

AGENDA  
BOARD OF ZONING APPEALS  
**Thursday, December 12th, 2024**  
1:00 P.M.  
CITY HALL COMMON COUNCIL CHAMBERS

I. Call to Order

II. Adoption of the minutes of the November 21st, 2024 Board of Zoning Appeals Meeting

III. Public Hearing

A. New Business

1) **V-24-23**

**Page 6**

**A Use Variance** to permit business identification signs to face a private driveway on commercial property.

2921 Erie Boulevard. E

Donald DeStefano of Boss Properties LLC, Owner

Adam Richardson, Applicant

CM Zone District

2) **V-24-24**

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**A Use Variance** to allow the establishment of the “Off-premise sign” land use type not permitted in the MX-3 Zone District.

200 S West St. & W Fayette St.

Stephen Case, Owner

Lily Dougherty, Applicant

MX-3 Zone District

IV. Adjourn

FOR PUBLICATION SUNDAY,  
December 1st, 2024



Jake Dishaw  
Zoning Administrator

**OFFICE OF ZONING ADMINISTRATION**

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Ben Walsh, Mayor

**PUBLIC NOTICE  
CITY OF SYRACUSE  
BOARD OF ZONING APPEALS**

NOTICE IS HEREBY GIVEN, that a Public Hearing will be held on Thursday, December 12th, 2024, at 1:00 p.m. in the Common Council Chambers, City Hall, Syracuse, New York to consider in full, or in part, the following applications. *Please note this is not necessarily the order in which they will be heard.*

1. **Application V-24-23** is a Use Variance to allow business identification signs to face a private driveway on commercial property. The property is situated at 2921 Erie Boulevard E. The property is owned by Boss Properties LLC. and is in the Commercial (CM) Zone District.
2. **Application V-24-24** is a Use Variance to establish an off-premises sign in a Mixed-Use Zone District. The property is situated at 200 West Street S & Fayette Street W. The property is owned by Stephen Case and is in the Mixed-Use Transition (MX-3) Zone District.

The above proposals will be open for inspection 72-hours prior to the public hearing at the Office of Zoning Administration, or on-line at <https://www.syr.gov/Boards-and-Commissions/BZA/BZA-Meetings>. Persons wishing to comment on an application may do so in person or by attorney at the public hearing. Written comments may be filed at the public hearing, mailed, or emailed to the Office of Zoning Administration at 300 S State Street, Suite 700, Syracuse, NY 13202, or [Zoning@syr.gov](mailto:Zoning@syr.gov).

Minutes  
City of Syracuse  
Board of Zoning Appeals  
Thursday, November 21st, 2024  
1:00 p.m.  
Common Council Chamber

I. Meeting called to order at 1:00 p.m.

Members Present

Mr. Michael Cheslik	Yes
Ms. Honora Spillane	No
Ms. Karen Gillette	Yes
Mr. Otis. Jennings	Yes
Mr. Timothy Rudd	Yes
Mr. Liam Kirst	Yes

Staff Present

Mr. Jake Dishaw	Yes
Ms. Meira Hertzberg	Yes
Mr. Cristian Toellner	Yes
Mr. Zhitong Wu	Yes
Mr. Nate Pan	Yes
Ms. Amber Dillon	Yes

II. Approval of Minutes

A motion to approve October 31<sup>st</sup>, 2024, meeting minutes was made by Mr. Jennings and seconded by Mr. Kirst. The motion carried unanimously.

III. Public Hearings

A. New Business

1) V-24-22

**A Use Variance to a to permit the “food and beverage, retail” type land use**

273-75 S Midler Avenue

Estate of James P. Nojaim (Owner/Applicant)

R1 Zone District

Craig Polhamus and Stephen Skinner, the applicants for the project, presented the application. They explained the history of the property, and its pre-existing use as a grocery store which closed several decades ago, creating the non-conforming use which they now need this use variance for. They presented photographs and drawings of the existing and proposed conditions of the property to show the previously established food and beverage retail land use type for a prior grocery store, and now a bakery. They walked through the use variance criteria, explaining the cost of converting the property into a single unit dwelling for the reasonable return, there will be no impact on neighborhood character as it was used as a grocery store for years until the death of the previous owner, which also show the unique circumstances and proof the hardship to establish this type of land use is not self-created. They are committed to preserving the legacy and character of the neighborhood and Nojaim family.

Mr. Rudd asked about the parking situation and the DPW comments about street parking. The applicants replied they have updated the site plan and agree to all the conditions written by the City Departments.

Minutes of the  
Syracuse Board of Zoning Appeals  
November 21<sup>st</sup>, 2024

The baker for the proposed bakery, and the owner, Paul Nojaim both spoke in favor of the application. They believe the bakery will benefit the neighborhood and will be a valuable addition to commercial uses in the area and will keep the character of the neighborhood and the previous owner's legacy alive.

There were four members of the public to speak in favor of the proposal. They commented they would be happy to see land use such as a bakery be put on this property that has been vacant for decades, and that the owners of the property have always been a beneficial addition to the neighborhood. No one spoke in opposition to the application. Mr. Cheslik closed public comment.

