

VARIANCE APPLICATION

SYRACUSE BOARD OF ZONING APPEALS

PLEASE TYPE OR PRINT (LEGIBLY)

For Office Use Only:	Application Number: V- _____ - _____
Tax map Section: _____ Block: _____ Lot: _____	Zoning District: _____

1. Address of subject property: 5300-5302 S. Salina Street; Syracuse, NY

2. Year property was purchased by current owner: October 11, 2017

3. Applicant/contact information:

a. Owner(s) (current titleholder):

Name(s): Animal Alliance of Greater Syracuse - Jacqueline Foss, President

Mailing Address: PO Box 94, Liverpool, NY

Zip: 13088

Daytime phone number: 315-415-983

home phone number: _____

E-mail (alternate contact for additional information request): aags.jfoss@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): Faisal Nagi

Mailing Address: 600 Wolf Street, Syracuse, NY

Zip: 13204

Home phone number: _____

Day Phone: 315-251-4211

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

c. Representative: Attorney ☐, Architect ☒, Contractor ☐, Other ☐

(Only if involved in this application)

Name(s): Pitcher Architect PLLC

Mailing Address: 124 Feigel Avenue; Syracuse, NY

Zip: 13203

Telephone number: 315 474 1219

4. Current use of property: (i.e., 1 family, 2 family, grocery store, etc.): Property is the headquarters of the applicant and is used for meetings related to primary purpose.

Proposed use and occupancy of property: Neighborhood Grocery / Convenience Store

Current number of onsite (off-street) parking spaces: 8 spaces (including 1 HC space)

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

Days and hours of operation (for any business uses):

Store typically open seven days per week, 7am to midnight.

Explain in detail what (if any) new additions or construction is proposed on the site:

Please see site plan and floor plan attached hereto.

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.

The property is currently R-1.

There is a purchase offer on this property, and the buyer wishes to continue using the property for a new commercial use of a grocery store. There is an existing Variance, B-82-14-M2, for continued non-conforming use on this property.

Justification: (1) previous modifications of the variance have continued the commercial use. (2) the proposed new zoning map changes this property to an MX-2 (mixed use classification) which permits by-right the property to operate as a commercial property. (3) The continuation of the variance permits the buyer to operate the new grocery store until the new Zoning Code is adopted.

The building is 3,040 gross square feet, at one parking space per 300 GSF, 10 off-street spaces are required. 8 spaces are provided. We request a variance for the other two spaces.

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**.

Jacqueline Foss, President

09/04/2020

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

Date

Animal Alliance of Greater Syracuse by Jacqueline Foss, President

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

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

DENIAL OF PERMIT

REFERENCE ADDRESS 5300-02 SALINA ST S + ROSEMONT DR

WARD NO. _____

OWNER ANIMAL ALLIANCE OF GREATER SYR

OWNER'S ADDRESS PO BOX 94 LIVERPOOL NY 13088

TELEPHONE _____

APPLICATION FOR PERMIT TO:

erect ()

convert ()

maintain (X)

operate ()

USE VARIANCE

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

9-18-2020

SIGNATURE

Gail L Swistak

SYRACUSE BOARD OF ZONING APPEALS
CITY HALL COMMONS, ROOM 211
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:  *Jacqueline Foss, President* Date:  09/04/2020
9/4/2020 2:13:54 PM EDT

This application may be mailed or delivered in person to the Syracuse Office of Zoning Administration, located in Room 211 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).

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			
Name of Action or Project: AREA VARIANCE, 5300-5304 S. Salina Street, Syracuse, NY			
Project Location (describe, and attach a location map): Corner of South Salina Street and Rosemont Drive, Syracuse, NY			
Brief Description of Proposed Action: Interior renovation of commercial property, and exterior modifications to front yard of site: remove asphalt paving, install new lawns and side walks. Site is 0.18 acres.			
Name of Applicant or Sponsor: Faisal Nagi		Telephone: 315-251-4211 E-Mail: alinagi1962@icloud.com	
Address: 600 Wolf Street			
City/PO: Syracuse		State: NY	Zip Code: 13204
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 checked="" type="checkbox"/>	YES <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: Variance for continued use of commercial building from City of Syracuse, NY		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.18 acres	
b. Total acreage to be physically disturbed?		0.05 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.18 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			

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 checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Faisal Nagi	Date: 09/16/2020	
Signature: <i>Faisal Nagi</i>		
9/16/2020 10:51:25 AM EDT		

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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

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

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.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT



BOUSQUET HOLSTEIN PLLC

110 WEST FAYETTE STREET • ONE LINCOLN CENTER • SUITE 1000 • SYRACUSE, NEW YORK 13202 • PH: 315.422.1500 • FX: 315.422.3549

October 15, 2020

VIA U.S. MAIL AND EMAIL (MSANFILIPPO@SYRGOV.NET)

Melissa Sanfilippo, Planner I
City of Syracuse Office of Zoning Administration
201 East Washington Street, Suite 500
Syracuse, New York 13202

**Re: Use Variance Application
5300 South Salina Street, Syracuse, New York 13205
Animal Alliance of Greater Syracuse, Inc.**

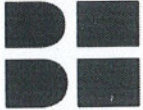
Dear Ms. Sanfilippo,

My firm represents Animal Alliance of Greater Syracuse, Inc. ("**Animal Alliance**") concerning its use variance application for 5300 South Salina Street, Syracuse, New York 13205 (the "**Property**").

Animal Alliance has contracted to sell the Property to a buyer who intends to use the property for a commercial retail store. The Property is presently used commercially, and such use is permitted as a prior non-conforming use. ReZone Syracuse will classify the property as MX-2, which would permit the buyer's proposed use without the need for a variance.

The Zoning Administration has requested use variance standards of proof for Animal Alliance's application. Please accept the following in response to the Zoning Administration's request:

- **Unique Circumstances.** The Property is uniquely commercial. It is an obvious commercial building located on a busy main road, South Salina Street. The Property is not a residential structure. The Property does not have the typical rooms of a residential structure, such as a living room, kitchen, bedrooms, etc. Furthermore, the Property has existed as a commercial structure and used commercially for more than five decades, which calls its classification as within a residential zone into question. Indeed, the City's ReZone Syracuse proposal reclassifies the Property as within a commercial mixed-use zone that would permit the proposed use as of right.
- **Essential Character.** Animal Alliance and its buyer do not propose any change to the Property's structure that would materially negatively change the essential character of the neighborhood. Again, the Property is an obvious commercial building located on a busy main road, South Salina Street. Animal Alliance and its buyer do not propose to alter the structure materially and the Property is already used commercially. Thus, the essential character of the



Property and its immediate neighborhood will not change if the Zoning Board of Appeals ("ZBA") approves this use variance application.

- **Not Self-Created.** Animal Alliance is a small non-profit organization. Its mission is to, among other things, reduce the number of homeless animals in our neighborhoods and in our animal shelters. When it acquired the Property, Animal Alliance sought to redesign and renovate it to operate a low-cost spay/neuter clinic. The plans, however, proved impossible because of the size of the lot. Animal Alliance listed the Property for sale with Acropolis Realty Group in 2018. There was interest in the Property, but none of the interest was from parties proposing a residential use of the Property. All of the interest – and certainly all of the written offers to purchase – were from buyers proposing a commercial use for the Property. The reason there was no interest from residential buyers is likely because the Property is an obvious commercial building that is not suitable for residential use. Animal Alliance acquired the Property in this state, i.e. a commercial building in a residential zone. Animal Alliance did not create the current hardship of a commercial building in a residential zone.
- **No Reasonable Return.** The building is not suitable for use as a residence because it does not have the typical rooms of a residential structure, such as a living room, kitchen, bedrooms, etc. It is an obvious commercial building. Thus, the income or return for the Property should the City require it be used residentially is likely zero (without material and significant investment to convert or demolish the structure and build anew). Indeed, the Property produces no income at the moment and instead costs Animal Alliance nearly \$8,000.00 annually in utilities, maintenance, insurance, and property taxes, as set forth in Exhibit A attached hereto. Because of the Property's unique circumstances as an obvious commercial building, there are no potential tenants or buyers that would use the Property for residential uses. There is no reasonable return for Animal Alliance unless the ZBA approved the proposed variance.

Please contact Willian Pitcher, the architect for this application, or me if you have questions or need further information. Thank you for your time and kind consideration.

