

APP # 5196



Building and Zoning Department
41 City Hall Place
Plattsburgh, NY 12901
Ph.: 518 563 7707
Fax: 518-563 6426

Plattsburgh, New York

PROCEDURE IN APPEALING THE ZONING ORDINANCE CLASS B VARIANCE

DEADLINE FOR FILING APPLICATION _____

ZONING BOARD MEETING DATE 8/17/20

The Zoning Board of Appeals has been empowered to hear and decide all appeals to the Zoning Ordinance and to do so the Board holds public meetings once a month.

The attached appeal application must be completely filled out and returned to the office for action by the Zoning Board of Appeals at their monthly meeting. The filing fee for said application is as follows:

One and Two-family dwellings -	\$ 50.00
Multiple Dwellings	\$150.00
Commercial Properties	\$150.00

All checks should be made payable to the "City Chamberlain". In order for your appeal to be heard in the same month you apply, the appeal form and fee must be received by this office three weeks prior to the scheduled meeting of the Zoning Board of Appeals. All applicants or their representatives should attend the Zoning Board of Appeals Public Meeting of their appeal to answer any questions the Board may have regarding their request.

In filling out the form, please be specific and supply the Zoning Board of Appeals with all the necessary information requested on the form. If you are requesting a variance from the ordinance, you must detail why the literal enforcement of the ordinance will produce an undue hardship, while the variance requested will adhere to the spirit of the ordinance and do substantial justice. Financial disadvantage to the property is no proof of hardship within the purpose of zoning. In addition to the above, an applicant must submit adequate drawings and a site plan of all requests, which will involve any construction, alterations, or physical change of their property. **THIRTEEN (13) copies of the entire packet including drawings, site plans and the original application are required (we recommend the plans be approved before the THIRTEEN (13) copies are made).**

Before the Zoning Board of Appeals may hear and decide your appeal, this office must first:

1. Publish the request in three successive issues of the Press-Republican newspaper not less than five (5) nor more than ten (10) days before the hearings.
2. Notify, by letter, all adjoining property owners of your request

This office is responsible for implementing the above requirements.

If there are any questions, please contact this office. Thank you for your cooperation.



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Plattsburgh

USE
CLASS A VARIANCE

X
AREA
CLASS B VARIANCE

SUP
SPECIAL USE PERMIT

Date: 7/6/20

Appeal No: _____

An application is hereby made to the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variance to allow the property use as herein described.

Applicant: Mary Lee Ireland

Applicant's Address: 2 Mason Dr.

Plattsburgh, NY. 12901

Telephone No.: 518-593-5362

Parcel Identification: _____

Location of Request: 2 Mason Dr. Plattsburgh

Property Owner: Mary Lee Ireland

Request Description: Existing Shed / fence error mes

Zoning District: R1

Section Appealed: 360-19

Previous Appeal: No.: _____ Date: _____

Identify Applicant's Right to Apply for Variance:

Ownership: X Long Term Lease: _____ Contract To Purchase: _____

Other (Please Explain): _____

Applications for Zoning Variances must be accompanied by:
13 copies of existing and proposed site plan plus original application.
13 copies of existing and proposed floor plan.

The Zoning Board of Appeals may impose reasonable conditions and restrictions on the grant of area and use variances provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

* Mary Lee Ireland
Signature (Owner/Applicant)
Mary Lee Ireland
Print First and Last Name

Scott A Trombley
Notary Public
SCOTT A. TROMBLEY
NOTARY PUBLIC, State of New York
Clinton County-No. 4858244
Commission Expires May 27, 2022

*Signatures other than Property Owner require a Letter of Authorization to apply.

