sidewalks should be wide enough to accommodate heavy pedestrian traffic and, in some locations, café seating.

Occasionally detached housing is mixed into these centers, especially when they take the form of a corridor rather than a node, such as South Ave. and Butternut Circle. Residential building forms like this are not unusual in this character area, and they are often converted to commercial use with the addition of a storefront—a mix and match of forms and uses should be allowed here. (See the table following and the photos of the Northside Gallery and Recess coffee shop elsewhere in this plan, illustrations of converted residential buildings.)

DIVISION OF CODE ENFORCEMENT 201 E. WASHINGTON STREET — ROOM 101 SYRACUSE, NEW YORK 13202-1430

DENIAL OF PERMIT

REFE	RENCE ADDRESS	800-02	Par	k Ave
	;			WARD NO.
OWN	ER Nazih	M Smi	th	
	er's address 4	27 Park	Av	ė.
	lys	NY. 13	204	
				TELEPHONE 315 - 935 - 031
APPL	ICATION FOR PER			·
	erect ().	convert	· ma	aintain () operate ()
	Var	iance for	Bas	ber Shop + Retail
DEN	IED UNDER ARTIC	LE (s)		
,		of the zoning ord	linance for	the following reasons:
·i				
bertighed to gain				
0	PLANS ATTACHED	D, APPROVED BY.		LOCATION OF REFERENCE ADDRESS: ASSESSOR'S ATLAS
	SURVEY ATTACH	ED .		BOOK (S) NO.
	ZONING REVIEW	,	•	PLATE (S) NO.
	ZOWWA HEVILWA		1	PARCEL (S) NO.
·	DATE 12-4	-/7 SIGN	ATURE 🗠	Laift Swestap

617.20 Appendix B Short Environmental Assessment Form

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							
Ture x rojectum	Sponoor Internation							
Name of Action or P	roject:			<u> </u>				_
Project Location (de	scribe, and attach a location n	nap):						
800-802 Park Av	/enue & Liberty Street, Sy	racuse New	York					
Brief Description of		yracase, riew	TOIR					
To modify an ex	cisting use variance to est oved daycare center and					ither (than a	
Name of Applicant of	or Sponsor:			Telephor	ne: 315-935-03	17		
Nazih M. Salim	•		<u>-</u>	E-Mail:	310-930-03			
Address:								
627 Park Aver	ille.							
City/PO:	<u> </u>				tate:	Zir	Code:	
Syracuse				1	NY	1 -	3204	
	action only involve the legis	lative adoption	of a plan, lo	cal law, c			NO	YES
administrative rule		•			,		· ·	
If Yes, attach a narra may be affected in th	tive description of the intent of the municipality and proceed to	of the proposed o Part 2. If no.	action and to continue to c	he enviro question 2	nmental resources 2.	that	X	
	d action require a permit, app					?	NO	YES
	name and permit or approval			Ü	, ,			
							х	
b. Total acreage to c. Total acreage (pr	the site of the proposed actio be physically disturbed? roject site and any contiguous the applicant or project spons	properties) ow	rned		acres acres			
4. Check all land use	es that occur on, adjoining and	d near the prope	osed action.					
□ Urban	□ Rural (non-agriculture)	□ Industrial		rcial 🖘	Residential (subu	rban)		
□ Forest	□ Agriculture	□ Aquatic	□ Other (s	pecify):_				
□ Parkland								

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?		х	
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural		NO	YES
landscape?			Х
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Ar	ea?	NO	YES
If Yes, identify:		x	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
		Х	
b. Are public transportation service(s) available at or near the site of the proposed action?			Х
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed act	ion?		Х
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:		NO	YES
meets minimum code requirements			×
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? NO YES]		NO	YES
If No, describe method for providing potable water:			x
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? NO YES]		NO	YES
If No, describe method for providing wastewater treatment:			,,
			X
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO	YES
b. Is the proposed action located in an archeological sensitive area?			
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?	1	NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		X	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:		Χ	ceration of
		. 792	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check al		pply:	
□ Wetland □ Urban □ Suburban	1141		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed		NO	YES
by the State or Federal government as threatened or endangered?		х	
16. Is the project site located in the 100 year flood plain?		NO	YES
		Х	_
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	_	NO	YES
a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES		х	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains If Yes, briefly describe:		gi pasa	
If Yes, briefly describe:			