Very truly yours,

BOUSQUET HOLSTEIN PLLC

Joshua S. Werbeck
Email: JWerbeck@BHLawPLLC.com
Direct phone: (315) 701-6447

JSW/
Enclosure
4817702_1

EXHIBIT A

	<u>Monthly</u>	<u>Annual</u>
Electric	47	565
Gas	120	1,435
Water	26	309
Property Insurance	68	818
Liability Insurance	21	253
Property tax	286	3,429
Mowing/snow removal	<u>68</u>	<u>820</u>
Total	636	7,629

TAX ID: 061-20-210 & 061-20-222
OWNER: (NAME, PHONE, EMAIL)
TENANT: (NAME PHONE EMAIL)
DESIGNER OF RECORD: PITCHER ARCHITECT PLLC
STREET ADDRESS: 5400-5402 S. SALINA ST.; SYRACUSE, NY
PROJECT NAME (NUMBER)

NUMBER OF STORIES: ONE ABOVE GRADE, ONE BELOW GRADE
GROSS SQUARE FEET OF BUILDING: 3,040 GSF

BUILDING GROSS AREA: MATERIALS OF CONSTRUCTION
BASEMENT 2,000 GSF CONCRETE FLOOR, CONCRETE WALLS
1ST FLOOR 3,040 GSF WOOD FRAME FLOOR AND WALLS

BUILDING HEIGHT ABOVE GRADE: 1/2 FEET
ANY OCCUPIED ROOF? NO

TYPE OF CONST.	EXTERIOR WALLS BEAR'G	NON-BR	INTR B. WALLS	STRUCT'L FRAME	VERT'L SHAFTS	ROOF CONST.
VB	0-HR	0-HR	0- 1-HR	N.A.	NONE	0-HR

EXISTING OCCUPANCIES
☐ GROUP A-n ASSEMBLY
☒ GROUP B- BUSINESS
☒ GROUP M - MERCANTILE
☐ GROUP R - RESIDENTIAL
CHANGE TO NEW OCCUPANCIES
☐ GROUP A-n ASSEMBLY
☐ GROUP B- BUSINESS
☒ GROUP M - MERCANTILE
☐ GROUP R - RESIDENTIAL

ELEVATOR CERTIFICATION
☒ NONE
☐ PHASE I RECALL ONLY
☐ PHASE I & II RECALL
☐ CURRENTLY CERTIFIED
☐ NOT CURRENT, UPGRADE IN THIS WORK

AUTOMATIC SPRINKLERS
☐ EXISTING SYSTEM TYPE:
☒ NO SPRINKLERS
☐ THROUGH OUT BUILDING
☐ ONLY PARTIAL COVERAGE
☐ ADD NEW SYSTEM
AUXILIARY SYSTEM:
☐ CHEMICAL, KITCHEN HOOD

FIRE ALARM SYSTEMS
☒ EXISTING FIRE SYSTEM
☐ LACKS FIRE SYSTEM
☐ ADD MANUAL ALARM
☐ ADD CENTRAL ALARM PANEL
☐ EXISTING CARBON-MONOXIDE
☐ LACKS CARBON-MONOXIDE
☐ ADD SINGLE/MULTI-STATION UNITS
☐ ADD TO CENTRAL ALARM PANEL

STANDPIPES
☒ NONE
☐ EXISTING SYSTEM

FIRE ALARM SYSTEM CLASSIFICATION (NFPA 12)
☐ HOUSE HOLD FIRE ALARM: A SYSTEM IN A HOUSEHOLD.
☐ PROTECTED PREMISES (LOCAL) FIRE ALARM SYSTEM: SOUNDS LOCAL ALARM WHEN ACTIVATED BY MANUAL ALARM BOXES, SPRINKLER WATER FLOW, CARBON DIOXIDE DISCHARGE DETECTION OF SMOKE OR HEAT.
☐ AUXILIARY FIRE ALARM SYSTEM: CONNECTED TO PUBLIC FIRE ALARM COMMUNICATION CENTER. SAME SYSTEM & EQUIPMENT AS CITY FIRE ALARM BOXES.
☐ LOCAL ENERGY ☐ SHUNT ☐ PARALLEL TELEPHONE
☐ REMOTE SUPERVISING STATION FIRE ALARM SYSTEM: TRANSMITS ALARM SUPERVISORY, AND TROUBLE SIGNALS FROM ONE OR MORE PROPERTIES TO REMOTE LOCATION WHERE ACTION IS TAKEN.
☐ PROPRIETARY SUPERVISING STATION FIRE ALARM SYSTEM: FOR SINGLE OWNERSHIP OF MULTIPLE PROPERTIES, CONSTANTLY ATTENDED LOCATION, RECEIVING SIGNALS FROM ADJACENT AND/OR REMOTE LOCATIONS.
☐ CENTRAL STATION FIRE ALARM SYSTEM: SYSTEM OR GROUP OF SYSTEMS WHICH TRANSMIT TO A CENTRAL STATION WHICH RECORDS, MAINTAINS, AND IS SUPERVISED BY OPERATORS.
☐ MUNICIPAL FIRE ALARM SYSTEM: TRANSMITS STREET ALARM LOCATIONS TO CENTRAL CONTROL CENTER USING WIRING SYSTEM OTHER THAN PUBLIC TELEPHONES.

SMOKE CONTROL
☐ YES ☒ NO

STRUCTURAL RISK CATEGORY

- ☐ ONE: LOW HAZARD TO HUMAN LIFE IF FAILURE: AGRIC. & STORAGE
☒ TWO: BUILDINGS NOT ONE, THREE OR FOUR
☐ THREE: GROUP E > 250; GROUP A > 300; GROUP I; G.T. 5000 PEOPLE
☐ FOUR: ESSENTIAL FACILITIES: HOSPITALS, NURSING, FIRE, POLICE, ETC.

SEISMIC DESIGN

- ☐ 'A' ☐ 'B' ☒ 'C' ☐ 'D' ☐ 'E'

FLOOD PLAIN CLASSIFICATION

- ☒ NOT IN ☐ PLAIN CLASS.

STRUCTURAL LOADING OF FLOORS

- ☒ FIRST 100 PSF WOOD FRAME
☐ SECOND
☐ THIRD
☐ FOURTH
☐ FIFTH

WORK AREA DESCRIPTION

- ☒ AS SHOWN ON DRAWINGS
☒ FLOORS FIRST FLOOR
☐ any of these????
MAX FEET, EXIT COMMON TRAVEL: NONE
MAX FEET, EXIT TRAVEL DISTANCE: 10 FT
REQUIRED EXITS PER FLOOR: 2 EXITS
EXISTING OCCUPANCIES: SEE TO LEFT
PROPOSED OCCUPANCIES: SEE TO LEFT
ACTUAL EXITS PROVIDED: FOUR EXITS
CORRIDOR FIRE RATINGS
☐ NOT RATED ☒ 1-HR. ☐ 2-HR. ☐ 3-HR.
☐ SEPARATED MIXED USE GROUPS
☐ 'A' ☒ 'B' ☐ 'E' ☒ 'H' ☐ 'R'
☒ SEPARATIONS NOT REQUIRED

ENERGY CODE REQUIREMENTS - COMMERCIAL

- ☒ NO BUILDING ENVELOPE WORK IS PROPOSED.

124 Feigel Avenue
Syracuse, NY 13203



PITCHER

architect PLLC

315.474.1219



VARIANCE APPLICATION
5300-04 S. SALINA ST
SYRACUSE, NY

TABLE OF CONTENTS

NO.	TITLE
T-1	TITLE SHEET & NOTES
L-1	SURVEY
L-2	SITE PLAN
A-1	CODE REVIEWS
A-2	WORK AREA 1
A-3	WORK AREA 2
A-4	EXTERIORS

SHEET T-1 8-28-2020

"NO CHANGE" AFFIDAVITS ISSUED ON THIS MAP VOID THE CERTIFICATION,
INFRINGE ON COPYRIGHT AND REPRESENT UNLICENSED SURVEY PRACTICE!

COPYRIGHT © 2013-
BY COTTRELL LAND SURVEYORS, P. C.
ALL RIGHTS RESERVED

COPIES WITHOUT EMBOSSED SEAL
ARE UNAUTHORIZED AND
HAVE BEEN ALTERED.

