

VARIANCE APPLICATION

SYRACUSE BOARD OF ZONING APPEALS

PLEASE TYPE OR PRINT (LEGIBLY)

For Office Use Only: Application Number: V- 18-37
Tax map Section: 037 Block: 07 Lot: 35 Zoning District: RAA

1. Address of subject property: 401-03 Ellis Street 037-07-35.0

2. Year property was purchased by current owner: 2017

3. Applicant/contact information:

a. Owner(s) (current titleholder):

Name(s): VH Syracuse Realty LLC

Mailing Address: P.O. Box 852 Syracuse, NY

Zip: 13214 Daytime phone number: 3154165651 home phone number: _____

E-mail (alternate contact for additional information request): surental@gmail.com

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: _____ Day Phone: _____

E-mail (alternate contact for additional information request): _____

c. Representative: Attorney ☐, Architect ☐, Contractor ☐, Other ☒ Syracuse Land Bank
(Only if involved in this application)

Name(s): Terri Luckett

Mailing Address: 431 East Fayette Street, Syracuse NY

Zip: 13202 Telephone number: 315-422-2301 x18

4. Current use of property: (i.e., 1 family, 2 family, grocery store, etc.): 3-unit dwelling

Proposed use and occupancy of property: 3-unit dwelling

Current number of onsite (off-street) parking spaces: 1

Proposed number of onsite (off-street) parking spaces: 1

Days and hours of operation (for any business uses): no business use proposed

Explain in detail what (if any) new additions or construction is proposed on the site: substantial
rehabilitation - both interior and exterior improvements. (completed)

Reason for request:

The courts have distinguished between use variances (for uses which are not permitted) and area variance (for excess lot coverage, additions into required yards, etc.). Be aware that *the standards of proof for a use variance are much more demanding* than for an area variance and that *the burden is on the applicant* to provide such proof in arguing their case. (See Standard of Proof requirements on required submittal page.)

Use additional sheets of paper to present proof if necessary.

Please see attached standards of proof

The following affirmation must be signed and dated by the CURRENT PROPERTY 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**.

Signature of CURRENT PROPERTY OWNER (or owner's LEGAL representative)

10/3/18
Date

VH Syracuse Realty LLC (WHO IS THE AUTHORIZED SIGNER)

Printed or typed name of person whose signature is above (if legal representative, also state relationship to owner).

SYRACUSE BOARD OF ZONING APPEALS
CITY HALL COMMONS, ROOM 101
201 EAST WASHINGTON STREET
SYRACUSE, NY 13202
(315) 448-8640

Board of Zoning Appeals application Procedures

Variance applications involve public hearings with the Board of Zoning Appeals. A variance application will not be considered complete on the applicant's part until all required submittals have been received and have been through a preliminary review by Zoning Office staff (and possibly other departments), including an evaluation of the application under the New York State Environmental Quality Review Act (SEQR).

Once an application has been determined to be ready for a public hearing with the Board of Zoning Appeals, it will be scheduled for the **next available** hearing date (allowing the necessary time from for the Board's authorization, newspaper publication, mailing schedules, etc.). A "Public Notice" regarding the hearing date will then be mailed to the applicant (and representative, if any), approximately ten (10) days prior to the hearing date.

The public notice is also published in the Syracuse Post Standard newspaper ten (10) days prior to the hearing date. Public notices are also sent to property owners contiguous to any property subject to a public hearing, and to other city departments and neighborhood organizations.

The application, and its contents, will then be open for inspection at the Syracuse Office of Zoning Administration during regular office hours.

Unless otherwise notified, all meetings at which public hearings are to be held will begin at 1:00 p.m. in the Common Council Chambers on the third floor of City Hall.

The applicant or his or her representative **must attend** the public hearing to explain the case request to the Board of Zoning Appeals. (The rules of the Board of Zoning Appeals **do not permit postponements** due to the absences of applicants or their representatives.) A variance decision is not final until a written resolution is adopted by the Board of Zoning Appeals and filed with the secretary to the Board. Depending upon the situation, the resolution may possibly not be adopted until a later meeting. A copy of the resolution will be mailed to the applicant.

Depending upon the type and complexity of the application, additional necessary reviews, and the hearing schedule, the entire variance application process from the submission of the application to the release of the resolution may take approximately two months.

Please sign that you have read and understand the above information and return this page with the application.

Signed:  Date: 

This application may be mailed or delivered in person to the Syracuse Office of Zoning Administration, located in Room 101 at City Hall Commons, 201 East Washington Street, Syracuse, NY 13202-1426. If you wish to discuss the application with a member of our staff, please call ahead for an appointment (448-8640).

