

**Town of Lansing Zoning Board of Appeals  
Application for Variance**

Application Fee \_\_\_\_\_

Application Date 4/11/16

**Property for which Variance is being requested**

Tax Parcel No. 360-1-83 Street Address Portland Point Lansing

**Applicant's Name and Address**

Jennifer Whitaker  
300 Portland Ave

**Zoning District (check one)**

Phone \_\_\_\_\_ R1 \_\_\_\_\_  
Cell 607 592 1696 R2 \_\_\_\_\_  
Email \_\_\_\_\_ R3 \_\_\_\_\_

*(If Applicant different from owner, notarized written permission of owner must be attached hereto.)*

Sean  
Owner's Name and Address (if different)

227-5409 B1 \_\_\_\_\_  
B2 \_\_\_\_\_

Jennifer Whitaker

Phone 607 592 1696 L1 \_\_\_\_\_  
Cell 607 592 1696 RA \_\_\_\_\_  
Email jenniferwhitaker@gmail.com IR

**Application for (check applicable item)**

- A. Interpretation of Zoning Ordinance or Map
- B. Area Variance
- C. Use Variance
- D. Appeal of decision of Code Enforcement Officer

**Request relates to provisions of (check applicable item)**

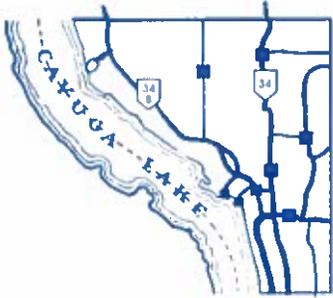
- A. Town of Lansing Land use Ordinance, Section \_\_\_\_\_
- B. Town of Lansing Subdivision Regulations, Section \_\_\_\_\_
- C. Other (Identity) \_\_\_\_\_

**Purpose of Request: (attach additional information if necessary)**

Build Single Family Home on Lakefront Property  
~~Request for variance to allow for a new home to be built on the property. The property is currently zoned R1 and the applicant is requesting a variance to allow for a single family home to be built on the property. The property is currently zoned R1 and the applicant is requesting a variance to allow for a single family home to be built on the property.~~

**Justification of Request: (attach additional information if necessary)**

Interior home on site and looking  
Existing  
to build new home on pristine lake property.



# **TOWN of LANSING**

*"Home of Industry, Agriculture and Scenic Beauty"*

ZONING, PLANNING AND CODE ENFORCEMENT  
Box 186  
Lansing, NY 14882

E-mail: [tolcodes@tweny.ny.us](mailto:tolcodes@tweny.ny.us)

## **TOWN OF LANSING ZBA MEMORANDUM**

**TO:** Scott Doyle (County Planning)  
**FROM:** Lynn Day – Code Enforcement Officer  
**RE:** Use Variance  
**DATE:** April 12, 2016

On April 11, 2016 I denied a request to build a Single Family Residence at 300 Portland Point Rd, Tax Map # 36.-1-8.3 owned by 300 Portland point LLC. Though one Single Family Residence already exists on the property our current Land Use Ordinance does not allow Single Family Residences in the IR Zoning District (IR - Industrial Research) per Schedule I, Section 503.

The property is 3.01 acres with over 700 ft of Lake Frontage. One Single Family Residence already exists, with a detached garage and dock/s. The Town's plan is to add the Portland Point Parcels into the L1 Zoning District (Lakeshore) when we revise the Town's Zoning Map. The property was never changed from the IR Zoning District to the L1 Zoning District after the former cement company was torn down.

We've enclosed the variance application, along with the LUO Schedule I, Plot Plan, Assessment property information, etc. If you have any questions please contact our office at 533-7054.

Sincerely,

Lynn Day  
Code Enforcement Officer



# **TOWN of LANSING**

*"Home of Industry, Agriculture and Scenic Beauty"*

ZONING, PLANNING AND CODE ENFORCEMENT  
Box 186  
Lansing, NY 14882

E-mail: [tolcodes@tweny.ny.us](mailto:tolcodes@tweny.ny.us)

April 11, 2016

33 Portland Point LLC  
Attn. Jennifer Whittaker  
106 Reach Run  
Ithaca, NY 14850

RE: Land Use Denial

Dear Jennifer,

This letter is to inform you that your request to construct a Single Family Residence at 300 Portland Point (tax parcel No.36.-1-8.3) has been denied. The proposed use (Single Family Residence) is not allowed in the IR District according to the Town of Lansing Land Use Ordinance, Schedule I, Section 503.