USERS: THIS MAP IS NOT USABLE NOR CERTIFICATIONS EXTENDABLE
FOR UNSPECIFIED PURPOSES OR FOR SUBSEQUENT TRANSACTIONS
EXCEPT BY THE WRITTEN CONSENT OF OR BY SURVEY UPDATE BY THE
UNDERSIGNED ONLY.

FOR CONVEYANCE AND/OR MORTGAGE PURPOSES OCCURRING
WITHIN ONE YEAR OF THE LATEST CERTIFICATION DATE ONLY.

THE UNDERSIGNED CERTIFIES THAT
THIS MAP WAS MADE FROM AN
ACTUAL SURVEY ON 09-06-2013
VOID WITHOUT SIGNER'S EMBOSSED SEAL.
RECERTIFIED ON: 11-08-2017



SALINA SOUTH \$5300 L48 PL49 BRONSON SYR (ROSEMONT) @20130906LOC @20171108STK.DWG

LL 30SC, 12/4/2017 6:10:20 PM, 8 1/2x14, STA-8

No modifications shall be made to these drawings
except as provided by N.Y.S. Education Law.

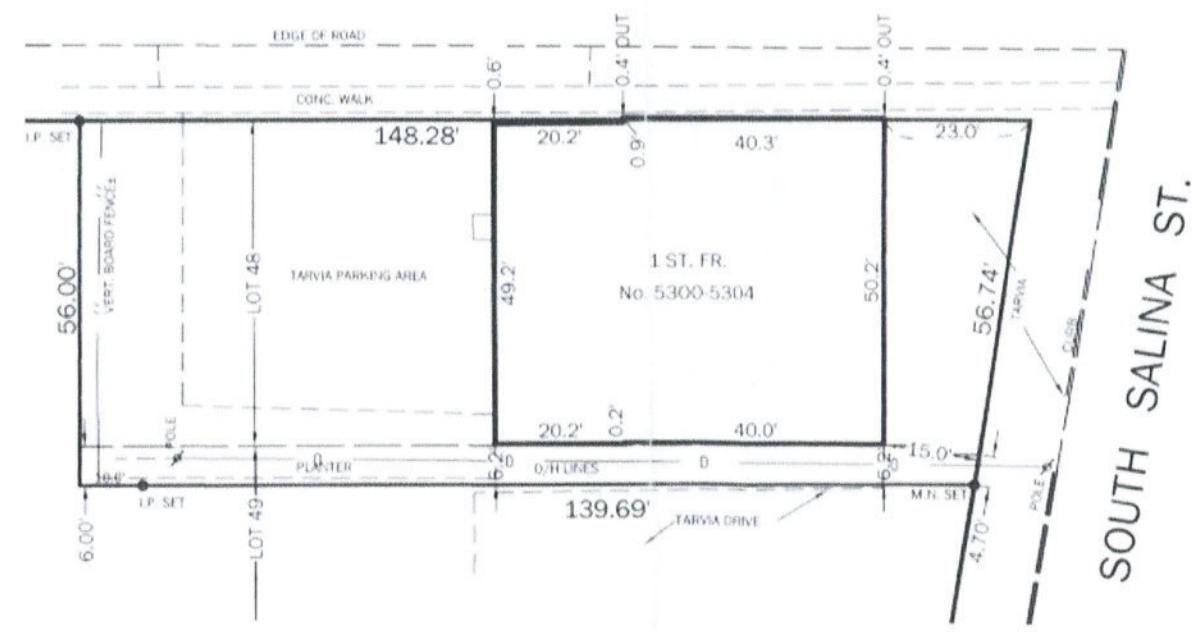
JOB 213-31, 220-25
DATE: 8-28-2020

124 Feigel Avenue
Syracuse, NY 13203

PITCHER architect PLLC
315.474.1219

VARIANCE APPLICATION
5300-04 S. SALINA ST
SYRACUSE, NY

PROPERTY
SURVEY
L-1



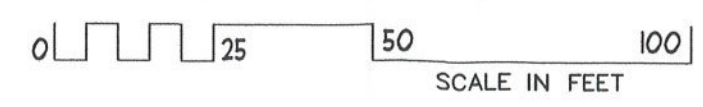
○ I.P. SET, M.N. SET - IRON PIPE, MAG NAIL SET ON 11-08-17

SURVEYORS: REFERENCE TO, USE OF OR RELIANCE ON THIS MAP
WITHOUT WRITTEN CONSENT FOR WHATEVER PURPOSES VIOLATES MY
COPYRIGHT AND ABSOLVES ME OF ANY LIABILITY FOR LATENT OMISSIONS
AND ERRORS AND OF ANY RESPONSIBILITY FOR RESULTANT DAMAGES.

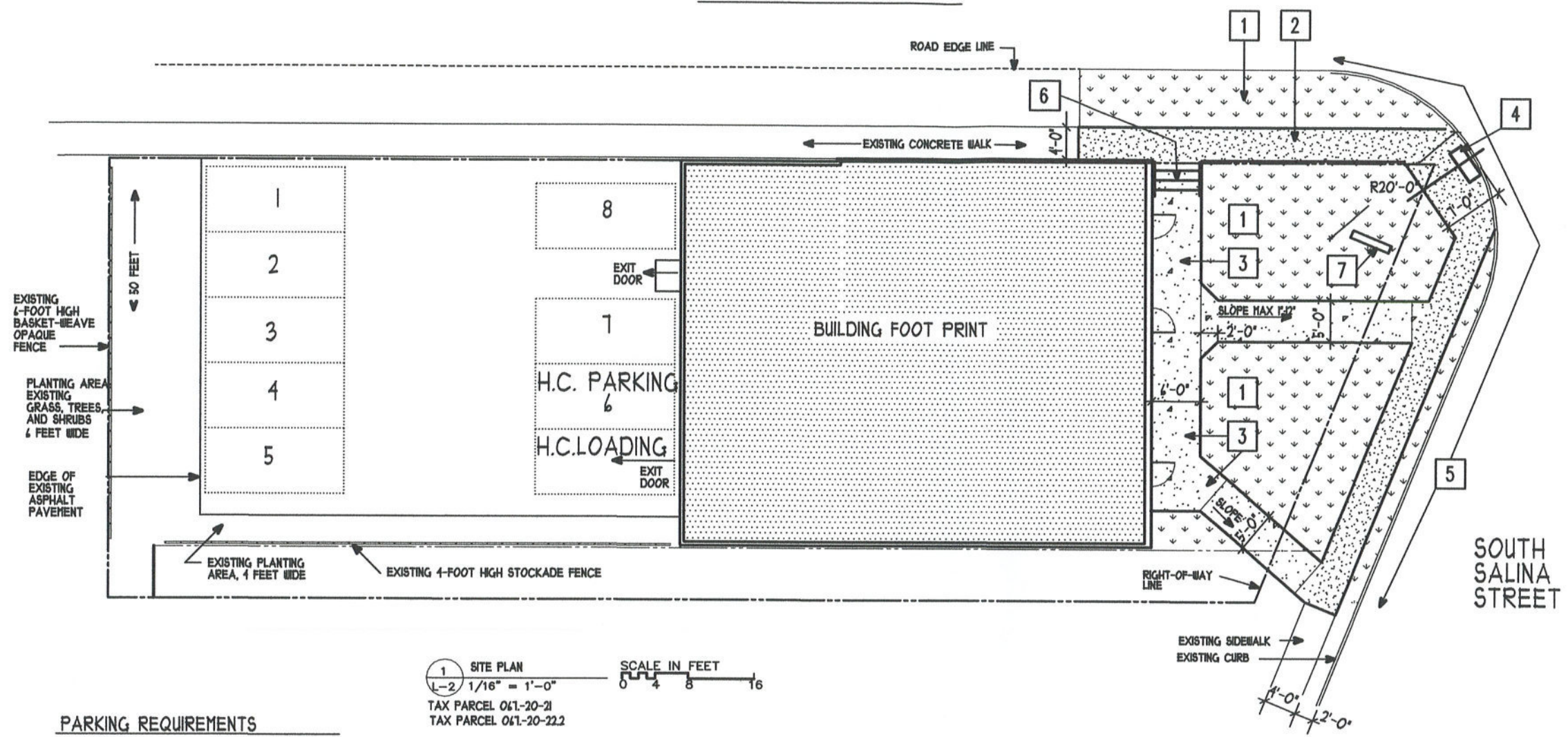
I.D: 67-20-21
FILE:
B/P: 406/138

- STAKING MAP -
No. 5300-5304 SOUTH SALINA
LOT 48 & PART OF LOT 49 - BRONSON TRACT
CITY OF SYRACUSE - ONON. CO., N.Y.