Asst. Corporation Counsel Hertzberg assisted the BZA in its SEQR review and determination of the proposed Unlisted action for V-24-22. Mr. Kirst moved to make a negative SEQR declaration. Ms. Gillette seconded the motion. The motion passed unanimously.

Mr. Kirst moved to approve Use Variance V-24-22 with additional staff and general conditions. Mr. Jennings seconded the motion. He also added that he does business with Mr. Skinner on a regular basis but believes he can still be a neutral decision maker for this variance application. Mr. Kirst explained that the cost of demolition and renovation with this application proves the applicant would not be able to receive a reasonable return on the property. The building was created as for ground floor retail use, which proves the unique circumstances, and neighborhood character would not be altered. The passing of the previous owner created the hardship of the non-conforming use of the property in the R1 District. Mr. Jennings added he greatly favors this project and believes in the developers' drive to see this project to its completion. The motion to approve Use Variance V-24-22 was unanimously passed.

IV. Adjourn

A motion to adjourn was made by Mr. Jennings and seconded by Mr. Rudd. The motion carried unanimously. Meeting called to adjourn at 1:45 p.m.



## **General Conditions for Variance Approval**

1. All construction, improvements and additions relating to this proposal, including those activities required in order to comply with the conditions of this approval, shall be completed by the applicant or its agents within twelve (12) months of the date of approval of this resolution by the City of Syracuse or this approval will be considered null and void; administrative extensions to this requirement for up to one year may be obtained from the Zoning Administrator at any time within the first twelve (12) months, after which, any and all extensions require approval from the Board of Zoning Appeals.
2. This approval does not relieve the applicant from compliance with any other regulatory or licensing provisions applicable thereto by the properly constituted Federal, State, County or City authorities.



**CITY OF SYRACUSE, MAYOR BEN WALSH**  
**300 South State Street, Suite 700 Syracuse, NY 13202**

Department of Neighborhood and Business Development  
 Jake Dishaw, Zoning Administrator  
 Office of Zoning Administration – P: (315)448-8640 E: Zoning@syr.gov

<b>V-24-23</b>	<b>Staff Report – December 12th, 2024</b>				
<b>Application Type:</b>	Use Variance				
<b>Project Address:</b>	2921 Erie Boulevard E. (Tax ID:033.-01-13.0)				
<b>Summary of Proposed Action:</b>	The applicant is seeking a Use Variance to permit business identification signs to face a private driveway on commercial property. The property is occupied by VedaLeaf, a cannabis retail store, and is categorized as a "Retail, General 1,000-15,000 SF" land use type within a multi-tenant commercial building.				
<b>Owner/Applicant</b>	Donald DeStefano of Boss Properties LLC, Owner Adam Richardson, Applicant				
<b>Zoning Violations</b>	The proposed project is seeking a Use Variance from the Board of Zoning Appeals to violate the following Zoning Ordinance(s):				
	1. ReZone, Art. 4, Sec. 4.5– According to the Table of Sign Allowances outlined in ReZone, signage must be located on a street frontage in CM Zone District, each business can have two signs per street that it fronts.				
	<table border="1"> <thead> <tr> <th>Prohibited in Zoning Code</th> <th>Proposed by Applicant</th> </tr> </thead> <tbody> <tr> <td>Business Identification Signage facing a private driveway on a commercial property in the CM District</td> <td>Installation of Business Identification Signage which faces a private driveway on commercial property in the CM District</td> </tr> </tbody> </table>	Prohibited in Zoning Code	Proposed by Applicant	Business Identification Signage facing a private driveway on a commercial property in the CM District	Installation of Business Identification Signage which faces a private driveway on commercial property in the CM District
Prohibited in Zoning Code	Proposed by Applicant				
Business Identification Signage facing a private driveway on a commercial property in the CM District	Installation of Business Identification Signage which faces a private driveway on commercial property in the CM District				
<b>Existing Zone District:</b>	Commercial, CM Zone District				
<b>Surrounding Zone Districts:</b>	The neighboring properties the north, east and west are within the Commercial, CM Zone District. The neighboring properties to the south are located within the Mixed-Use Transition, MX-3 Zone District.				
<b>Companion Application(s)</b>	None				
<b>Scope of Work:</b>	There is no scope of work associated with this Use Variance until a decision is reached to allow signage located on the private driveway in accordance with this Use Variance.				
<b>Staff Analysis:</b>	<p><b>Factors:</b></p> <ul style="list-style-type: none"> <li>- The property is a multi-tenant commercial property, with only one of the tenants having access to street frontage for allowed signage in ReZone.</li> <li>- The applicant's business is situated in the rear tenant space of the property.</li> <li>- The main entrance to VedaLeaf is not easily visible from Erie Blvd.</li> <li>- The structure is perpendicular to the street, creating a large gap of space between the street and the applicant's tenant space.</li> <li>- The subject parcel is situated on a major commercial corridor along Erie Boulevard E.</li> <li>- The proposed sign, positioned at the rear of the property, would face a parking lot and an adjacent vacant lot to the north.</li> <li>- The current zoning regulations permit signage only on the building's streetside. The request is for a use variance to allow additional signage at the shared parking lot/driveway entrance.</li> <li>- The allowed signage would allow for future tenants at each of their respective entrances to improve visibility and accessibility.</li> </ul>				

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## Staff Analysis of Applicant's Use Variance Criteria

### 1. Reasonable Return Analysis:

The absence of adequate signage is significantly impacting VedaLeaf's financial viability by creating obstacles for customers attempting to locate the business. The applicant has submitted supporting evidence, including historical financial data and sales information from prior operations and customer trends. These documents demonstrate that improved visibility through additional signage would support the business's ability to attract customers, thereby improving financial performance.