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: <i>Existing Shed on 2 Mason Dr. Plattsburgh</i>			
Project Location (describe, and attach a location map): <i>2 Mason Dr. Plattsburgh N.Y. 12901</i>			
Brief Description of Proposed Action: <i>Shed on 2 Mason Dr. property 2' from 125 Prospect St. back property marker.</i>			
Name of Applicant or Sponsor: <i>Mary Lee Ireland</i>		Telephone: <i>518-593-5362</i>	
Address: <i>2 Mason Dr.</i>		E-Mail: <i>MLireland59@gmail.com</i>	
City/PO: <i>Plattsburgh, N.Y.</i>		State: <i>N.Y.</i>	Zip Code: <i>12901</i>
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 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:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>less than 1</i> acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input 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): <i>City residences</i> <input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
	<input type="checkbox"/>	<input 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: _____		NO	YES
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input 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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input 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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<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 type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES			

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: <u>Mary Lee Ireland</u>	Date: <u>7/9/20</u>	
Signature: <u>Mary Lee Ireland</u>		

Zoning Board to Fill out. Applicant does not fill out Part 2.

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:		
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.
_____	_____
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

INSTRUCTIONS

THIS APPLICATION IS DESIGNED TO ENCOMPASS ALL ASPECTS AND SCOPE OF PROJECT. IN SOME CASES THE INFORMATION REQUESTED MAY NOT APPLY TO YOUR PROJECT. PLEASE FILL OUT ALL INFORMATION REQUESTED THAT APPLIES TO YOUR REQUEST IN INK.

AT THE DISCRETION OF THE BUILDING INSPECTOR A PLOT PLAN OR SITE PLAN SIGNED AND SEALED BY A NEW YORK STATE LICENSED SURVEYOR OR ENGINEER MAY BE REQUESTED. IF NOT REQUESTED THAN PLEASE FILL OUT THE SAMPLE PLAN PROVIDED BELOW.

THIS APPLICATION MUST BE ACCOMPANIED BY A COMPLETE SET OF BUILDING PLANS AND JOB SPECIFICATIONS. IF THE PROJECT INCLUDES ELECTRICAL WORK THAN A SECOND SET OF PLANS MUST BE INCLUDED. THIS ELECTRICAL WORK WILL BE REQUIRED TO BE INSPECTED BY AN APPROVED ELECTRICAL INSPECTION SERVICE.

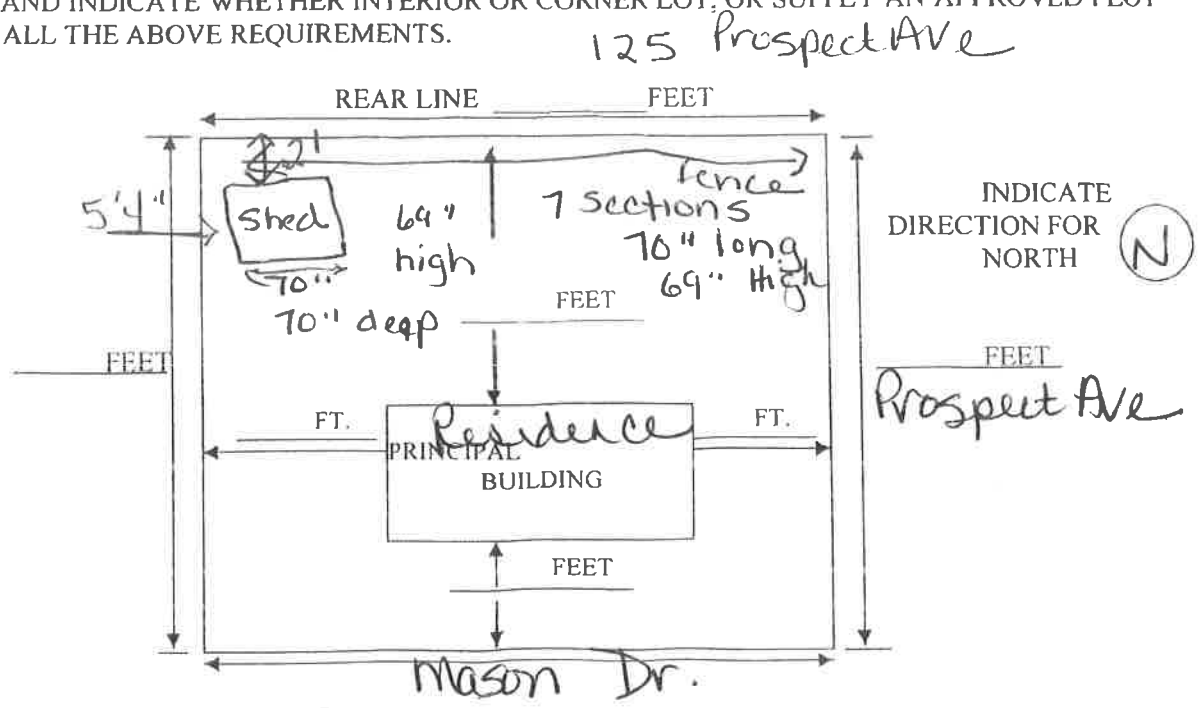
WORK ON THIS APPLIED FOR PROJECT MAY NOT START UNTIL A BUILDING PERMIT HAS BEEN ISSUED UNLESS PERMISSION HAS BEEN GRANTED BY THE BUILDING INSPECTOR.