NOTE: After receipt of the application, it may be necessary to require additional information from the applicant. *An application must be complete before a public hearing can be scheduled.*

Items that are submitted with the application will not be returned so it is important that the applicant must make any copies of items they need prior to submitting the application. **Copies will not be made by staff to the Board of Zoning Appeals.**

APPLICANT PLEASE NOTE: Approval of your application by the Board of Zoning Appeals does not relieve you or your agent from compliance with any other regulatory or licensing provisions additionally required by other Federal, State, County, or City authorities. You are still required to pursue and obtain permits from the Division of Code Enforcement.

05/2014

Syracuse Board of Zoning Appeals

For Information Call: 448-8640

REQUIRED SUBMITTAL SHEET FOR USE VARIANCES
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

☒ **DENIAL OF PERMIT** from DOCE, Permit Office – Room 101. (Required even if a Notice of Violation has been issued).

☒ **PROPERTY SURVEY** - One clean copy of a **current survey map** drawn by a licensed land surveyor. **Reduced, faxed or scanned copies will not be accepted.**

NOTE: If plans are larger than 11x17 then a reduced copy must also be included with the application.

☐ **SITE PLAN** - On a **copy** of the survey, show all walkways, driveways, screening devices, signage and any new construction (**Plan must be drawn to scale and labeled with dimensions**). *Same as Survey*

NOTE: If plans are larger than 11x17 then a reduced copy must also be included with the application.

☒ **FLOOR PLANS** (Must be drawn to scale).

- a. One set of scaled floor plans for all floors showing **current** arrangement, and labeled with dimensions and current uses.
- b. Two sets of **proposed** floor plans showing dimensions and proposed uses. (One copy submitted to DOCE, Room 101 at City Hall Commons) and one copy submitted with this application) If the use is a business all shelving, storage, restrooms, kitchen hardware (stoves, sinks, freezers etc.) must be shown.

NOTE: If plans are larger than 11x17 then a reduced copy must also be included with the application.

☐ **ELEVATIONS** (for all new construction or any changes to the existing structure)

Two sets of elevations (drawings of exterior walls) including doors and windows.

- a. One copy to be submitted to DOCE, Permit Office, City Hall Commons, Room 101.
- b. One copy to be submitted with this application.

NOTE: If plans are larger than 11x17 then a reduced copy must also be included with the application.

☒ **STANDARDS OF PROOF (for a use variance)** The applicant must provide a written letter to the Board of Zoning Appeals detailing the proposed project and stating the hardship. In addition the applicant **must also show written proof** of the following:

- a. **Reasonable Return:** Applicant must show financial hardship caused by current use of property (**documentation must be submitted**).
- b. **Unique Circumstances:** Applicant must show that the hardship **is unique to the subject property** not to the neighborhood as a whole.
- c. **Essential Character of the Locality:** Applicant must show that the proposed use will not alter the essential character of existing neighborhood.
- d. The applicant must explain why the alleged hardship has not been self-created.

☒ **DETAILED LETTER EXPLAINING** the nature of your business, for example: the hours of operation, number of employees on premise at one time, items to be sold, etc.

NOTE: If you are proposing to sell prepared food, it is important to list each item of food to be prepared and sold.

☒ **PHOTOS** - Labeled photos of property will be helpful in the review of the application.

☒ All parts of the application form and appropriate parts of the **Environmental Assessment Form** (front side only) must be completed. Any blank sections may result in the **application being returned and a delay in scheduling a public hearing**.

☒ **FEE of \$25.00** - MADE PAYABLE BY CHECK OR MONEY ORDER ONLY, to the COMMISSIONER OF FINANCE.
THIS FEE IS NON-REFUNDABLE.



November 5, 2018

Office of Zoning Administration
City Hall Commons, Room 211
201 E. Washington Street
Syracuse, NY 13202

Re: Letter of Explanation for a Use Variance – 401-03 Ellis Street

Dear Sir/Madam,

401-03 Ellis Street is located within a Residential Class AA zoning district which permits single and two-family homes. According to Assessment records, this building was constructed in 1920. It operated legally as a three-family dwelling until 1962 when the zone was changed to R-AA. At that point it was grandfathered with a non-conforming use status. While the property was occupied when the Land Bank acquired it, it had been vacant at some time during the 1970's and lost its non-conforming status. It was seized by the City of Syracuse for tax default and turned over to the Syracuse Land Bank in March 2016.