### 2. Unique Circumstances Analysis:

The unique circumstances identified by the applicant primarily focus on neighborhood character and do not fully address the specific unique constraints affecting the subject property. However, the existing site layout and building orientation present challenges to visibility and access for the tenant space VedaLeaf occupies, specifically:

- **Orientation:** The subject building is oriented in a manner typical of many strip mall designs, limiting direct visibility from the street for the rear tenant spaces. This orientation reduces the ability of customers—both pedestrians and vehicles—to identify and access the business easily.
- **Visibility:** Trees and other structures obstruct the view of the rear tenant space when vehicles are traveling westbound on Erie Boulevard East, further diminishing visibility.

These site constraints significantly impact the ability of VedaLeaf to establish customer awareness and access, and they demonstrate the practical limitations of the current property design and orientation. These factors, combined with existing zoning restrictions, create a unique set of circumstances that impair the tenant's ability to achieve reasonable customer access and visibility without the proposed variance.

### 3. Neighborhood Character Analysis:

The neighborhood character analysis the applicant provided sufficiently supports the third criteria. The proposed sign aligns with the common signage practices seen along Erie Boulevard, a major commercial corridor with many similar businesses employing driveway signage to direct customers. This approach ensures the proposed sign would fit naturally within the neighborhood's existing aesthetic and commercial use patterns.

The building wall sign will conform to the city's zoning requirements, including the number of allowable signs and the dimensional standards. This ensures that the sign will not obstruct public views or interfere with other signage or aesthetic features in the neighborhood.

The applicant provided photographic evidence showing examples of similar signs installed by neighboring businesses. These examples illustrate that these businesses have similar wall signs facing their driveways, and that the proposal will not negatively impact neighborhood character.

V-24-23

	<p>4. <u>Self-Created Hardship Analysis:</u></p> <p>The applicant has adequately demonstrated that their request for a use variance is not the result of a self-created hardship for the following reasons:</p> <ul style="list-style-type: none"> <li>• <b>Building Orientation:</b> The subject building’s design and orientation, established prior to VedaLeaf’s tenancy, presents a physical limitation on customer access. Specifically, the building is oriented perpendicular to the main road, which reduces direct visibility for customers traveling along Erie Boulevard. This design makes it difficult for potential customers to identify and locate the business from the street.</li> <li>• <b>Zoning Restrictions:</b> Current zoning regulations impose limitations on the placement of signage, restricting it to the streetside of buildings. However, due to the building’s perpendicular orientation and the location of the tenant space, the entrance is not visible from the main road. This creates a unique situation where the strict application of these zoning regulations does not account for the visibility challenges faced by tenants like VedaLeaf.</li> <li>• <b>Market Competition:</b> The lack of adequate visibility has placed VedaLeaf at a competitive disadvantage compared to neighboring businesses that benefit from visible signage and higher visibility from Erie Boulevard. Many neighboring businesses utilize driveways or other visible signage strategies that attract customers and support business growth. Without similar opportunities, VedaLeaf is hindered in its ability to compete effectively in the local market.</li> </ul> <p>These factors—building orientation, zoning restrictions, and market competition—are external to the applicant’s actions and have created an accessibility and visibility challenge that the variance seeks to address. This analysis supports the conclusion that the hardship is not self-imposed but is instead the result of preexisting physical constraints, regulatory limitations, and market competition pressures.</p> <p><b>Recommended conditions if approved:</b></p> <ul style="list-style-type: none"> <li>- The applicant shall apply for a sign permit in accordance with city regulations.</li> <li>- This Use Variance shall adhere to the general use variance conditions.</li> <li>- No additional signage shall be permitted, including window stickers and LED lights that adverse a product.</li> </ul>
<b>Zoning Procedural History:</b>	<p>MiSPR-24-36   Establishment of a Cannabis Dispensary (Retail, General 1,000-15,000 SF)   Approved  AS-92-03   Establishment of Off-Premises Signage   Approved  AS-83-37   Installation of a Time and Temperature Device   Approved with Conditions</p>
<b>Summary of Zoning History:</b>	<p>In 1983, the zoning department approved the installation of a Time and Temperature Device on site approximately 96 SF in size and oriented for east/west traffic flow. It was approved with four conditions. In 1992, the zoning department approved a waiver to erect one ground sign and one wall sign with a total square footage of 210 SF. The applicant this sign was approved for is still operating on the property. In May of 2024, the zoning department approved a Minor Site Plan Application to establish a cannabis dispensary, which is “retail, general 1,000-15,000 SF” land use type according to ReZone. The owner of this business is the applicant for this Use Variance Application.</p>
<b>Code Enforcement History:</b>	See attached code enforcement history.
<b>Summary of Changes:</b>	This is not a continued application.