COST OF THE WORK DESCRIBED IN THE APPLICATION FOR BUILDING PERMIT INCLUDE THE COST OF ALL OF THE CONSTRUCTION AND OTHER WORK DONE IN CONNECTION THEREIN, EXCLUSIVE OF THE COST OF THE LAND. IF FINAL COST EXCEED ESTIMATED COST. THAN AN ADDITIONAL FEE MAY BE REQUIRED BEFORE A CERTIFICATE OF OCCUPANCY CAN BE ISSUED

ANY DEVIATION FROM THE SUBMITTED PLANS MUST BE SUBMITTED IN WRITING AND APPROVED BY THE BUILDING INSPECTOR OR HIS DESIGNEE.

PLOT DIAGRAM

LOCATE CLEARLY AND DISTINCTLY, ALL BUILDINGS WHETHER EXISTING OR PROPOSED AND INDICATE ALL SET BACK DIMENSIONS FROM THE PROPERTY LINES, SHOW ALL EASEMENTS AND STREET NAMES AND INDICATE WHETHER INTERIOR OR CORNER LOT, OR SUPPLY AN APPROVED PLOT PLAN SHOWING ALL THE ABOVE REQUIREMENTS.



STREET NAME: _____

BUILDING PERMIT EXPIRES 6 MONTHS FROM DATE OF ISSUE UNLESS SUBSTANTIAL ACTUAL CONSTRUCTION HAS COMMENCED. BUILDING PERMIT EXPIRES 2 YEARS FROM DATE OF ISSUANCE

To: City of Plattsburgh Building and Zoning Board

Re: Variance of shed on 2 Mason Dr. Plattsburgh

DATE: 7/9/20

Purchase Price: \$116,000.00 January 2011

Market Value: \$128,500.00 as of 3/1/2019

Projected Market Value: \$128,000.00

The 2 Mason Dr. property was purchased January 2011 by Donald Ireland and was transferred to current owner Mary Lee Ireland in November 2014. A permit for repair of roof and fence was obtained on 6/29/11 (223-11). A pad of stones was placed for the 12 X 12 shed added on 7/13/2012.

At the time I did seek and received approval from neighbors John and Mary Ann Corrow of 4 Mason Drive and Ms. Patricia Ducatte of 125 Prospect Avenue Plattsburgh. At that time Patricia was the sole resident of the home. Her son Scott Pescia moved into the home in 2015.