VH Syracuse Realty LLC (May Ouang) purchased the property from the Landbank in July 2017 before we realized there were so many non-conforming buildings in the City. The Land Bank is now trying to address zoning issues upfront, before a purchase goes through. Ms. Ouang has completely renovated the house in its existing three-unit configuration. She was not aware that the property lost its grandfathering to operate lawfully under this configuration at the time she purchased the home.

As you will see in the attached application, we have examined the scenarios that would not require a variance. Because of the considerable sunk costs to rehabilitate the building as well as the size of the structure we have determined that unless granted a variance the current property owner will be unable to realize a reasonable return on the property.

The Landbank fully supports the granting of this variance because the renovation of the property helps to revitalize this Salt Springs neighborhood by returning a formerly vacant and dilapidated property to productive use.

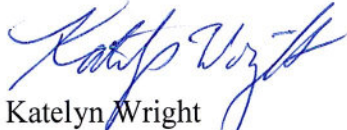
To support our application, please find the attached information:

- Application for Use Variance
- Short EAF
- Survey
- Site Plan (same as survey)
- Floor Plans (Existing)
- Standards of Proof for Area Variance

- Photographs
- Check in the amount of \$25.00
- Denial of Permit (anticipated)

Please let me know if you require any additional information or documentation to facilitate your review of this request.

Sincerely,



Katelyn Wright
Executive Director

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

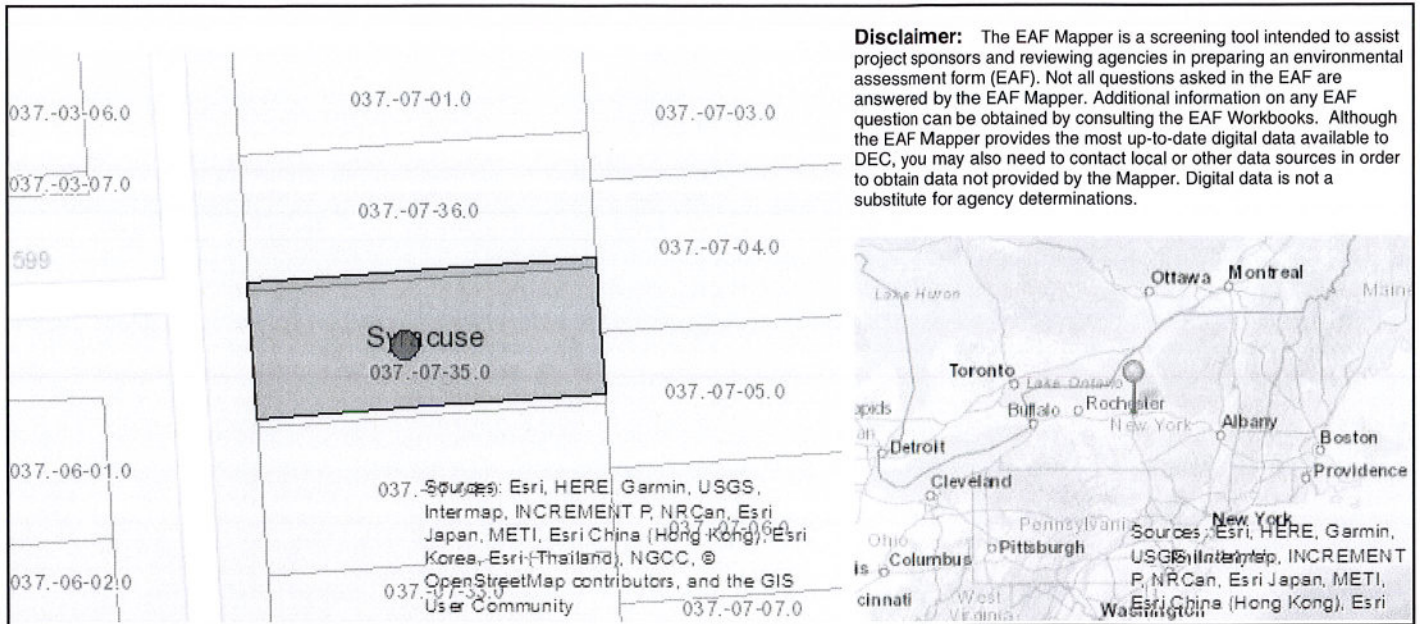
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