18. Does the proposed action include construction or other activities that result in the impoundment of	NO	YES
water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	X	
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:	x	
Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO X	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE		F MY
Applicant/sponsor name: Nazih M. Salim Signature: Date: /2/4/!		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

		No, or small impact may occur	Moderate to large impact may occur
1.	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2.	Will the proposed action result in a change in the use or intensity of use of land?		
3.	Will the proposed action impair the character or quality of the existing community?		
4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5.	Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6.	Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7.	Will the proposed action impact existing: a. public / private water supplies?		
	b. public / private wastewater treatment utilities?		
8.	Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9.	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or	Moderate
	small	to large
	impact	impact
	may	may
	occur	occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

	that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.					
	Check this box if you have determined, based on the info that the proposed action will not result in any significant	rmation and analysis above, and any supporting documentation, adverse environmental impacts.				
	Name of Lead Agency	Date				
Pri	nt or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer				
	Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)				

Variance Use Application

Page Two (continued)

Reason for Request:

On February 27, 2014 the Board of Zoning Appeals for the City of Syracuse, New York unanimously passed a resolution approving a variance modification on this property situated at 800-802 Park Avenue (Application: V-85-13). This approval modified the then existing use variance to establish a mixed-use building with a daycare center and a commercial unit on the first floor and three dwelling units on the second floor by waiving the uses permitted within a Residential District, Class A zoning district.

Since the granting of this variance modification, in spite of applicant's exhaustive efforts to lease the space to a tenant desiring to establish a daycare center in the building, he has failed to find any such tenant. As a result, the space in the applicant's building permitting only a daycare center use has been vacant for almost three years. The applicant just can't find anyone that wants to establish a daycare center in that space in his building. He has been able to lease on a month to month basis the space for use as a barber shop.

Due to his inability to lease that space, under the current zoning regulations, the owner/applicant cannot realize a reasonable return on his significant investment in this property.

The applicant is requesting a **use variance**. The property as currently zoned, does not provide the property owner the capability to earn a reasonable return on his initial investment, thus creating for him an unnecessary hardship. As such, the property owner is seeking permission to establish a use of his property not otherwise permitted in this zoning district. He seeks permission to use his property as a small barber shop on one side of the first floor of his two-story building, and a small convenience market on the other side of the first floor.

The hardship relating to this property is unique, and does not apply to a substantial portion of the district or neighborhood.

The requested use variance, if and when granted, will not alter the essential character of the neighborhood.

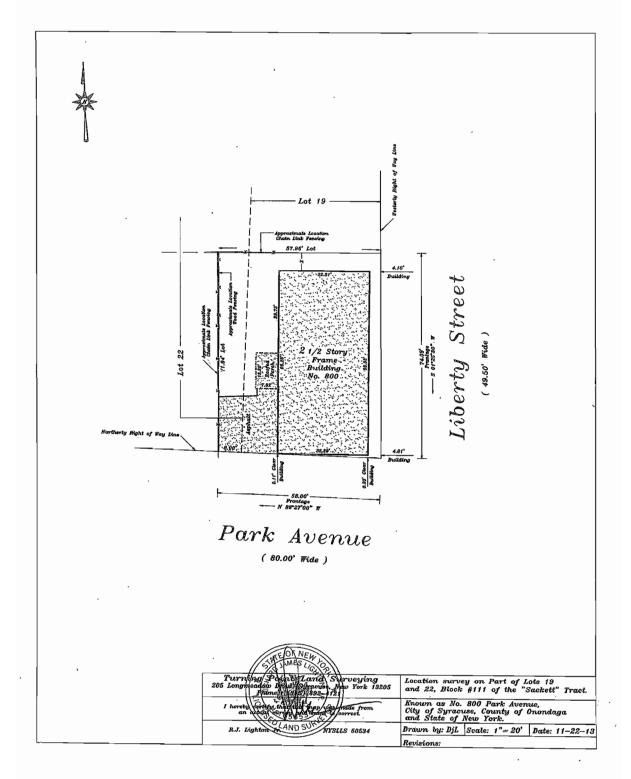
The hardship, from which relief is request, has not been self-created.