**V-24-23**

<b><i>Property Characteristics:</i></b>	<p><b><u>Existing property characteristics:</u></b></p> <p>The lot is a rectangle in shape with 169 FT of frontage on Erie Blvd. E, with a lot depth of 452 FT and a total lot size of 1.75 Acres (76,417 SF).</p> <p>The existing building is 20,608 SF covering 27% of the lot, the parking area is 42,883 SF covering 56% of the lot, and the rest of the property is covered by permeable surfaces.</p>
<b><i>SEQR Determination:</i></b>	Pursuant to 6 NYCRR §617.2(al), the proposal is an Unlisted Action.
<b><i>Onondaga County Planning Board Referral:</i></b>	Pursuant to GML §239-1, m and n, the proposal was reviewed by the Onondaga County Planning Board with no position.

**Application Submittals:** The application submitted the following in support of the proposed project:

- Use Variance application
- Short Environmental Assessment Form Part 1
- Existing and Proposed Site Plan, and Elevation for Proposed Signage located at 2921 Erie Blvd. E, Syracuse New York, 13206; Sheets (CSP-1, CSP-2). Drawn by Designer/Builder Zausmer Frisch Scruton & Aggarwal. Scale; As Noted, Dated 10/02/2024.
- Photographs of Site

**Attachments:**

Use Variance Application

Short Environmental Assessment Form Part 2 &amp; Part 3

Code Enforcement History

Photographs of Site

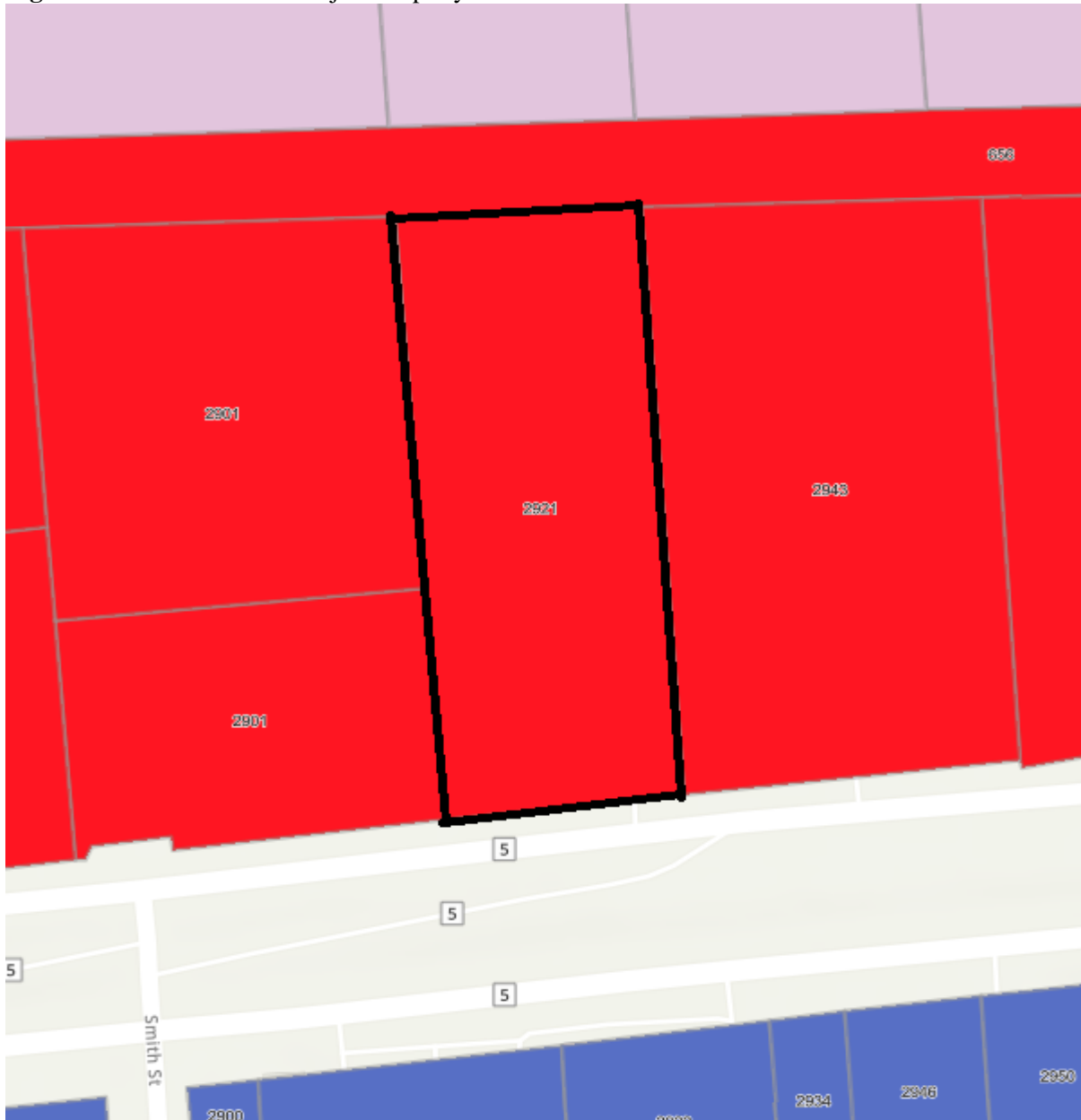
IPS Comments from City Departments

Proposed and Existing Site and Floor Plans

V-24-23

**Context Maps:**

**Figure 1:** Zone District of Subject Property



Description: Figure 1 shows the current Zone District of the subject property.

Image Source: City of Syracuse Neighborhood and Business Development, ReZone Syracuse Zoning Map.



V-24-23

**Figure 2:** Aerial Imagery of Subject Property



Description: Figure 2 shows satellite imagery of the subject property.

Image Source: Onondaga County GIS on the Web, <https://spatial.vhb.com/onondaga/>

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syrgov.net

### Summary of Variance Procedure

The variance procedure is summarized below. For complete details, see Sections 7.3 and 7.5.A of the Zoning Ordinance.

<b>1</b>	<b>Pre-Application Conference</b>	<i>Required</i>	
<b>2</b>	<b>Application Submittal and Processing</b>	<i>Submit to Office of Zoning Administration</i>	<b>Submittal and Internal Review</b>
<b>3</b>	<b>Staff Review and Action</b>	<i>Review by Office of Zoning Administration</i>	
<b>4</b>	<b>Scheduling and Notice of Public Hearings</b>	<i>Public hearing required for Board of Zoning Appeals</i>	<b>Hearings and Decision-Making</b>
<b>5</b>	<b>Review and Decision</b>	<i>Review and decision by Board of Zoning Appeals</i>	
<b>6</b>	<b>Post-Decision Actions and Limitations</b>	<i>Variance expires after one year (unless extension granted)</i>	

#### 1. Pre-Application Conference

- Opportunity for the applicant to meet with Zoning staff to review applicable submittal requirements, identify applicable procedures, and identify any issues associated with the proposed development

#### 2. Application Submittal and Processing

- Submit to Office of Zoning Administration along with applicable fees

#### 3. Staff Review and Action

- Applications are not considered complete until all required submittals are received