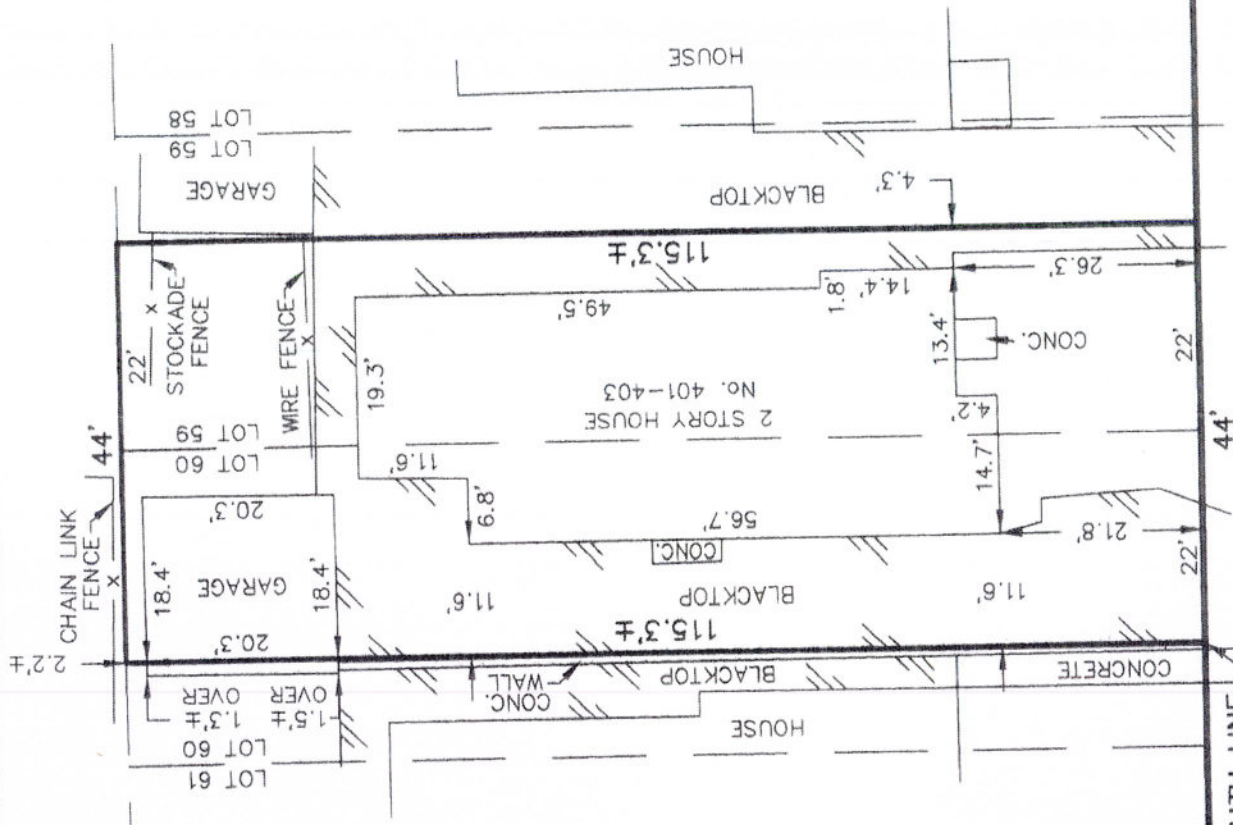
Part 1 - Project and Sponsor Information							
Name of Action or Project: 401-03 Ellis Street Use Variance between Fayette and Genesee Streets							
Project Location (describe, and attach a location map): 401-03 Ellis Street between East Fayette and East Genesee Streets							
Brief Description of Proposed Action: We seek a use variance to allow 401-03 Ellis Street to operate as a three-family dwelling unit.							
Name of Applicant or Sponsor: VH Syracuse Realty LLC		Telephone: 315-416-5651 E-Mail: surental@gmail.com					
Address: P.O. Box 852							
City/PO: Syracuse		State: New York	Zip Code: 13214				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? .116 acres b. Total acreage to be physically disturbed? 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .116 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input 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? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input 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"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: Syracuse building codes _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input 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"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input 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 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? Northern Long-eared Bat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES City of Syracuse municipal sewer _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input 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? If Yes, describe: _____	NO	YES
_____	<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? If Yes, describe: _____	NO	YES
_____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>VH Syracuse Realty LLC (WHO IS AUTHORIZED SIGNER?)</u> Date: <u>10/31/18</u>		
Signature: <u></u>		