SCALE: 1" = 30'
SEPT. 6, 2013
COTTRELL LAND SURVEYORS, P.C.
MANLIUS, NY - (315) 682-8121
PREVIOUS EDITIONS SUPERSEDED.



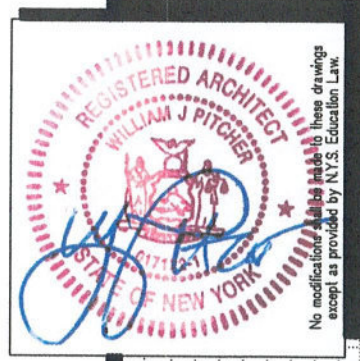
ROSEMONT DRIVE



1 SITE PLAN
L-2 1/16" = 1'-0"
TAX PARCEL 041-20-21
TAX PARCEL 041-20-222
SCALE IN FEET
0 4 8 16

PARKING REQUIREMENTS
SECTION C-III-I-L
"BUSINESS GREATER THAN 1000 SF" = 1 SPACE PER 500 SF
UTI SF / 500 SF = 2.3 SPACES
"STORES GREATER THAN 1000 SF" = 1 SPACE PER 600 SF
1311 SF / 500 SF = 2.2 SPACES
TOTAL 8 SPACES PROVIDED.

- 1 REMOVE ALL ASPHALT AND CONCRETE. ADD TOP SOIL, GRASS SEED FOR LAWN.
- 2 NEW SIDEWALKS: WITHIN CITY RIGHT-OF-WAY: PER CITY SPEC'S
- 3 NEW PRIVATE SIDEWALKS: 4" T. GRAVEL BED, 4" CONCRETE, 3500 PSI, 1/2" AIR ENTRAINMENT, BROOM FINISH PERPENDICULAR TO LENGTH.
- 4 NEW CURB CUT WITH A.D.A. TACTILE WARNING STRIP
- 5 REQUEST CITY TO REMOVE ALL CURB CUTS AND INSTALL NEW CURBS ON S.SALINA STREET
- 6 NEW CONCRETE STEPS: MAX RISER 1', TREAD 14" DEEP
NEW 1-1/2" DIA PIPE RAILING WITH 12" HORIZONTAL AT EACH END. ABOUT 20" RISE, ADJUST NUMBER OF TREADS AND RISER HEIGHTS TO ACTUAL SITE.
- 7 NEW GROUND SIGN, SEE SHEET A-4, DETAIL 2



JOB 23-31, 220-25
DATE: 8-28-2020

124 Feigel Avenue
Syracuse, N.Y. 13203
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315.474.1219

VARIANCE APPLICATION
5300-04 S. SALINA ST
SYRACUSE, NY

SITE
PLAN
&
NOTES
L-2

ZONING VARIANCES

EXISTING ZONING: RESIDENTIAL A-1

VARIANCE V-45-31, OCTOBER 23, 1965.

SUBJECT PROPERTY WAS USED AS BUSINESS PRIOR TO 1922 ADOPTION OF ZONING ORDINANCE.

PERMISSION TO CONSTRUCT REAR ADDITION, 20'X50'

PERMISSION TO USE ADDITION FOR STORAGE AND NOT TO INCREASE SALES ROOM AREA.

PROVIDE PAVED PARKING WITH LAWN AND 4-FT HIGH HEDGE TOWARDS ADJACENT PROPERTIES.

ELIMINATE FRONT YARD PARKING.

CONTINUED USE AS MEAT MARKET & GROCERY STORE.

VARIANCE: V-10-2, APRIL 2, 1970

UNKNOWN DATE: MEAT MARKET BECAME DRUG STORE.

REQUESTS VACANT DRUG STORE BECOME TV & APPLIANCE STORE

FRONT YARD PARKING AND UNLOADING PROHIBITED.

REQUIRED PAVED PARKING WITH 4-FT WIDE PLANTING ZONE WITH 4-FT HIGH EVERGREENS.

VARIANCE: V-82-14, APRIL 8, 1982

PROPOSED: CONVERT 1/3 OF BUILDING TO REAL ESTATE OFFICE. AND PERMIT CONTINUED USE AS TV STORE.

VARIANCE: SEPT. 2013

TENANT-1 SPACE AS REAL DEVELOPMENT OFFICE.

TENANT-2, FORMERLY BEAUTY PARLOR

TENANT-3, AS CONTRACTOR'S TILE/KITCHEN SHOW ROOM, AND OFFICES. ALL OTHER SPACES ARE 'COMMON PUBLIC' USES FOR THE TENANTS.

VARIANCE: DEC. 2013 (REVISION I)

TENANT-1, OFFICE, UNCHANGED.

TENANT-2 & TENANT-3 COMBINED INTO ONE TENANT-2 STORE SPACE

VARIANCE REQUEST: AUGUST 2020

REQUEST: FULLY SEPARATE TENANT-1 AND TENANT-2. NEW BATHROOM FOR TENANT-1.

NYS BUILDING CODE 2020: NO SEPARATION BETWEEN GROUP B AND GROUP M IS REQUIRED. ALL NEW WALLS TYPE VB.

TENANT-2: NEW GROCERY STORE.

TENANT-1: TO BE DETERMINED ON RENTAL, SOME TYPE OF GROUP M USE.

BUILDING CODE REVIEW

LAST KNOWN OCCUPANCY CHANGES, 2014

OLD TENANT 1: 101, THRU 101 = GROUP B BUSINESS (REAL ESTATE OFFICE) = NO CHANGE, GROUP B

OLD TENANT 2: 108, 109 = GROUP B BUSINESS - BEAUTY PARLOR CHANGE TO GROUP M - MERCHANTILE

OLD TENANT 3: 110, 112, 114 = GROUP M STORE = NO CHANGE, GROUP M.

NYS EXISTING BUILDING CODE 2020.

WORK AREA 1: TENANT-1, 2020 CHANGE OF OCCUPANCY

WORK AREA 2, TENANT-2, 2020 ALTERATIONS LEVEL 2

REQUIRED SEPARATION BETWEEN GROUP B AND GROUP M = ZERO HOURS. TENANT-1 & TENANT 2 = GROUP M

SPACES	SQ.FT.	O/SF	OCCUPANTS	FIXTURES
TENANT-1				
SALES, 101	585	40	15	UNISEX
BUSINESS: 103, 105, 110, 101	335	150	3	GROUP B: 1/50
				GROUP M: 1/500
TOTAL 120 GSF			18	
TENANT-2				
SALES: 108, 110	1,084	40	19	UNISEX
STORAGE: 109, 112	285	300	2	GROUP B: 1/50
OTHER: GROUP B	150	150	5	GROUP M: 1/500
TOTAL 2,120 GSF			26	

DELI COUNTER: SERVING ONLY COLD SANDWICHES, NO HOT FOODS. NEW GREASE TRAP PER ONONDAGA COUNTY PLUMBING.