- Includes evaluation of the application under the State Environmental Quality Review Act (SEQR)

#### 4. Scheduling and Notice of Public Hearings

- Once an application is determined ready for a public hearing, it will be scheduled for the next available hearing date with the Board of Zoning Appeals
- Notice of hearing mailed to applicant (and representative, if any), approximately 10 days prior to hearing
- Unless otherwise notified, all public hearings are held at 1:00 p.m. in Common Council Chambers on the third floor of City Hall

#### 5. Review and Decision

- Decision shall be based only on the record of the public hearing and reduced to writing
- Decision is not final until a written resolution is adopted by the Board of Zoning Appeals and filed with the secretary to the Board

#### 6. Post-Decision Actions and Limitations

- Variance expires if the authorized use or construction has not obtained all necessary building permits within one year of approval or an extension is granted
- All conditions of the variance approval must be met within 18 months



## Variance Application



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### Summary of Variance Procedure (cont.)

**What is a variance and when is a variance needed for my project?** If your project is not expressly allowed under the current zoning ordinance you may seek a variance from the City of Syracuse Board of Zoning Appeals. A zoning variance is an exception to a zoning ordinance that may be granted by the Board of Zoning Appeals on a case-by-case basis. Depending on the nature of the proposed project an applicant will be required to apply for either a use or an Area Variance. The evidence burden for the approval of a variance is on the applicant. Therefore the applicant should provide any evidence that may support their claim. Evidence may include financial records and estimates and detailed explanations, supported by evidence, of the nature of the project and its potential effect on the community.

A **Use Variance** is required to permit a use of land that is otherwise prohibited by the local zoning ordinance. Here, the applicant must seek permission from the Board of Zoning appeals to use the property in a manner that is not permitted in their zoning district.

#### *Use Variance Approval Criteria*

In making its determination the Board of Zoning Appeals must find that the applicant meets all of the criteria to demonstrate an unnecessary hardship on the property. A Use Variance cannot be granted without a showing by the applicant that applicable requirements of this Ordinance have caused unnecessary hardship. In order to prove unnecessary hardship, the applicant meet the requirements of New York General City Law, which requires the applicant to demonstrate that, for each and every allowed use under the zone district in which the property is located: (if the use variance is granted)

- The applicant must prove that the property is unable to achieve a reasonable return for any use allowed in that zone district;
- The applicant must prove that unique circumstances apply to the property for which the variance is requested;
- The applicant must prove that the hardship is not self-created; and
- The applicant must prove that the essential character of the neighborhood will not be altered.