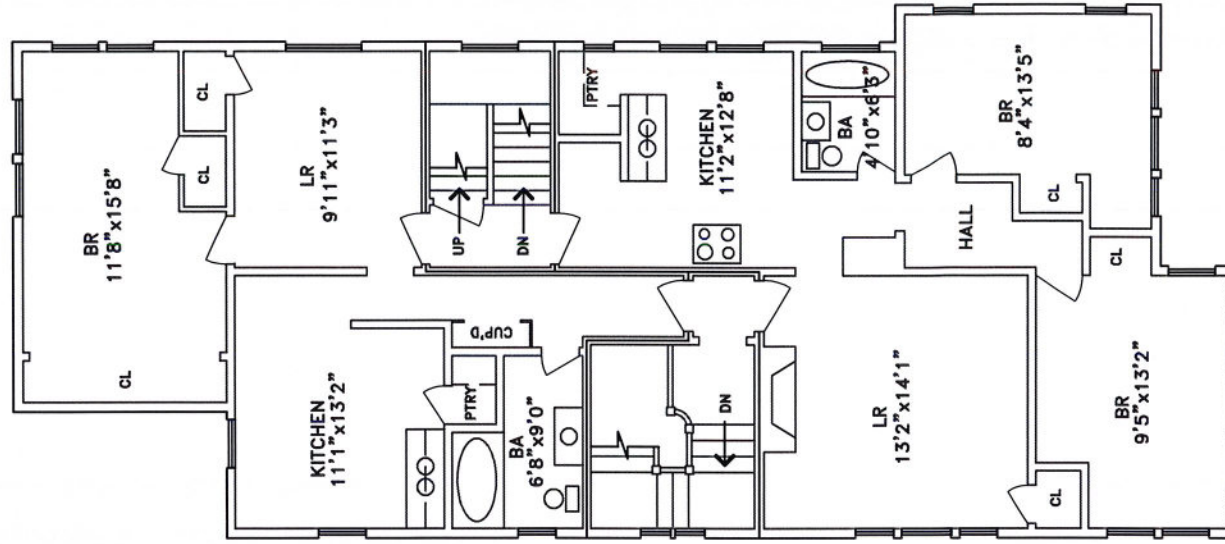
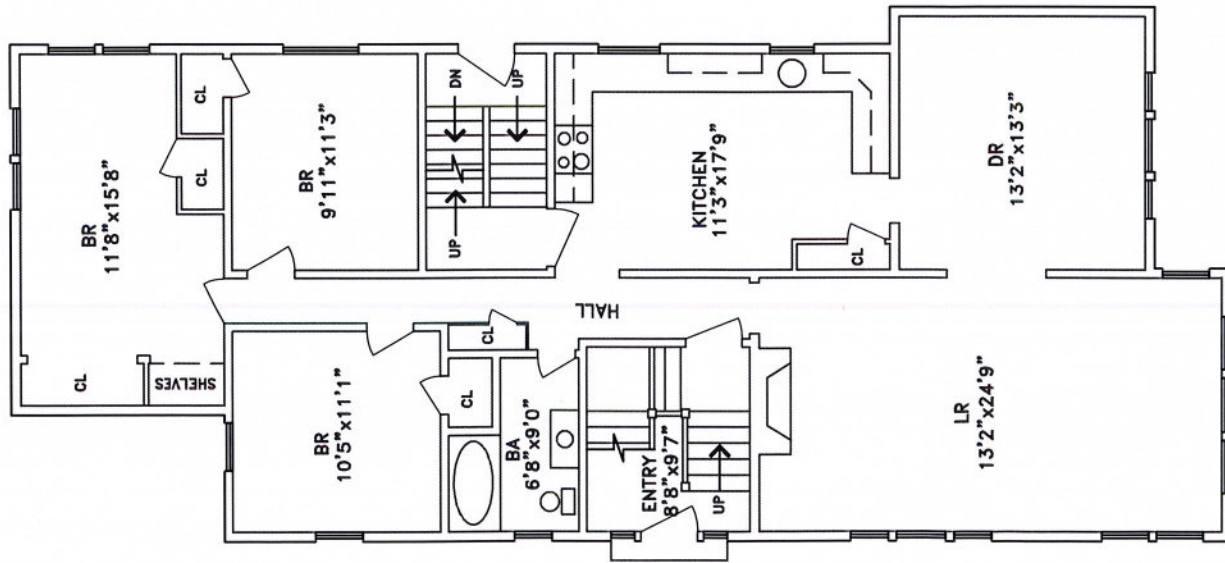
Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



315.43' TO SOUTH LINE
 EAST FAYETTE STREET
 (CITY ENGINEERS OFFICE & MEASURED)
 (312'± - TRACT MAP)



ELLIS STREET



Standards of Proof for Use Variance

401-03 Ellis Street

Reasonable Return

VH Syracuse Realty LLC (May Ouyang) purchased 401-03 Ellis Street, from the Greater Syracuse Landbank on 7/11/2017 with the intent to renovate the property as it was then-configured, a three-family dwelling unit. An electrical permit was pulled with the Syracuse Permits Office which has been closed and all renovations are now complete. In order to be released from the lien that the Land Bank holds on the property, the Landbank requires the buyer to schedule an inspection with the City of Syracuse Code Enforcement Office and secure a Certificate of Adequacy. The property passed inspection but the issuance of the C of A was denied due to zoning issues. Unfortunately, Ms. Ouyang was not aware that the property was not legally allowed in an RAA zone prior to purchase. The electrical permit did not trigger a zoning review.

