

---

---

# Town of Lansing

---

Monday, October 20, 2009 7:00 PM, Zoning Board of Appeals Meeting

---

---

## ZONING BOARD OF APPEALS MEMBERS

(\*Denotes present)

*	Gregg Travis, Chairman	*	David Dittman
*	Linda Hirvonen	*	Dan Konowalow
	Ronald Bricker, Alternate Member	*	Henry (Hurf) Sheldon
*	Jeffrey Overstrom, Engineer & Planning Coordinator		
*	Bud Shattuck, Town Board Liaison		
	Lorraine Moynihan Schmitt, ZBA Attorney		

### PUBLIC PRESENT

Diane Rutherford

Andy Sciarabba

### GENERAL BUSINESS

Gregg Travis called the meeting to order at 6:45 PM. Mr. Travis acknowledged the Legal Notice published in The Ithaca Journal with regards to the Public Hearing on the Area Variance.

### Public Hearing for: Area Variance, Applicant: Diane Rutherford, 559 Ridge Road, Tax Parcel # 38.-1-4-12

Henry (Hurf) Sheldon made a motion to open the Public Hearing at 7:06 PM. Linda Hirvonen seconded.

### VOTE AS FOLLOWS:

David Dittman - Aye  
Linda Hirvonen - Aye  
Daniel Konowalow - Aye  
Henry (Hurf) Sheldon - Aye  
Gregg Travis - Aye

### MOTION CARRIED.

### Member/Public Comments/Concerns:

Ms. Rutherford appeared before the Board requesting an Area Variance for setback requirements in order to open a Bed & Breakfast. According to The Town of Lansing Land Use Ordinance, Article VIII, Section 802.17(a) Bed &

## APPROVED

Breakfast, No building is located less than fifty (50 ft from the lot line of an existing residence. Ms. Rutherford is approximately 1.8ft shy of meeting this requirement. Neighboring residents have provided a petition in favor of the proposed Bed & Breakfast. In addition, the landowner that abuts Ms. Rutherford's property provided a written and notarized letter expressing that they do not see a significant concern with the small infringement upon their property.

Andy Sciarabba: Inquired if when the addition was built to the residence was there a deficiency with the setbacks at that time.

Rachel Jacobsen: Advised no, the Setbacks for the R2 District were as follows; rear 30' and 10/25 for sides. The Building Inspector is very adamant about making sure setbacks are correct.

Henry (Hurf) Sheldon requested the Stoke's Letter and neighboring petition be made a part of the record.

APPROVED



FILE COPY



RECEIVED

10/20/09 6:45 P.M.

October 14, 2009

TOWN OF LANSING  
BOX 186  
Lansing, N.Y. 14882

Re: Diane Rutherford, 599 Ridge Road, Tax Parcel # 26.-4-7.22 Request for Area Variance.

TO: Whom it May Concern:

I, Wayne D. Stokes along with my wife Kristi L. Stokes own 4 Lakeview Drive, Lansing, N.Y. It is our property that Ms. Rutherford's request for an area variance infringes upon.

We would like to make known that we have no objection to Ms. Rutherford's request for an area variance. She has shown where the 50' distance is over our adjoining property line by approximately One(1) foot and we do not see this as a significant concern, especially due to the fact that our house is over 100 feet from the property line.

We also would like to make know that we support Ms. Rutherford's endeavor to develop a Bed and Breakfast at this location, especially in light of knowing of her existing, quality operated Bed and Breakfast.

Sincerely,

Wayne D. Stokes

Kristi Stokes

4 Lakeview Drive  
Lansing, N.Y. 14882  
(607) 533-8757

REBECCA E. WILKINSON  
Notary Public, State of New York  
No. 5004513  
Qualified in Tompkins County  
Commission Expires November 16, 2012

APPROVED

FILE COPY

Yes,  
we are delighted to have the  
559 Ridge Road, Lansing NY property  
as a Bed and Breakfast...

Name	Address	Comments
Barker, John	8 Myers Street Lansing, NY 14822	Great!!
Louise Akoka	8 Myers Street Lansing, NY	Great!!!
Jacqueline Abbott	13 Lakeview Lansing Dr.	Marvelous excellent!
Andrew Secant	521 Ridge Rd Lansing	wonderful idea
Pauline Smith	521 Ridge Rd Lansing	!
Jay Barr	Cayuga Hotel Lansing	" "
Paula	CAYUGA HOTEL RD LANSING	" "

**APPROVED**

Name	Address	Comments
☆ Joe & Linda Hopkins	571 Ridge Rd Lansing, N.Y.	Welcome to the neighborhood!
☆ Nancy Bussieres Simon Barrette	6 Lakeview Dr. Lansing	Good luck! Angel
Don R	3 Lakeview Dr Lansing	Good Luck
? Bruce D. Abbott	555 Ridge Rd. Lansing	Love the idea! (former 559 owner)
Dawn Wilcox	4 Lansing Hts. Rd Lansing; N.Y. 14882	Very excited!
☆ Benjamin A King	555 Ridge Rd Lansing ny 14882	wonderful resource!
Catherine Albrecht	8 Myer Hgts Lansing	" "

Daniel Konowalow made a motion to close the Public Hearing at 7:16 PM. Linda Hirvonen seconded.

**VOTE AS FOLLOWS:**

- David Dittman - Aye**
- Linda Hirvonen - Aye**
- Daniel Konowalow - Aye**
- Henry (Hurf) Sheldon - Aye**
- Gregg Travis - Aye**

**MOTION CARRIED.**

The Board Members reviewed the criteria for an Area Variance.

1. State whether an undesirable change in the neighborhood character will be created, and reason why:

No, the Variance is minimal.

**APPROVED**

2. Is there an alternative method, feasible to pursue, to achieve what the Applicant desire, and reason why:  
No.
3. State whether the requested Area Variance is substantial, and reason why;  
No, this is not substantial, it is less than two feet.
4. State whether the Variance will have adverse effect or impact on the physical or environmental conditions in the neighborhood or district, and reason why:  
No.
5. State whether the alleged difficulty was self-created, and reason why:  
Yes, self created, due to the change in Use from Residential to a Bed & Breakfast.

Daniel Konowalow made a motion to grant the Area Variance. David Dittman seconded.

**VOTE AS FOLLOWS:**

**David Dittman - Aye**  
**Linda Hirvonen - Aye**  
**Daniel Konowalow - Aye**  
**Henry (Hurf) Sheldon - Aye**  
**Gregg Travis - Aye**

**MOTION CARRIED.**

**Approval/Denial of July 27, 2009 Minutes**

Daniel Konowalow made a motion to approve as presented. Henry (Hurf) Sheldon seconded.

**VOTE AS FOLLOWS:**

**David Dittman - Aye**  
**Linda Hirvonen - Aye**  
**Daniel Konowalow - Aye**  
**Henry (Hurf) Sheldon - Aye**  
**Gregg Travis - Aye**

**MOTION CARRIED.**

**APPROVED**

Daniel Konowalow made a motion to adjourn the Meeting at 7:35 P.M. Linda Hirvonen seconded.

**VOTE AS FOLLOWS:**

**David Dittman - Aye**

**Linda Hirvonen - Aye**

**Daniel Konowalow - Aye**

**Henry (Hurf) Sheldon - Aye**

**Gregg Travis - Aye**

**MOTION CARRIED.**