Generally, the necessity for a Use Variance is more difficult to prove than the necessity for an Area Variance because all the above criteria must be proven in order to permit the Board to approve an application.

An **Area Variance** is required for a use of land in a manner that is allowable under the local zoning ordinance, but which is not allowed by the dimensional or physical requirements of the applicable zoning regulations. One seeks an area variance to seek relief from hardship created by the strict application of the zoning code.

#### *Area Variance Approval Criteria*

In making its determination, the Board of Zoning Appeals will take into consideration 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 by such grant. In making such determination the board shall also consider:

- 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;
- whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an Area Variance;
- whether the requested Area Variance is substantial;
- whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Zoning Appeals and shall not necessarily preclude the granting of the Area Variance.

The board of appeals, in the granting of Area Variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

Variance Application



For Office Use Only	
Zoning District:	_____
Application Number: V-	_____ - _____
Date:	_____

Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syr.gov.net

**Variance Application**

*This application may be emailed, or mailed, or delivered in person to the Syracuse Office of Zoning Administration. Do not bind application materials. Faxed submissions will not be processed. **Email submissions must be packaged together in a single PDF with all applicable materials, please call if you want to discuss another electronic delivery method.** If you wish to discuss the application with a member of our staff, please call ahead for an appointment.*

**General Project Information**

Business/project name:		
Street address (as listed in the Syracuse Department of Tax Assessment property tax records):		
Lot numbers:	Block number:	Lot size (sq. ft.)
Current use of property:	Proposed:	
Current number of dwelling units (if applicable):	Proposed:	
Current hours of operation (if applicable):	Proposed:	
Current onsite parking (if applicable):	Proposed:	
Zoning (base and any overlay) of property:		
Companion zoning applications (if applicable, list any related zoning applications):		
Project construction (check all that apply): <input type="checkbox"/> Demolition (full or partial) <input type="checkbox"/> New construction <input type="checkbox"/> Exterior alterations <input type="checkbox"/> Site changes		
Variance requested (check one and cite the section of the Zoning Ordinance that a variance is requested): <input type="checkbox"/> Use variance <input type="checkbox"/> Area variance		
Nature and extent of variance requested (attach additional pages if necessary):		

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
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 Syracuse, NY 13202  
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### Owner/Owner's Agent Certification

*By signing this application below, I, as the owner of the property under review give my endorsement of this application.*

**Print owner's name:**

Signature:

*Donald Dattano*

Date:

Mailing address:

**Print authorized agent's name:**

Date:

Signature:

Mailing address:

The names, addresses, and signatures of all owners of the property are required. Please attach additional sheets as needed. **If a property owner designates an authorized agent as a legal representative to apply on their behalf or to present the project at the City Planning Commission, please attach an executed power of attorney.** Faxed or photocopied signatures will not be accepted.

## Variance Application



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One Park Place, 300 S State St,  
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**Use Variance Test**

*A Use Variance is permission to establish a land use that is not allowed by the Zoning Rules and Regulations, as amended. New York State law requires applicants to prove that this has caused an unnecessary hardship using all of the four tests below (see [https://www.dos.ny.gov/lg/publications/Zoning\\_Board\\_of\\_Appeals.pdf](https://www.dos.ny.gov/lg/publications/Zoning_Board_of_Appeals.pdf) for more information).*

*Briefly describe below how each of the required Use Variance tests is met and attach all supporting materials.*

**1. Reasonable Return**

Describe how the property is unable to achieve a reasonable return for any use allowed in that zoning district (actual "dollars and cents" proof must be submitted).

**2. Unique Circumstances**

Describe that unique circumstances apply to the property for which the variance is requested.

**3. Neighborhood Character**

Describe the variance, if granted, the essential character of the neighborhood will not be altered.

**4. Self-Created Hardship**

Describe how the hardship is not self-created.

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
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### Area Variance Test

*An Area Variance is permission to build in a portion of the property that is otherwise restricted by the Zoning Rules and Regulations, as amended. New York State law requires applicants to prove that the potential benefit of an Area Variance will outweigh any burden to community health, safety, and welfare through a five-part balancing test (see [https://www.dos.ny.gov/lg/publications/Zoning\\_Board\\_of\\_Appeals.pdf](https://www.dos.ny.gov/lg/publications/Zoning_Board_of_Appeals.pdf) for more information).*

*Briefly describe below how an Area Variance would affect the community using the following five tests and attach all supporting materials.*

#### 1. Neighborhood Character

Describe 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.

#### 2. Feasibility of Alternatives

Describe whether the benefit sought by the applicant can be achieved by some other method that will be feasible for the applicant to pursue, other than an area variance.

#### 3. Substantiality

Describe whether the requested area variance is substantial.