The property owner has invested over \$60,000 into the purchase and renovation of the property in its existing configuration. At this point, if a variance is not granted, Ms. Ouyang would need to reconfigure the property as a single or two-family home requiring significant investment in interior demolition and renovations. The attached Comparative Market Analysis shows property sales within one quarter of a mile of 401-03 Ellis Street. The average value of homes sold is \$67,667.00 and the median value is \$71,000.00. Any additional investment into the property would cause the renovation costs to exceed the market value of single and two-family homes in the area. Alternately, if Ms. Ouyang were to try and sell the property as-is, she could never recover the sunk costs given the current housing market.

If the Landbank were to recapture the property for default on the Purchase Contract and Rehabilitation Enforcement Mortgage, it would need to find another buyer willing to purchase and reconfigure the home as either a single or two-family dwelling. Alternatively, the Land Bank would have to demolish the property. The estimated cost for demolition of the property is approximately \$28,116.00 plus costs associated with asbestos monitoring and water termination fees. If the Land Bank were forced to demolish the property these costs could never be recovered through the sale of the vacant lot to the adjoining neighbors. The lot is buildable but private investors are not attracted to new residential construction in the city of Syracuse and we believe that the land would remain vacant for the foreseeable future.

For these reasons, we believe that without the variance, neither Ms. Ouyang nor the Land Bank will be able to realize a reasonable return on the property. Approval of this request will allow the continued occupancy of this formerly vacant and dilapidated house. This is a desirable outcome for the City of Syracuse's tax base, the neighborhood and for the present homeowner.

Comparative Market Analysis Summary

Multi-Family Res (2-4) units

S-Closed/Rented

S-Closed/Rented																								
#	MLS #	Address	Area	# Apts	Ht	Units	SqFt	Gar	Sp	Yr	Built	Lot Size	Ttl Taxes	Acres	List Price	SP/SF	Sale Price	Clsd Dt	DOM					
1	S1076972	109 Salt Springs Road & Croly South	Syracuse City	2	2	2	1,328	0.00	1820	68X67	1820	68X67	\$3,242	0.11	\$24,900	16.57	\$22,000	12/28/2017	73					
2	S1081401	446 Ellis Street 48	Syracuse City	2	2	2	3,248	2.00	1910	59X115	1910	59X115	\$2,867	0.18	\$47,000	14.47	\$47,000	03/26/2018	13					
3	S1112986	176 Genesee Park Drive	Syracuse City	2	2	2	2,142	1.00	1924	66X132	1924	66X132	\$2,437	0.20	\$72,000	33.61	\$72,000	05/03/2018	0					
4	S1068669	2318 E Genesee Street	Syracuse City	2	2	2	2,400	0.00	1920	37X158	1920	37X158	\$2,635	0.14	\$73,000	43.75	\$105,000	01/29/2018	3					
5	S1103864	200-02 Genesee Pk Dr & Fayette S Drive	Syracuse City	2	2	2	2,520	0.00	1930	40X132	1930	40X132	\$2,693	0.12	\$75,000	27.78	\$70,000	06/25/2018	10					
6	S1103304	2410 E Genesee Street 12	Syracuse City	2	2	2	2,498	0.00	1920	37X125	1920	37X125	\$2,930	0.11	\$99,000	36.03	\$90,000	06/28/2018	22					
# LISTINGS:	6	AVG VALUES:		2	2	2	2,356	0.50	1904				\$2,801	0.14	\$65,150	\$28.70	\$67,667		20					

#	LISTINGS:	6	# Apts	# Ht Units	SqFt	Gar	Sp	Yr Built	Ttl Taxes	Acres	List Price	SP/SF	Sale Price	DOM
			2	2	1,328	0.00		1820	\$2,437	0.11	\$24,900	\$14.47	\$22,000	0
			2	2	3,248	2.00		1930	\$3,242	0.20	\$99,000	\$43.75	\$105,000	73
			2	2	2,356	0.50		1904	\$2,801	0.14	\$65,150	\$28.70	\$67,667	20
			2	2	2,449	0.00		1920	\$2,780	0.13	\$72,500	\$30.70	\$71,000	12

