

Town of Skaneateles Zoning Board of Appeals (ZBA)

INSERT: AREA Variance

(Pursuant to §148-45D)

Contact Town Staff if you need assistance

Applicant Name: Skaneateles Country Club
Property Tax Map# 49-01-04.1

The applicant understands that: (please mark or check to acknowledge that you have read each)

The area variances, if granted shall be the minimum variance necessary and adequate, while preserving and protecting the character of the neighborhood and the health, safety and welfare of the community.

The ZBA shall consider the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community. It shall consider that Skaneateles Lake is a public water supply and shall not grant any variance that, individually or in combination with other variances, may result in pollution of the lake from more intensive use of property, encroachment into required lake yards, additional surface water runoff or subsurface leaching of septic waste or any other factors.

The applicant shall respond in writing to the following required criteria. (use additional sheets if needed)

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

Applicant response: See addendum

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.

Applicant response: See addendum

3. Whether the requested area variance is substantial; within 200 feet of Skaneateles Lake, any area variance that enlarges a building or enables it to encroach into a required lake yard shall be presumed to be substantial because of the cumulative risk of degradation of the lake posed by granting individual variances. This is rebuttable.

Applicant response: See addendum

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; within 200 feet of Skaneateles Lake, any area variance that enlarges a building or enables it to encroach into a required lake yard shall be presumed to have an adverse environmental impact because of the cumulative risk of degradation of the lake posed by granting individual variances. This is rebuttable.

Applicant response: See addendum

5. Whether the alleged difficulty was self-created, which shall be relevant to the decision of the Board but which shall not necessarily preclude the granting of the area variance.

Applicant response: See addendum

TURN OVER - for REQUIRED SUBMISSIONS

1. The character of the neighborhood will not change.

The proposed area variance will not result in an undesirable change in the character of the neighborhood or detriment to nearby properties. The purpose of the requested area variance is to ensure that the boundary lines of the Skaneateles Country Club and Jane Walsh lots conform with existing uses. The proposed variance will not change the existing uses of either property. Instead, it will simply allow Skaneateles Country Club to continue operating as it has been for many years.

2. The benefit sought by the Applicant cannot be achieved by another method.

The Applicant cannot achieve the benefit sought through another method. Due to the geography of the properties on West Lake Road, Skaneateles Country Club cannot eliminate the need for a variance by purchasing additional land. The Walsh property is bounded on the south by the neighboring property's driveway. As such, expanding the Walsh property to maintain the minimum road frontage required by the Town Code is not an option. The Applicant also notes that the Walsh property is already nonconforming, with 170 feet of road frontage where the Town Code requires 200 feet. Any reduction in the property's road frontage, however small, would require an area variance.

3. The requested variance is not substantial.

While a request for an 83-foot variance from the 200-foot minimum road frontage may seem substantial at first glance, the Board should also consider that the Walsh property is already nonconforming. In reality, the Applicant is merely requesting to reduce the road frontage of the property by 52.73 feet. Given that the requested variance is motivated by Applicant's desire for the lot boundary lines to reflect the current use and maintenance patterns, the Applicant respectfully asserts that the requested variance is not substantial.

4. Environmental Conditions

The requested area variance will have absolutely no impact on environmental conditions. No change in use is proposed in connection with the area variance application. Granting the requested variance will only result in a change in land ownership of a small portion of the Applicant's and Ms. Walsh's properties.

5. Self-created

The Applicant acknowledges that the need for the variance is self-created. While relevant, this does not preclude the granting of an area variance.