#### 4. Adverse Effect

Describe whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

#### 5. Self-Created Difficulty

Describe whether an alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

## Variance Application



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 One Park Place, 300 S State St,  
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### Required Submittal Sheet

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

*Please submit one copy of each of the following:*

- APPLICATION** – filled out completely, dated, and signed by property owner as instructed.
- DENIAL OF PERMIT** – provided by the City of Syracuse Central Permit Office at 315-448-8600.
- STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR)** – Short Environmental Assessment Form (SEAF) Part One filled out to the best of your ability, dated, and signed.
- PHOTOGRAPHS (COLOR) of the PROJECT SITE** – keyed to a property survey or site plan.
- PHOTOGRAPHS (COLOR) of the STREETScape** – including properties adjacent to and across the street from the project site, labeled with addresses and keyed to a property survey or site plan.
- APPLICATION FEE** – \$25 for Area Variance and Use Variance issued to the Commissioner of Finance.

*Please submit three full sized and one no larger than 11x17" of all of the plans listed below (all plans must include a title block with author, date, scale, and the Property Tax Assessment address, and must be an accurate graphic representation of all pertinent information that can be correctly interpreted by any person without additional explanation.*

- AS BUILT PROPERTY SURVEY(S)** of all involved properties illustrating boundaries and current conditions including structures, fencing, parking surface, and retaining walls (signed and stamped by a licensed surveyor)
- SITE PLAN(S)** illustrating site alterations and post project conditions that are/will be different from the as built property survey including:
  - Zoning (density, setbacks, bldg. and parking surface coverage, screening) and onsite parking requirements
  - Demolitions and post demolition conditions
  - Structures
  - Parking areas including surface type, dimensioned spaces, number of spaces, traffic patterns, and coverage
  - Loading dock and delivery areas
  - Dumpsters and/or trash receptacles
  - Landscaping including type, height, and number of plantings
  - Screening including parking, dumpsters, and site
  - Fencing including type and height
  - Lighting including structure heights and luminaries wattage
  - Ground signs
  - Street rights-of-way conditions, existing and proposed, including curb cuts, driveways, sidewalks, and plantings
  - Encroachments, existing or proposed, into the City rights-of-way including stairs, signs, and awning
- FLOOR PLANS** for new construction, additions, and change of zoning use/building occupancies with square footages and all applicable layouts (e.g., customer areas, kitchens, bathrooms, bedrooms, etc.) clearly labeled for land uses.
- EXTERIOR BUILDING ELEVATIONS** with all dimensions, materials, and colors clearly illustrated and noted. (Schematics or color renderings can be submitted in addition to elevation drawings, if available.)

## *Short Environmental Assessment Form*

### *Part 1 - Project Information*

#### 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: VedaLeaf			
Project Location (describe, and attach a location map): 2921 Erie Blvd. E., Syracuse, NY			
Brief Description of Proposed Action: Exterior Signage Improvements: We propose adding new signage to the existing private drive and rear sides of 2921 Erie Blvd E. These updates aim to enhance visibility and clearly communicate the location of Veda Leaf within the multi-use tenant space, ensuring easier navigation for clients and visitors.			
Name of Applicant or Sponsor: Adam Richardson		Telephone: 315-475-8404 E-Mail: adam@zausmerfrisch.com	
Address: 219 Burnet			
City/PO: Syracuse		State: NY	Zip Code: 13203
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 government Agency? If Yes, list agency(s) name and permit or approval: City of Syracuse - Zoning review		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.76 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.76 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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			

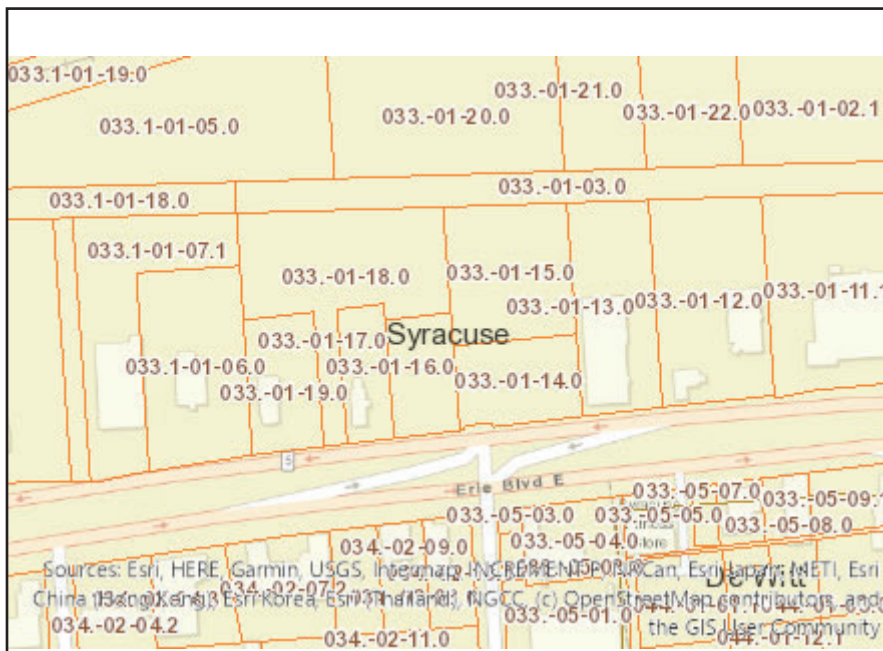
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" 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: High efficient lighting to be installed for the exterior lights _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <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? 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: _____ _____ _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	





# EAF Mapper Summary Report

Tuesday, May 21, 2024 11:39 AM



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Adam Richardson  
219 Burnet Ave  
Syracuse, NY 13203  
adam@zausmerfrisch.com  
315-475-8404  
11/21/2024

Zhitong Wu, Plans Examiner II  
Office of Zoning Administration  
City of Syracuse  
300 South State Street, Suite 700

Dear Zhitong,

I am writing to request a variance from the current zoning regulations on exterior signage for VedaLeaf, located at 2921 Erie Blvd East.