Details of the Proposed Use

The applicant seeks permission to use his property so that on the first floor he may lease the two commercial units, as a barber shop in one unit, and a small convenience market in the other.

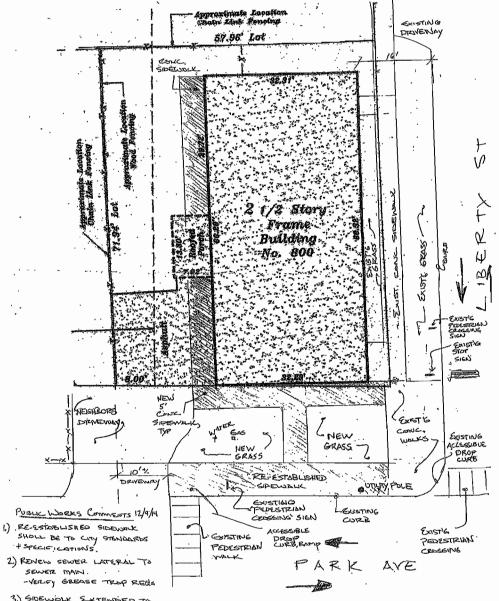
The barber shop will have 3 employees, and will be open 5 days a week, Tuesday to Saturday, closed Sunday and Monday, from 9:00 am. to 5:00 pm.

The small convenience market will not sell prepared food, nor will it be selling any alcohol or lottery tickets. The market will have one employee who will walk to work. The market will be open 7 days a week, Monday to Saturday from 8:00 am to 6:00 pm and on Sunday from 8:00 am to 2:00 pm.