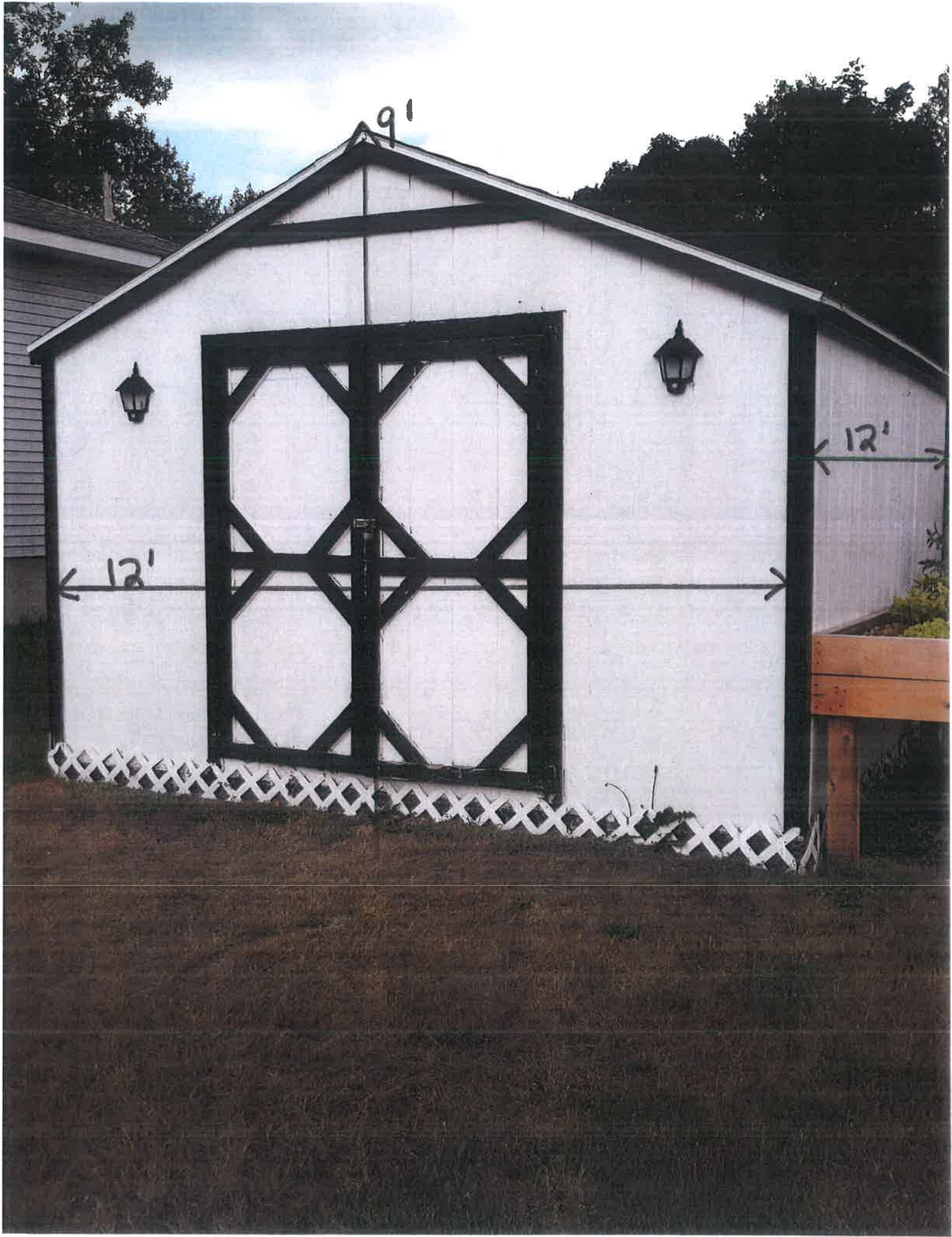
The shed was placed in the current location as the Ducatte/Pescia's wooden fence and shed was and is in disrepair. I strategically placed the shed to enhance my property's appearance and as stated above I had sought approval from Ms. Ducatte.

There appears to be no undesirable change to the character of the neighborhood or detriment to nearby properties as there is no drainage changes to nearby properties. Lawn furniture and maintenance equipment is not stored around the Mason Street property. The shed was placed on a gravel base and a small trench was dug around the perimeter. Chicken wire was placed under the gravel and base of the shed to prevent animals from living underneath it. The chicken wire was then hidden by plastic lattice.

On the property there is a small one car garage that does not accommodate a vehicle, outdoor furniture and lawn equipment. Moving the shed besides the financial loss would not guarantee the same strategies put in place currently to prevent animals from living beneath.

21
Property
Post to
Shed.

PROPERTY



Pescia 125 Prospect
Ave



Family Pesca Shed



Family
Rescue
Fund



125
Prospect
fence

6' from fence to my
property post.

Property Line post




Mr. Mascia Shed.
125 Prospect Ave



Side View of Mr. Pesca's Shed.
125 Prospect Ave.



Shed 5'4"
from 4 Mason
Dr. Property



Shed is 2' from
125 Prospect St.
property.