#	LISTINGS TOTAL:	6	AVG VALUES FOR ALL:	# Apts	# Ht Units	SqFt	Gar	Sp	Yr Built	Ttl Taxes	Acres	List Price	SP/SF	Sale Price	DOM
				2	2	2,356	0.50	1904		\$2,801	0.14	\$65,150	\$28.70	\$67,667	20
			MEDIAN VALUES FOR ALL:	2	2	2,449	0.00	1920		\$2,780	0.13	\$72,500	\$30.70	\$71,000	12

Quick Statistics (6 Listings Total)

	Mln	Max	Average	Median
List Price	\$24,900	\$99,000	\$65,150	\$72,500
Sale Price	\$22,000	\$105,000	\$67,667	\$71,000

Presented By: Chamar Otis

This is an opinion of value or Comparative Market Analysis and should not be considered an appraisal. In making any decision that relies upon my work, you should know that I have not followed the guidelines for development of an appraisal or analysis contained in the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.

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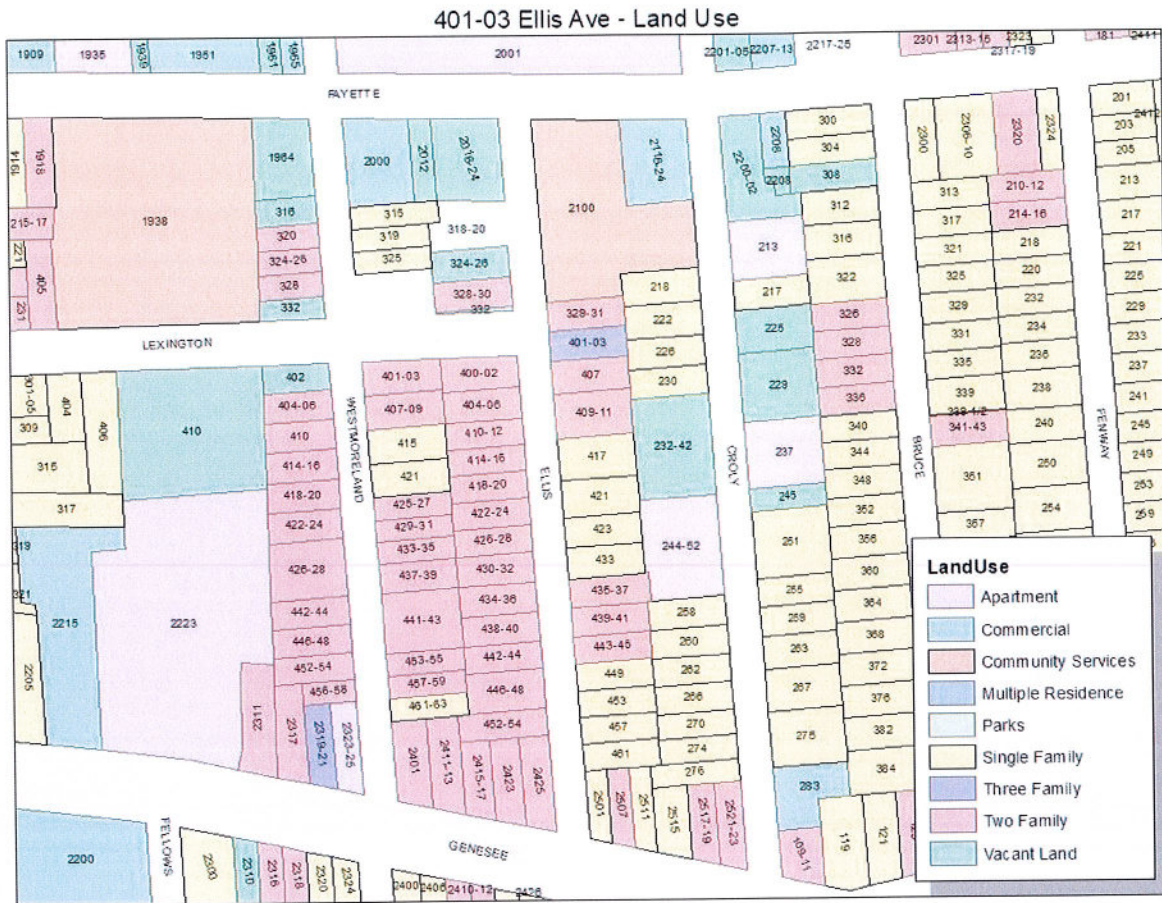
Unique Circumstances This property presents a unique circumstance that differs from other properties in the 400 block of Ellis Street because it is the largest structure on the block containing 3,124 square feet of living space. The other two-family homes on the street contain an average of 2,721 square feet. The size of the building makes it difficult to convert to a single-family or two-family home.