If you wish to pursue this Use at the above location, an Application for a Variance must be submitted.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn Day".

Lynn Day  
Code Enforcement Officer

**SEC. 503. SCHEDULE I: SCHEDULE OF LAND USES OR ACTIVITIES, TOWN OF LANSING**

<b>P* = Permitted with Site Plan</b> <b>P = Permitted as of Right</b> <b>SC= Permitted but Special Conditions Apply (see Sec. 802)</b> <b>SP = Special Use Permit Required (see Sec. 803)</b> <b>N = Not Permitted</b> <b>* = Site Plan Review Required (see Sec.701)</b> <b>Z = Zoning Permit Required</b>	RURAL AGRICULTURE	LAKESHORE	RESIDENTIAL - LOW DENSITY	RESIDENTIAL - MODERATE DENSITY	RESIDENTIAL - MIXED USE	COMMERCIAL - MIX USE	COMMERCIAL - GENERAL BUSINESS	INDUSTRIAL / RESEARCH
	RA	L1	R1	R2	R3	B1	B2	IR
<b>A. RESIDENTIAL USES</b>								
1. Dwelling, one-family	P	P	P	P	P	P	P	N
2. Dwelling, two-family	P	P	P	P	P	P	P	N
3. Dwelling, conversion of existing building into three or four dwelling units	SC* 802.11	N	N	P*	SC* 802.11	P*	P*	N
4. Dwelling, multi-family including apartments and condominium	SC* 802.11	N	N	P*	P*	P*	N	N
5. Dwelling, townhouse	P*	N	N	P*	P*	P*	P*	N
6. Retirement housing	P*	P*	P*	P*	P*	P*	SP* 803.2.1	N
7. Congregate housing	P	N	N	P*	P*	P*	P*	N
8. Shared housing	P*	P*	P*	P*	P*	P*	P*	N
9. Mother-in-Law/ Accessory	Z	Z	Z	Z	Z	Z	Z	Z
10. Dwelling, ECHO housing (Elder Cottage Housing Opportunity)	P	SC* 802.10	SC* 802.10	SC* 802.10	SC* 802.10	SC* 802.10	SC* 802.10	SC* 802.10
11. Dwelling, Mobile Home	P	P	N	N	P	N	N	N
12. Mobile Home Park (see M.H. Park Local Law)	SC* 802.2	N	N	N	N	N	N	N
13. Cluster development	SP* 803.2.1	SP* 803.2.1	SP* 803.2.1	SP* 803.2.1	SP* 803.2.1	SP* 803.2.1	N	N
14. Seasonal Cabin or cottage	P	P	N	N	P	N	N	N
15. Storage Unit / Containers	Z	N	N	N	Z	Z	Z	Z
16. Accessory use related to residential development	P	P	P	P	P	P	P	P
17. Mixed residential/ commercial development	P*	N	N	N	N	P*	P*	N