SYMBOLS

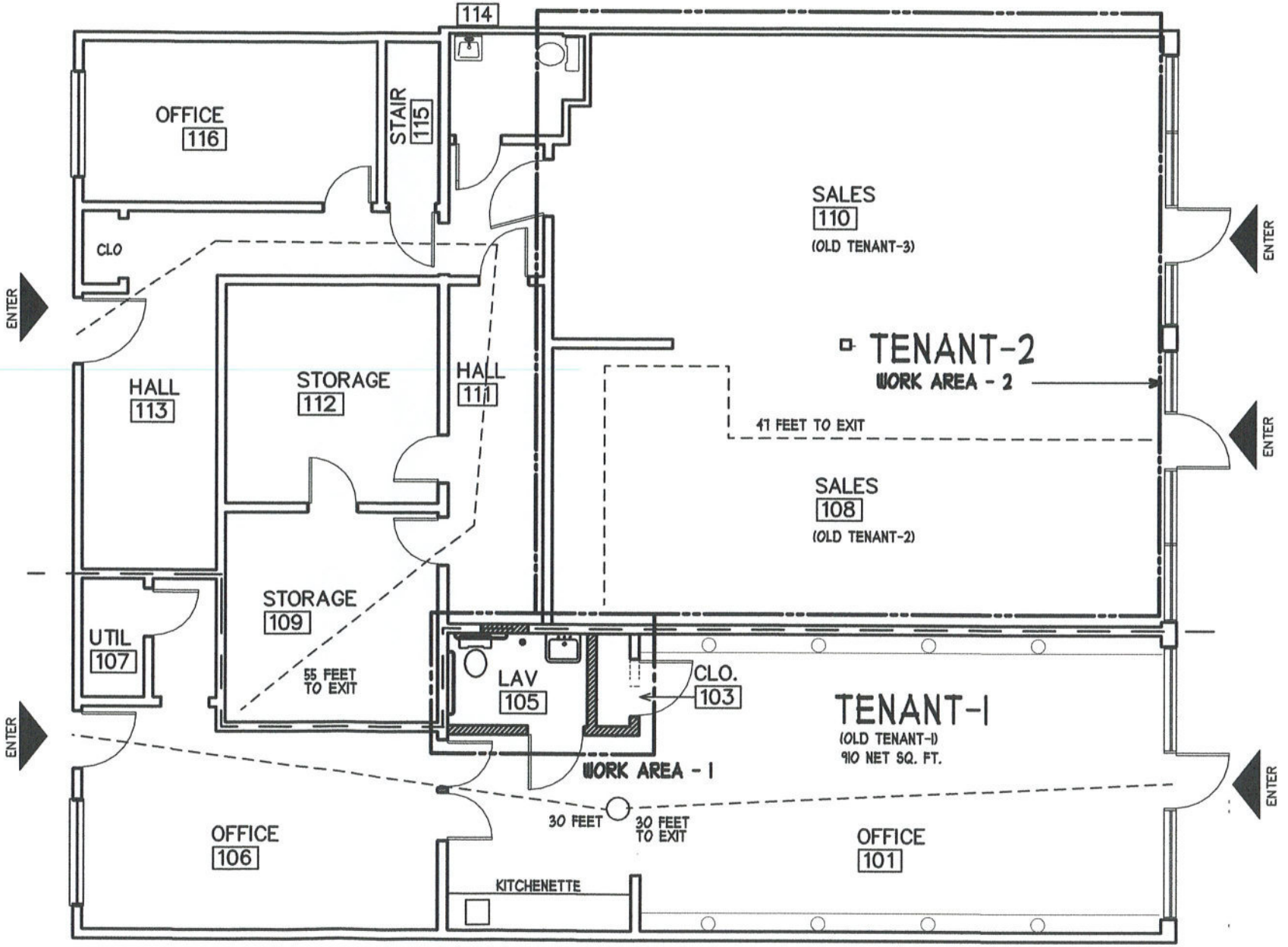
----- DEMOLISH EXISTING WALL: PATCH WALL, FLOOR AND CEILING.

NEW WALLS: 2X4 STUDS AT 16" O.C. UNLESS NOTED OTHERWISE, 1/2" DRYWALL

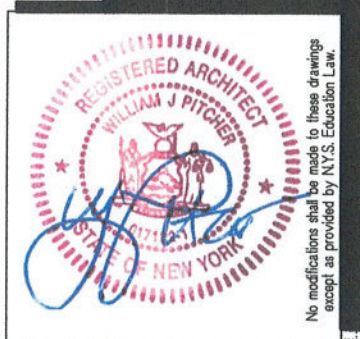
----- TENANT DEMISING LINE

----- WORK AREA BOUNDARIES

----- EXIT PATHWAYS



1
A-1 1/8" = 1'-0"
SCALE IN FEET
1 2 3 4 8 16



1004-28-37 & 20-25
DATE 8-28-2020

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Syracuse, NY 13203

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315.474.1219

VARIANCE APPLICATION
5300-5304 S. SALINA STREET
SYRACUSE, NY

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FIRST FLOOR PLAN & NOTES
A-1



No modifications shall be made to these drawings except as provided by N.Y.S. Education Law.

JOB# 213-36
DATE 8-28-2020

124 Feigel Avenue
Syracuse, NY 13203

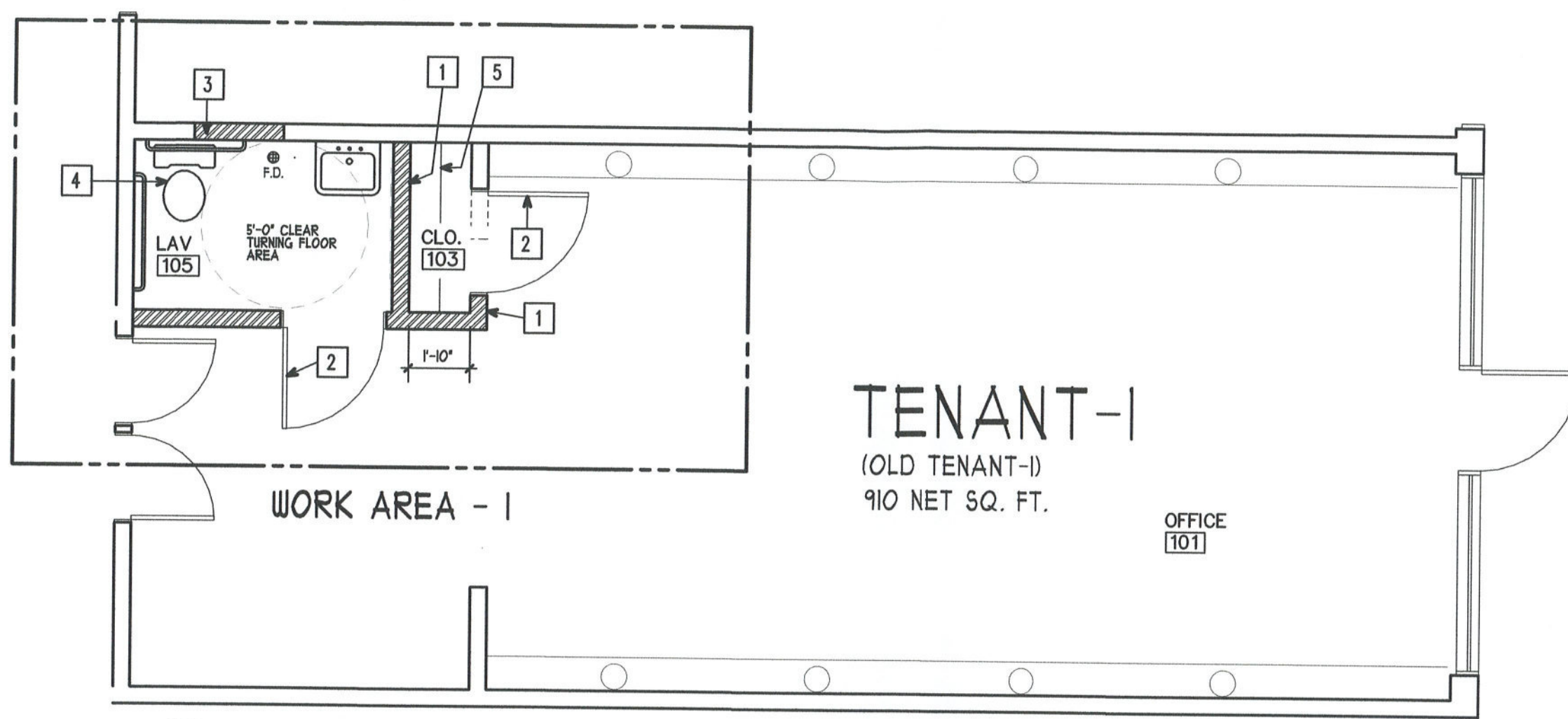
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WORK AREA ONE
1ST FLOOR
A-2