St Number	Street	Yr Built	SFLA	NOBEDS	NOBATHS	LandUse
Single-Family						
461	ELLIS ST	1920	1,344	3	1.0	Single Family
457	ELLIS ST	1920	1,232	3	1.0	Single Family
453	ELLIS ST	1915	1,280	3	1.0	Single Family
449	ELLIS ST	1950	1,968	3	1.0	Single Family
433	ELLIS ST	1920	1,501	3	1.5	Single Family
423	ELLIS ST	1920	1,501	3	2.0	Single Family
421	ELLIS ST	1920	2,416	3	1.0	Single Family
417	ELLIS ST	1949	1,454	3	2.0	Single Family
Two-Family						
400-02	ELLIS ST & LEXINGTON AVE	1918	3,044	6	2.0	Two Family
404-06	ELLIS ST	1918	2,996	6	2.0	Two Family
410-12	ELLIS ST	1926	2,680	6	2.0	Two Family
414-16	ELLIS ST	1910	2,680	6	2.0	Two Family
418-20	ELLIS ST	1918	2,726	6	2.0	Two Family
422-24	ELLIS ST	1918	2,818	6	2.0	Two Family
426-28	ELLIS ST	1918	2,730	6	2.0	Two Family
430-32	ELLIS ST	1918	2,658	6	2.0	Two Family
434-36	ELLIS ST	1918	2,932	6	2.0	Two Family
438-40	ELLIS ST	1918	2,878	6	2.0	Two Family
442-44	ELLIS ST	1918	2,680	6	2.0	Two Family
446-48	ELLIS ST	1910	3,248	6	2.0	Two Family
452-54	ELLIS ST	1910	2,560	6	2.0	Two Family
443-45	ELLIS ST	1920	2,370	6	2.0	Two Family
439-41	ELLIS ST	1920	2,594	6	2.0	Two Family
435-37	ELLIS ST	1920	2,492	6	2.0	Two Family
409-11	ELLIS ST	1950	2,040	6	3.0	Two Family
407	ELLIS ST	1920	2,856	6	4.0	Two Family
	Average Square Feet		2,721.22			
Three-Family						
401-03	ELLIS ST	1920	3,124	7	3.0	Three Family

Essential Character of the Locality

The 400 block of Ellis Street is made up of a mix of eight single and twenty two-family dwellings. 401-03 Ellis is the only three-family dwelling in this block. It is located in close proximity to the Boys and Girls Club on East Fayette Street. Allowing the variance will improve the neighborhood by redeveloping and reoccupying this formerly blighted and abandoned

property. All external architectural features of the building have been maintained and are consistent with neighboring properties. A variance will not change the essential character of this street as the property has been a three family dwelling since at least 1991 and the street is made up primarily of rental properties. If the variance were not granted the home would likely become vacant for the foreseeable future.



Not Self Created

The property was seized by the City of Syracuse for back taxes and turned over to the Land Bank for redevelopment. Since the property was vacated by a prior owner sometime in the 1970's or 1980's (unclear) allowing the nonconformity to expire, it could be said that the hardship is the result of the inaction of a prior irresponsible owner in the chain of title. It was not however the result of an action taken by either the Land Bank, by the City of Syracuse or by the current owner of the property.

401-03 Ellis Street - Photographs



401-03 Ellis Street – Front Elevation



401-03 Ellis – Looking North toward East Fayette Street

401-03 Ellis Street - Photographs



401-03 Ellis – Looking North toward East Fayette Street – Syracuse Boys and Girl's Club



401-03 Ellis Street – Looking South toward East Genesee Street

DENIAL OF PERMIT

REFERENCE ADDRESS 401-03 Ellis Street

WARD NO. _____

OWNER VH Syracuse Realty LLC

OWNER'S ADDRESS P.O. Box 852 Syracuse NY 13214

TELEPHONE 315-416-5651

APPLICATION FOR PERMIT TO:

erect () convert () maintain (X) operate ()

3-Family Dwelling

DENIED UNDER ARTICLE (s) _____

of the zoning ordinance for the following reasons: _____

☐ PLANS ATTACHED, APPROVED BY _____
ON _____

☐ SURVEY ATTACHED

☐ ZONING REVIEWED BY _____

LOCATION OF REFERENCE ADDRESS:
ASSESSOR'S ATLAS

BOOK (S) NO. _____

PLATE (S) NO. _____

PARCEL (S) NO. _____

DATE 11/6/2018 SIGNATURE Gail L Swistak