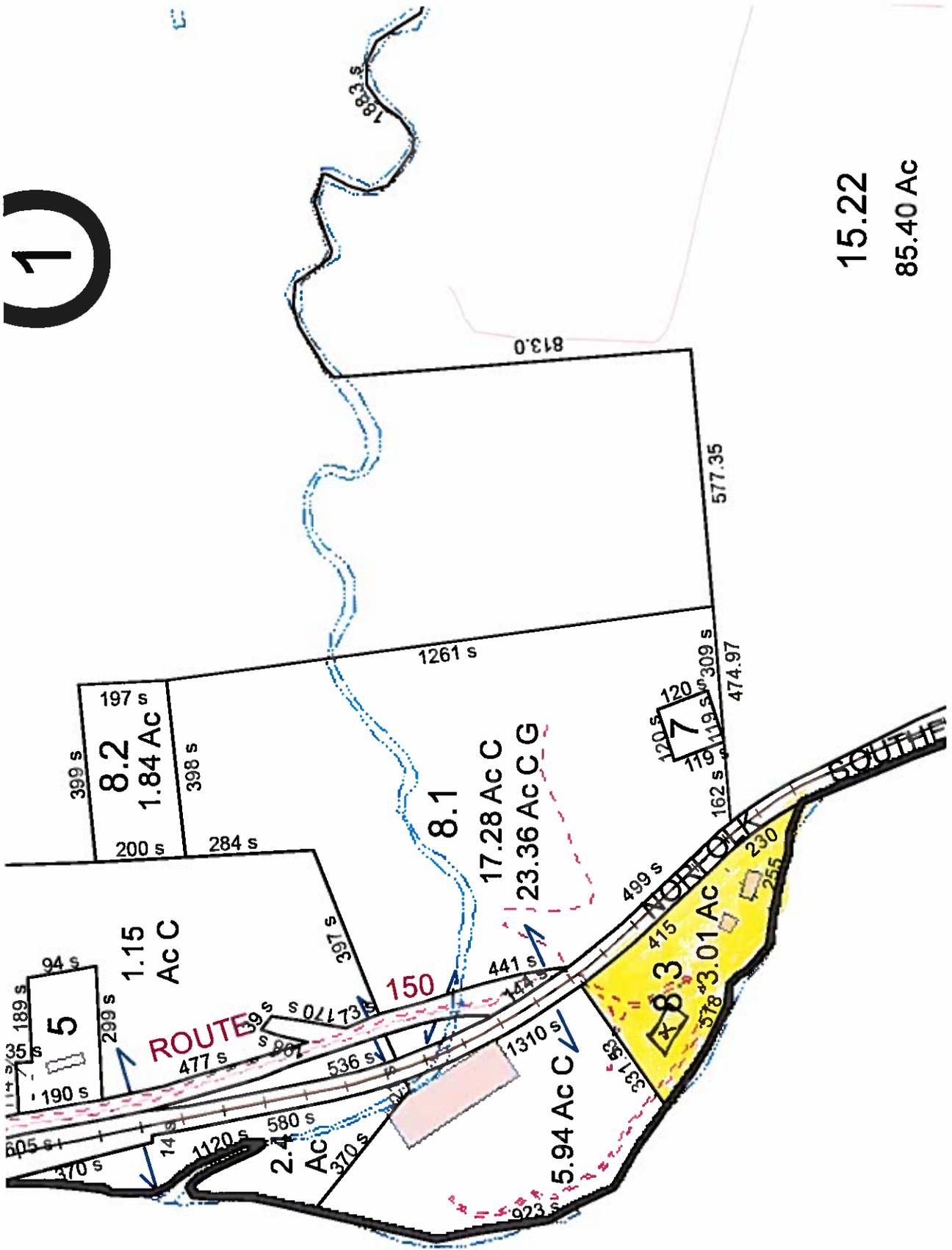
Property Line

40'  
Proposed  
70'