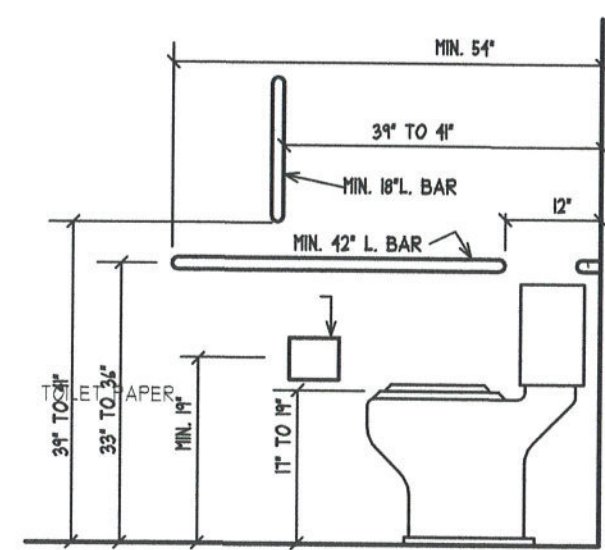
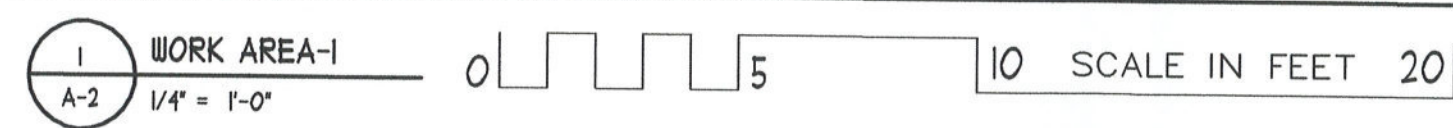


TENANT-1

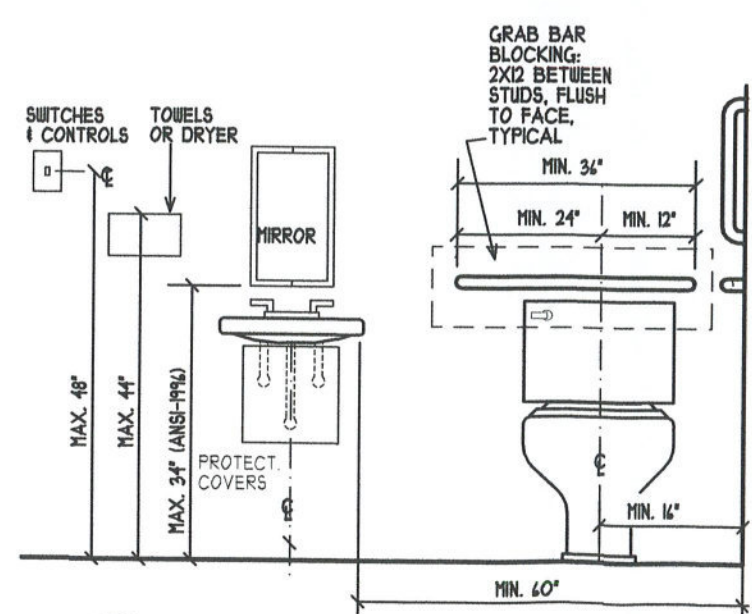
(OLD TENANT-1)
910 NET SQ. FT.

OFFICE
101

WORK AREA - I



2 BATHROOM DIMENSIONS
A-2 N.T.S.



3 BATHROOM DIMENSIONS
A-2 N.T.S.

SYMBOLS

- DEMOLISH EXISTING WALL; PATCH WALL, FLOOR AND CEILING.
- NEW WALLS: 2X4 STUDS AT 16" O.C. UNLESS NOTED OTHERWISE, 1/2" DRYWALL

NUMBERED NOTES

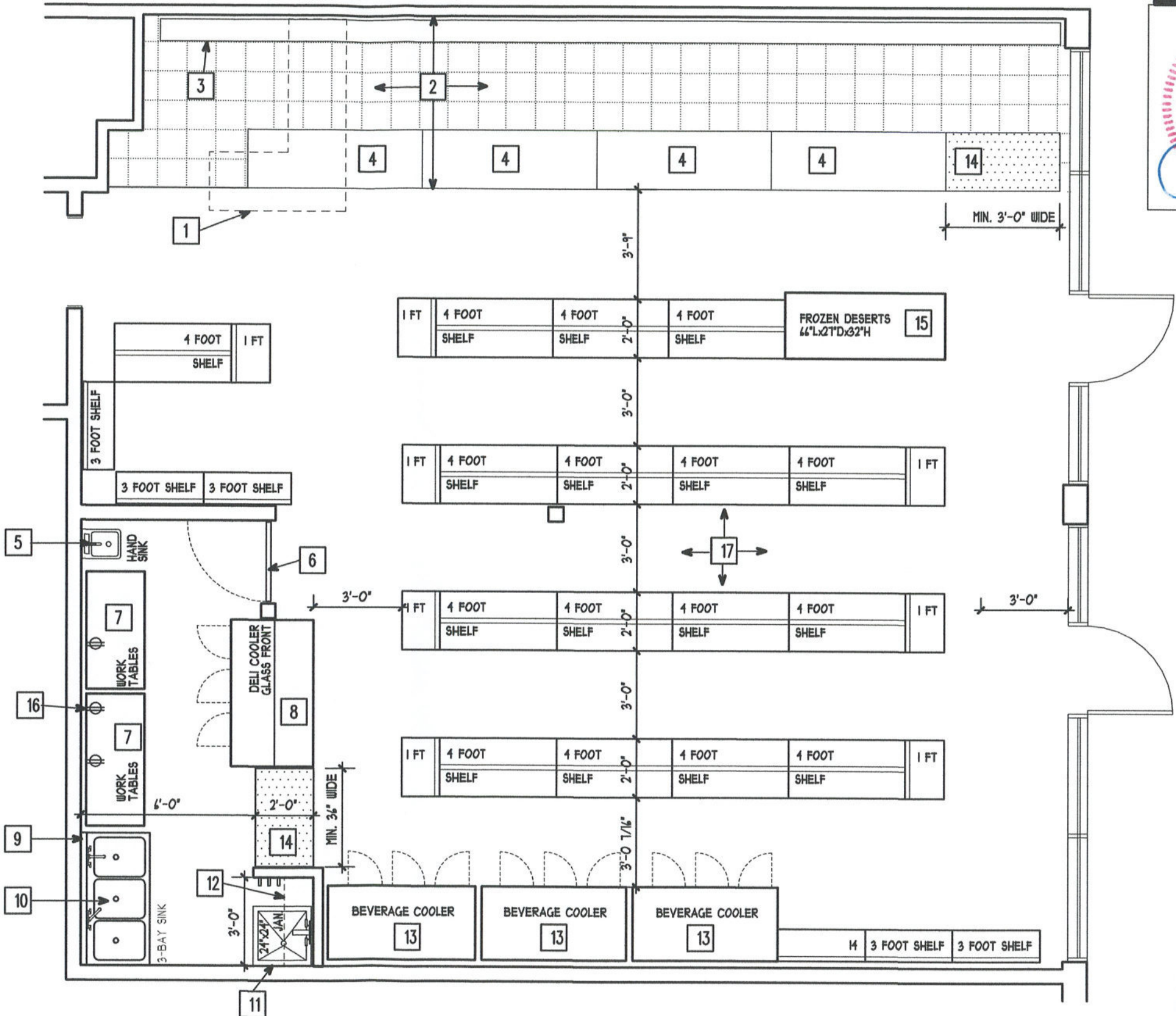
- NEW WALLS: FLOOR TO CEILING, 2X4 WOOD STUDS 16" O.C. 1/2" DRYWALL BOTH SIDES, PAINTED
- NEW DOOR: 3-0X6-8, WOOD, FINISH TO MATCH EXISTING TRIM COLOR. LEVER STYLE DOOR KNOBS. BATH: WITH PRIVACY LOCK; CLOSET: KEYED CLOSET LOCK.
- REMOVE DOOR TRIM, INFILL OPENING WITH STUDS, AND DRYWALL, TAPE AND FINISH, PAINT TO MATCH EXISTING ADJACENT COLORS.
- FIXTURES: TANK TOILET, WALL HUNG CHINA SINK
GRAB BARS: STAINLESS STEEL
LIGHTS: OCCUPANCY WALL SWITCH TO CEILING
EXHAUST FAN: VENT TO OUTDOORS, CONTROLLED BY LIGHT SWITCH
FLOOR DRAIN: STEEL GRATE
FLOOR: EXISTING CERAMIC TILE
ACCESSORIES: TOILET PAPER HOLDER, PAPER TOWEL DISPENSER.
- CLOSET: PROVIDE WOOD OR METAL SHELF/CLOTHES-ROD.