SITE FLAN

315-724-3498 , 350-516 315-362-9538 for 315-362-9538 for



3) SIDEWIDLK EXTENDED TO
PEDESTRIAN WOLK (ASSISTRE)
GRASS IN LIEU OF EXISTS
ASPRIALT IN FRONT OF
BULDING

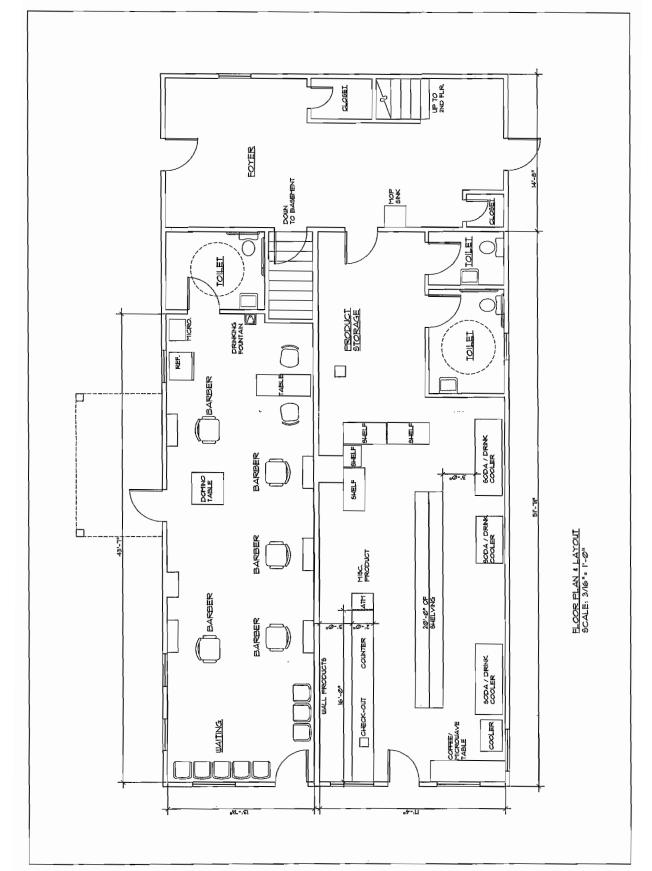
DATE 8 DEC 2017 SCALE AS NOTED SMEET NO Al OF 2 PROJECT NO DGD CHECKED BY FL00R

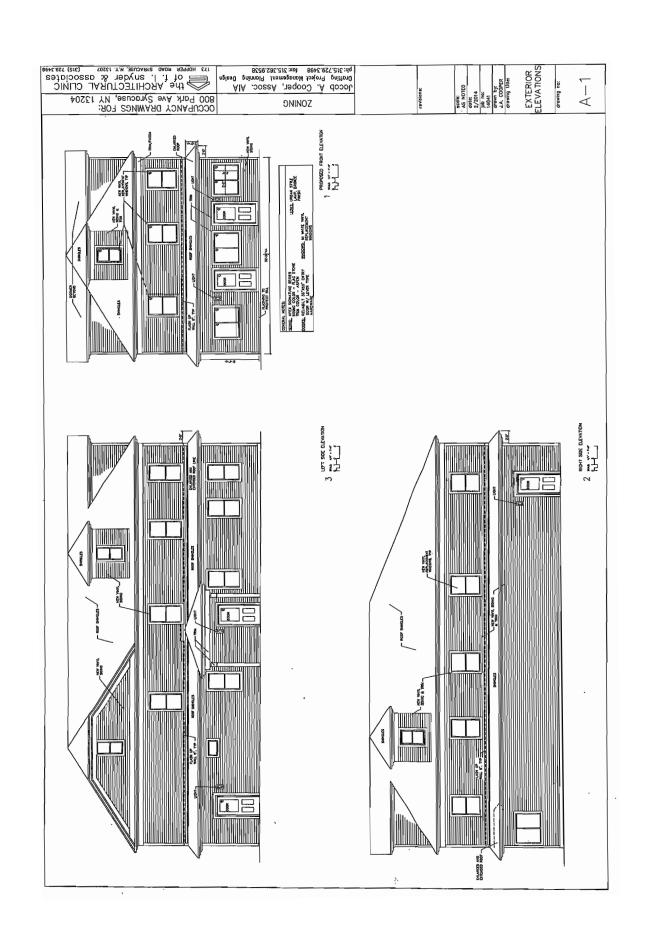
FIOOT PIEM + LEYOUT FOT: CONVENIENCE STORE + BARBER SHOP 800 Perk Avenue 1000 Perk Avenue











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B DEC 2011 SCALE AS NOTED

PHOTO'S

AZ OF 2





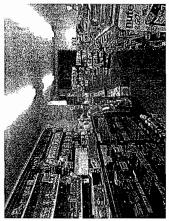




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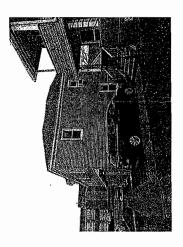


INTERIOR PHOTO OF CONVENIENCE STORE (LOOKING NORTH)

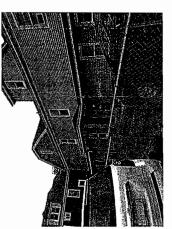


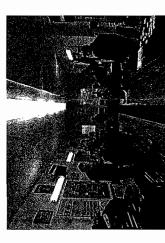
INTERIOR PHOTO OF CONVENIENCE STORE (LOOKING NORTH)

INTERIOR PHOTO OF CONVENIENCE STORE (LOOKING SOUTH)



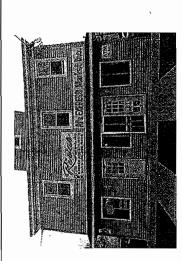




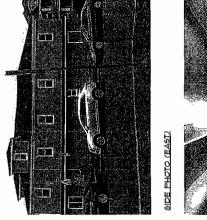




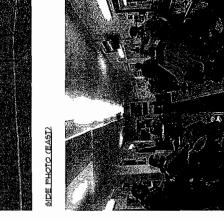
INTERIOR PHOTO OF BARBER SHOP (LOOKING SOUTH)



FRONT PHOTO (SOUTH)



SIDE PHOTO (UEST)



INTERIOR PHOTO OF BARBER SHOP (LOOKING NORTH)