garage  
existing house

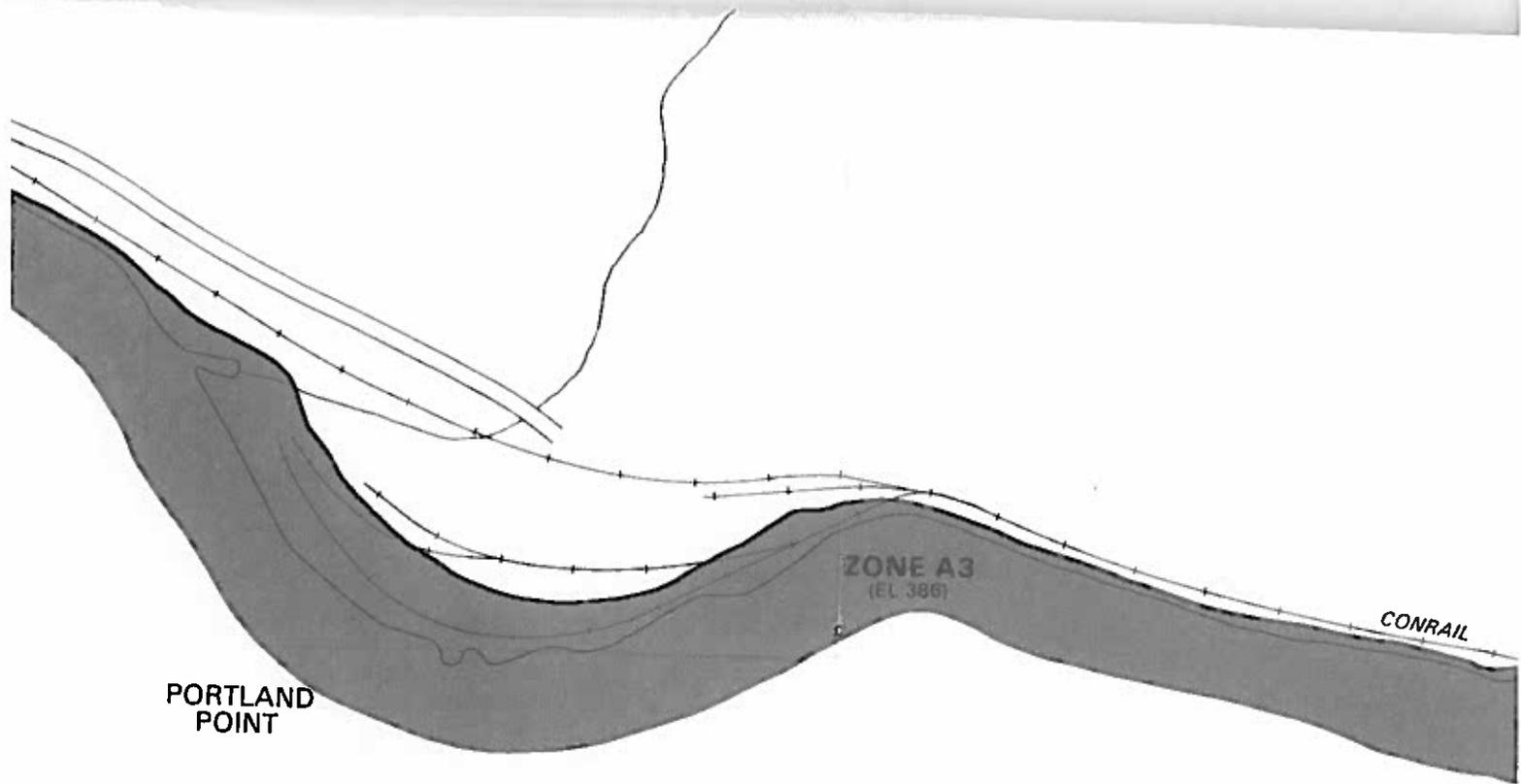
40'  
70'

1



15.22

85.40 AC



YUGA LAKE

Firm Map  
0037C  
panel 37 of 45  
10/15/85

Flood Ins. Rate Map



# Image Mate Online

[Navigation](#)
[GIS Map](#)
[Tax Maps](#)
[ORPS Links](#)
[Help](#)
[Log Out \(twnlansing\)](#)

**Residential**

- [Property Info](#)
- [Owner/Sales](#)
- [Inventory](#)
- [Improvements](#)
- [Exemption Info](#)
- [Report](#)
- [Comparables](#)

<b>Municipality of Lansing</b>			
SWIS:	503289	Tax ID:	36.-1-8.3
<b>Tax Map ID / Property Data</b>			
Status:	Active	Roll Section:	Taxable
Address:	300 Portland Point Rd		
Property Class:	210 - 1 Family Res	Site Property Class:	210 - 1 Family Res
Ownership Code:	W - Waterfront		
Site:	Res 1	In Ag. District:	No
Zoning Code:	IR - ir	Bldg. Style:	Contemporary
Neighborhood:	32040 -	School District:	Lansing
Total Acreage/Size:	3.01	Equalization Rate:	2016 - 100.00% 2015 - 100.00%
Land Assessment:	2016 - \$525,000 2015 - \$525,000	Total Assessment:	2016 - \$738,000 2015 - \$738,000
Full Market Value:	2016 - \$738,000 2015 - \$738,000		
Deed Book:	54369	Deed Page:	5001
Grid East:	835785	Grid North:	919347
Bank Code:	N/A		

<b>Special Districts for 2016</b>				
Description	Units	Percent	Type	Value
FD321-Lansing fire 1	0	0%		0
SWRES-Solid waste fee res.	1	0%		0

**Photographs**

(Click on photo to enlarge it.)