NUMBERED NOTES

- 1 DEMOLISH EXISTING COUNTER UNIT
- 2 CONSTRUCT NEW RAISED FLOOR: 2X6 SLEEPERS AT 16" O.C., 3/4" TONGUE & GROOVE PLYWOOD, 2X12X1/8 VCT FLOORING.
- 3 9" TO 12" DEEP SHELVES: EITHER MERCHANDISING SYSTEM OR 1/2" PLYWOOD CONSTRUCTION MIN 9"H. BETWEEN SHELVES, FROM FLOOR TO 6'-6" ABOVE FLOOR.
- 4 GLASS FRONTED SALES COUNTER WITH REAR DOORS AND INTERIOR DISPLAY SHELVING. CHOICE BY TENANT.
- 5 NEW HAND SINK, WITH SOAP DISPENSER AND PAPER TOWEL DISPENSER.
- 6 NEW 42"H. SWINGING GATE, HINGE TO WALL, LATCH TO NEW 6X6 POST.
- 7 NEW STAINLESS STEEL WORK TABLES PROVIDE 2 DUPLEX APPLIANCE OUTLETS, 110V.
- 8 GLASS-FRONT, REFRIGERATED DELI CASE, SLIDING DOORS BACK SIDE. PROVIDE 20AMP CIRCUIT
- 9 NEW FLOOR SINK TO GREASE TRAP.
- 10 NEW 3-BAY SINK, 15" WIDE BASINS, AIR-BREAK DRAIN INTO FLOOR SINK.
- 11 NEW CEMENT FLOOR SINK, 24"X24"X12". PROVIDE WALL MOUNTED FAUCET AT 30" ABOVE FLOOR. DRAIN TO GREASE TRAP.
- 12 2 WIRE RACK SHELVES ABOVE FOR CLEANING SUPPLIES. 3 HOOK/CLAMPS FOR HANGING BROOMS & MOPS.
- 13 NEW BEVERAGE COOLERS. PROVIDE ONE 20AMP CIRCUIT FOR EACH.
- 14 A.D.A. SALES COUNTER: MIN 36" WIDE, MAX. 36" HIGH. PROVIDE INSIDE POWER OUTLET, AND PATHING FOR DATA CABLE.
- 15 FROZEN DESERTS: FREEZER WITH GLASS TOP ACCESS DOORS. PROVIDE 20AMP DOG-HOUSE OUTLET UNDER UNIT.
- 16 PROVIDE SINGLE-DUPLEX WALL OUTLET AT 1'-0" ABOVE FLOOR FOR LIGHTED MENU SIGN
- 17 IF NECESSARY, REARRANGE LIGHT FIXTURES IN SUSPENDED CEILING SYSTEM TO PROVIDE BEST LIGHTING LAYOUT FOR SHELVING LOCATIONS

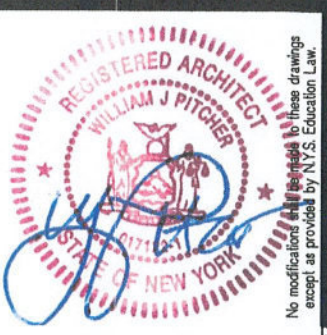
GREASE TRAP

1. PROVIDE GREASE TRAP OF SIZE DETERMINED BY ONONDAGA COUNTY PLUMBING.
2. IF EXISTING SANITARY SEWER EXISTS BUILDING TO ROSEMONT, INSTALL TRAP IN BASEMENT, OR WITH PERMISSION OF CITY UNDERGROUND IN RIGHT-OF-WAY.
3. IF EXISTING SEWER EXISTS TO S. SALINA, INSTALL NEW GREASE TRAP IN FRONT LAWN AREA, AND INTERCONNECT TRAP DISCHARGE TO EXISTING SEWER.
4. GREASE TRAP SIZE: ONLY COLD SANDWICHES WILL BE PREPARED, NO HOT FOOD.



1 WORK AREA - 2
A-3 1/4" = 1'-0"

0 5 10 20 SCALE IN FEET

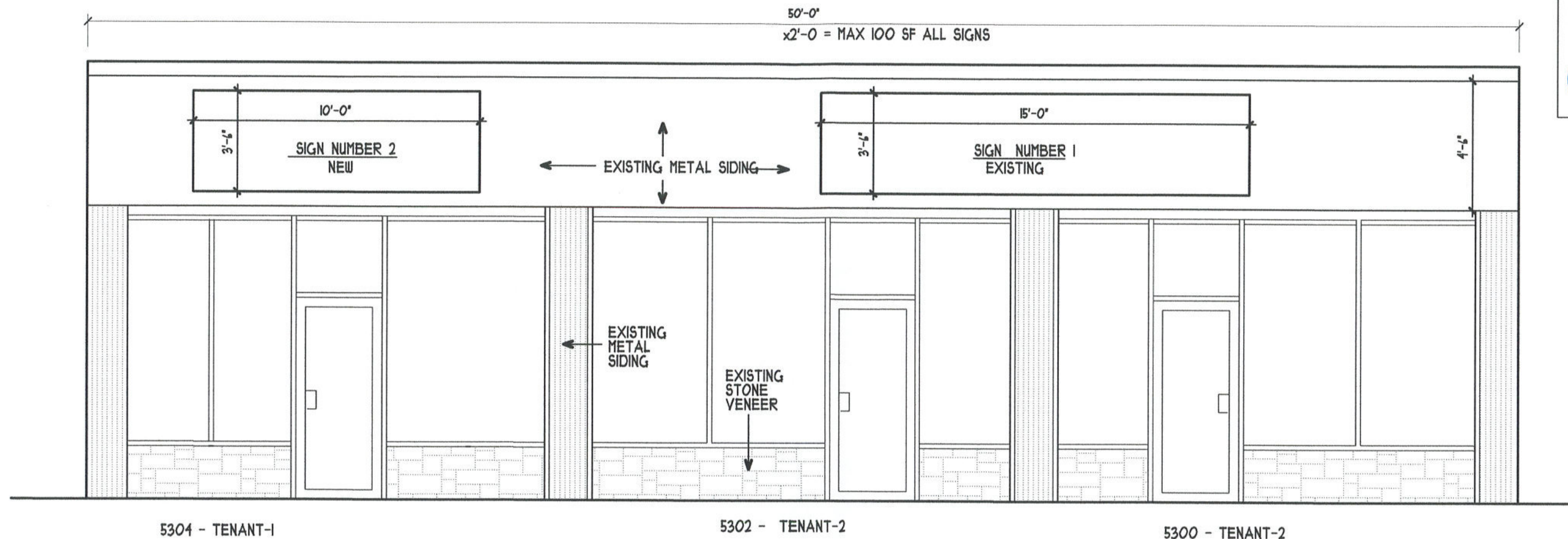


JOB#: 213-36
DATE: 8-28-2020

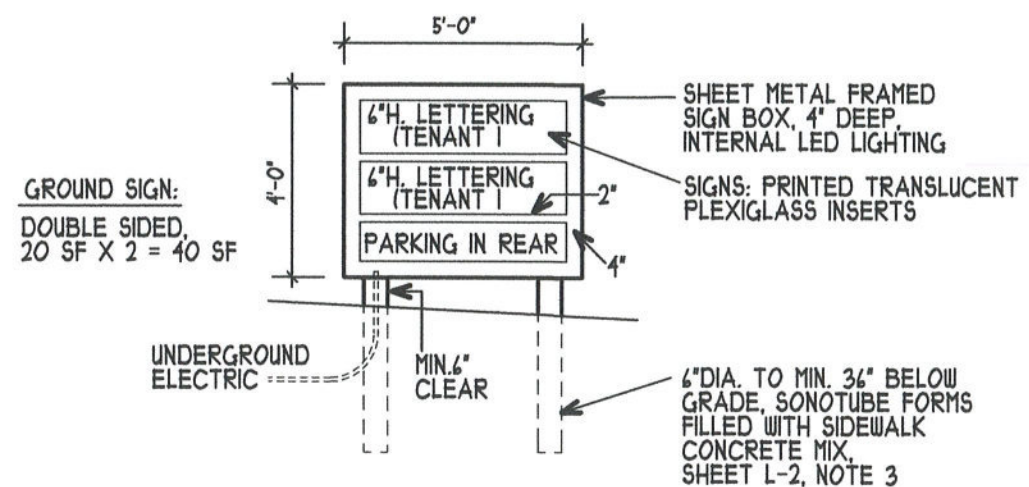
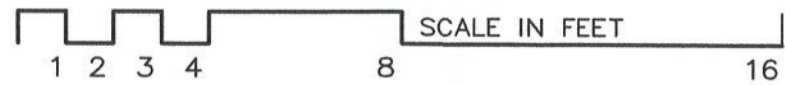
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VARIANCE APPLICATION
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FIRST FLOOR PLAN & NOTES
A-3



1 EXISTING FRONT ELEVATION
A-4 1/4" = 1'-0"



2 NEW GROUND SIGN 7 ON SHEET L-2
A-4 1/4" = 1'-0"

PERMITTED WALL SIGNS:
 24" VERTICALLY X LENGTH OF BUILDING FACADE
 MAXIMUM 2'-0" X 50'-0" = 100 SF WALL SIGNS
 SIGN 1: 15' X 3.5' = 52.5 SF
 SIGN 2: 10' X 3.5' = 35 SF
 87.5 SQ.FT.
 4" DEEP SIGN BOX, FLUORESCENT BACK-LIGHTED,
 SIGN WITH TRANSLUCENT PLASTIC FRONT.