[File Photo](#)

Photo 3 of 7

←
→

**Documents**

- revision-'02-split
- Deed History-split-'02
- Sketch
- Sketch
- Survey
- Tax Map Revision
- Tax Map Revision

**Maps**

[View Tax Map](#)

[Pin Property on GIS Map](#)

[View in Google Maps](#)

[View in Bing Maps](#)

Map Disclaimer

### Special Districts for 2015

Description	Units	Percent	Type	Value
FD321-Lansing fire 1	0	0%		0
SWRES-Solid waste fee res.	1	0%		0

### Land Types

Type	Size
Waterfront	773 x 150
Residual	0.35 acres



# Image Mate Online

[Navigation](#) | 
 [GIS Map](#) | 
 [Tax Maps](#) | 
 [ORPS Links](#) | 
 [Help](#) | 
 [Log Out \(twnlansing\)](#)

**Residential**

- [Property Info](#)
- [Owner/Sales](#)
- [Inventory](#)
- [Improvements](#)
- [Exemption Info](#)
- [Report](#)
- [Comparables](#)

**Municipality of Lansing**

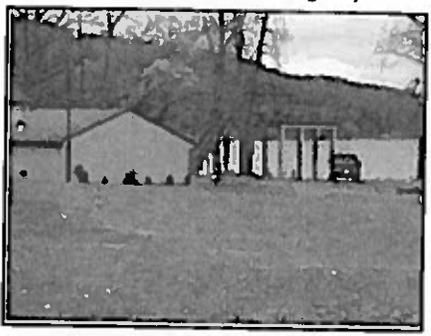
<b>SWIS:</b>	503289	<b>Tax ID:</b>	36.-1-8.3
--------------	--------	----------------	-----------

**Ownership Information**

Name	Address
300 Portland Point, LLC	300 Portland Point, LLC 106 Reach Run Ithaca NY 14850

**Photographs**

(Click on photo to enlarge it.)



File Photo

Photo 1 of 7

← →

**Sale Information**

Sale Date	Price	Property Class	Sale Type	Prior Owner
6/5/2009	\$775,000	210 - 1 Family Res	Land & Building	Pinney, Richard A
	Value Usable	Arms Length	Deed Book	Deed Page
	Yes	Yes	54369	5001

Sale Date	Price	Property Class	Sale Type	Prior Owner
10/3/2001	\$1	210 - 1 Family Res	Land & Building	Pinney, Richard Sr
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	919	38

**Documents**

- revision-'02-split
- Deed History-split-'02
- Sketch
- Sketch
- Survey
- Tax Map Revision
- Tax Map Revision

**Maps**

[View Tax Map](#)

[Pin Property on GIS Map](#)

[View in Google Maps](#)

[View in Bing Maps](#)

Map Disclaimer

**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.

<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: <u>Jennifer Whitaker</u>							
Project Location (describe, and attach a location map): <u>300 Portland Point New Single Family Home</u>							
Brief Description of Proposed Action: <u>Build Single Family Home on Lake-Front Property</u>							
Name of Applicant or Sponsor: <u>Jennifer Sean Whitaker</u>		Telephone: <u>607 592 1696</u>					
Address: <u>106 Reach Run</u>		E-Mail: <u>jenniferwhitaker@gmail.com</u>					
City/PO: <u>Ithaca</u>		State: <u>NY</u>	Zip Code: <u>14850</u>				
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%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><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%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><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?		<u>3</u> acres					
b. Total acreage to be physically disturbed?		<u>3</u> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>3</u> acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Railroad</u> <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"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: _____	Date: _____	
Signature: _____		

**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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" 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.
_____	_____
Name of Lead Agency	Date
_____	_____
Print 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)

**PRINT**

**RESET**

**AGRICULTURAL DATA STATEMENT**

Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

A. Name of applicant: Jennifer Whitaker  
Mailing address: 106 Reach Run  
Ithaca N.Y 14850

B. Description of the proposed project: Build Single Family Home

C. Project site address: 300 Portland Point Town: Lansing

D. Project site tax map number: 360-1-803

E. The project is located on property:  
 within an Agricultural District containing a farm operation, or  
 with boundaries within 500 feet of a farm operation located in an Agricultural District.

F. Number of acres affected by project: 3

G. Is any portion of the project site currently being farmed?  
 Yes. If yes, how many acres \_\_\_\_\_ or square feet \_\_\_\_\_ ?  
 No.

H. Name and address of any owner of land containing farm operations within the Agricultural District and is located within 500 feet of the boundary of the property upon which the project is proposed.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I. Attach a copy of the current tax map showing the site of the proposed project relative to the location of farm operations identified in Item H above.

**FARM NOTE**

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

Jennifer Whitaker Landowner  
Name and Title of Person Completing Form

3/28/16  
Date

- Directions
- Traffic
- My Places
- Print
- Share

> United States · NY



Fee