JOB# 23-36
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FRONT
ELEVATION
&
SIGNAGE
A-4

Table of Contents

Variance Application form
Environmental Short form
Onondaga County, Tax Report
Syracuse, current Zoning Map: Residential, RA-1
Syracuse, proposed Rezone Syracuse map, Mixed Use, MX-2
Rezone Syracuse, code requirements, MX-2
Site photographs

Requested Variance

The prospective buyer, as a condition of purchase, requests approval of a Variance for the continued use of a commercial property that is currently zoned as a non-conforming use within a RA-1 zone. It has been in commercial use before the existing 1970 Zoning Code classified it as non-conforming. For the history of variances, see drawing A-1.

The proposed Rezone Syracuse reclassifies it as a conforming use in a new MX-2 zone. So when the Rezone Syracuse is adopted as the official zoning code, this variance will no longer be necessary.

Proposed interior renovations are to completely separate Tenant 1 (future unknown tenant) from Tenant 2 (the proposed buyer), by closing off a door way, and providing a new restroom in the Tenant 1 space. See drawings A-1, A-2, and A-3

Proposed exterior renovations involve removing asphalt in front of the building, and replacing the area with new sidewalks and lawn area, and adding a new double-sided ground sign. See drawings L-2 and A-4.

The proposed commercial use of Tenant-2 space is a grocery store, as shown on drawing A-3.

Proposed signage, shown on drawing A-4, is for two wall signs and one ground sign.

SPECIAL PERMITS: proposed deli food preparation is for cold sandwiches and other cold foods. No equipment is provided for preparation of hot foods; therefore, Special Permit approval for a RESTAURANT is not required, per Zoning Code, A-III-2:

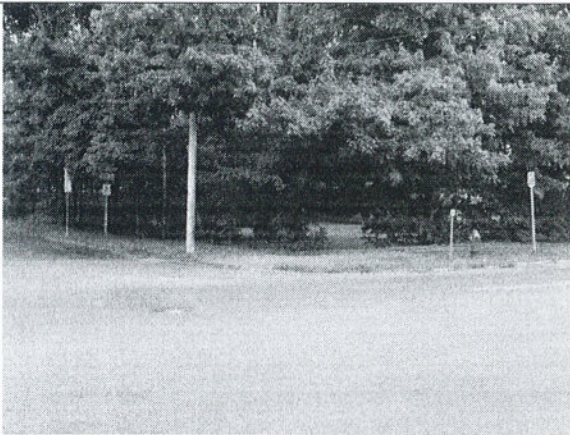
“Restaurant -- Any place...open to public...operated ... as a place where food and beverages are served to customers. ... Structures in which the service of food and beverages are clearly accessory to the sale of other goods, e.g., a delicatessen counter in a grocery store, shall not be considered within this definition.”



1. Front of 5300 (east elevation)



2. Turning left: S. Salina Street, looking south



3. Looking south east, opposite corner.



4. Looking east, Harding Street



5. Looking north east.



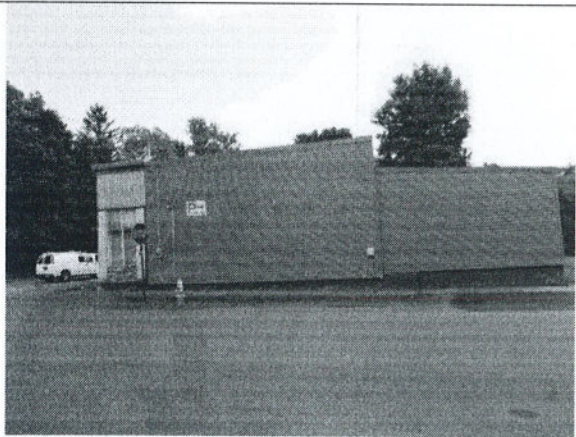
6. Looking north, down S. Salina Street, to opposite corner



7. Looking northwest to first house on Rosemont Drive



8. Looking west down Rosemont Drive



9. North facade, facing Rosemont



10. North facade sign



11. Rear parking lot, west façade, existing sidewalk along Rosemont Dr. Continue same width in front yard.



12. Existing sidewalk along S. Salina, proposed to continue in existing width for new sidewalks in front yard.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William J. Pitcher", with a long horizontal flourish extending to the right.

William J. Pitcher, R.A.



Property Description Report For: 5300-02 Salina St S & Rosemont Dr, Municipality of City of Syracuse

No Photo Available

		Status:	Active
		Roll Section:	Wholly Exem
		Swis:	311500
		Tax Map ID #:	067.-20-21.0
		Property #:	1479029300
		Property Class:	485 - >1use sm bld
		Site:	COM 1
		In Ag. District:	No
		Site Property Class:	485 - >1use sm bld
		Zoning Code:	001
		Neighborhood Code:	15740
		School District:	Syracuse
		Total Assessment:	2020 - \$60,000
Total Acreage/Size:	50.66 x 148.29	Property Desc:	Lot 48 Tr Bronson 50.66x148.29 Ang Br Store unf
Land Assessment:	2020 - \$29,000	Deed Book:	2017
Full Market Value:	2020 - \$80,000	Deed Page:	36671
Equalization Rate:	----	Grid East:	617404
		Grid North:	1090924

Owners

Animal Alliance of Greater
Syr
P.O. Box 94
Liverpool NY 13088

Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book and Page
10/12/2017	\$158,500	485 - >1use sm bld	Land & Building	CPGT Properties LLC	No	No	Yes	2017/36671
8/21/2013	\$139,303	485 - >1use sm bld	Land & Building	Mc Guire, Florence E	No	No	Yes	5250/90
6/3/2013	\$23,000	485 - >1use sm bld	Land & Building	Bayview Loan Servicing LLC	No	No	Yes	5250/96
5/29/2007	\$1	485 - >1use sm bld	Land & Building	Mc Guire, Florence E	No	No	Yes	4997/151
8/16/1984	\$65,000	482 - Det row bldg	Land & Building	Unknown	No	No	No	3113/94

Utilities

Sewer Type: Comm/public
Utilities: Gas & elec

Water Supply: Comm/public

Inventory

Overall Eff Year Built: 0
Overall Grade: Economy

Overall Condition: Fair
Overall Desirability: 3

Buildings

AC%	Sprinkler%	Alarm%	Elevators	Basement Type	Year Built	Eff Year Built	Condition	Quality	Gross Floor Area (sqft)	Stories
0	0	100	0	Unfinished	1950		Normal	Economy	2250	1

Improvements

Structure	Size	Grade	Condition	Year
Pavng-asphlt	5000 × 4	Average	Normal	1980

Special Districts for 2020

Description	Units	Percent	Type	Value
FL001-Sweeping	50.7	0%		0
OL001-Oiling Dist(no \$)	148.3	0%		0
CWR40-County water	0	0%		0
CSW15-Onon Co San Unit	1	0%		0

Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
2020	NOPR CHAR	\$60,000	0	2020				0

Taxes

Year	Description	Amount
------	-------------	--------

*** Taxes reflect exemptions, but may not include recent changes in assessment.**



CURRENT ZONING

VARIANCE REQUEST

5300-5304 S. Salina Street

Syracuse, NY

August 28, 2020



PITCHER architect PLLC

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