### **Background**

VedaLeaf is a new small business focused on providing a premium cannabis experience to the Syracuse community. To establish its presence and serve customers effectively, visibility is essential.

### **Request**

Current zoning regulations permit signage only on the building's streetside. We request a variance to allow an additional signage at the building's shared parking lot/driveway entrance. This sign is crucial for guiding customers, as the main entrance is not immediately visible from Erie Blvd. Including additional signage for future tenants at each of their entrances as well.

### **Justification**

The variance is necessary for the following reasons:

1. **Business Viability:** Without adequate signage, VedaLeaf risks insufficient visibility, potentially impacting business success and the local economy.

**2. Consistency with Local Practices:** Similar signage is common along Erie Blvd, where businesses use driveway signs for visibility. Photos of comparable examples are attached.

**3. Community Benefit:** Improved visibility will enhance customer access, supporting VedaLeaf's growth and contributing to the vibrancy of the local business district.

### **Reasonable Return Analysis (sample below)**

The absence of adequate signage is significantly impacting VedaLeaf's financial viability by creating obstacles for customers trying to locate the business. Current zoning restrictions only permit signage on the streetside, which fails to address visibility challenges for customers entering from Erie Boulevard. The main entrance, situated near the shared parking lot/driveway, is not immediately apparent, leading to lost clientele and reduced revenue potential.

With \$737,812.00 already invested in construction (excluding architectural fees), the financial burden of recovering costs is heightened by the lack of effective signage. This signage would not only enhance VedaLeaf's visibility and customer experience but also improve accessibility for future tenants, ensuring long-term sustainability and return on investment. A variance allowing additional signage is crucial to supporting the financial health of the building and its occupants.

**See Attachment #2 separately** provides further documentation on incurred costs and how customer interactions are negatively affected by the current signage limitations.

### **Unique Circumstances**

This variance applies to the unique layout of VedaLeaf's location:

**1. Consistency with Area Signage:** Similar signage practices exist in the area; many neighboring businesses use driveway signs for customer direction.

**2. Aesthetic Integration:** The proposed signage will complement the neighborhood's visual character with matching materials and aesthetics.

3. **Support for Local Growth:** Allowing this variance will support a local business, fostering economic development and vitality.

4. **Minimal Impact:** The sign will be unobtrusive, strategically placed to avoid obstructing sightlines or traffic flow, ensuring public safety.

5. **Community Support:** VedaLeaf has received local support, affirming the community's alignment with this request.

6. **Zoning Intent:** This variance aligns with the zoning goal of maintaining a dynamic yet harmonious business environment without altering neighborhood character.

### **Neighborhood Character**

1. **Alignment with Existing Signage Practices:** The proposed signage matches common Erie Blvd practices, where similar businesses use driveway signs to guide customers, ensuring it fits the area's character.

2. **Aesthetic Consistency:** VedaLeaf's signage will blend with the surrounding architecture, keeping the area's visual aesthetic.

3. **Supporting Local Business Environment:** The variance aids VedaLeaf in attracting customers, which supports the local business district without disrupting neighborhood character.

4. **Non-Intrusive Placement:** The sign will be affixed to the exterior of the building within the total signage allowance as per the city's zoning requirements.

5. **Preserving Neighborhood Goals:** The variance aligns with zoning objectives by supporting local businesses while maintaining neighborhood cohesion.

### **Visual Evidence of Local Signage Practices**



Attached are photos of businesses along Erie Blvd with driveway signage, enhancing visibility and accessibility. Similar allowances for VedaLeaf will maintain consistency and fairness.



**2743 Erie Blvd E:** Multi-tenant building with private parking signage.



**3138-3150 Erie Blvd E:** Multi-tenant building a building with private drive/parking signage.



**3138-3150 Blvd E:** O'Reilly Auto Parts, a building with private drive/parking signage.



**3470 Erie Blvd E:** O'Reilly Auto Parts, a building with private drive/parking signage.

### **Non-Self-Created Hardship**

1. **Building Layout and Visibility:** VedaLeaf's building is set back from Erie Blvd, limiting street visibility. This pre-existing layout, beyond VedaLeaf's control, restricts customer access without additional signage.
2. **Zoning Restrictions:** Current zoning regulations limit signage to the streetside of buildings, which does not account for properties like this one where the entrance is set

back and not visible from the road. As a multi-tenant commercial property, not all tenants, including VedaLeaf, have street frontage or can accommodate the costs associated with it.

**3. Market Competition:** Neighboring businesses on Erie Blvd benefit from driveway signage, setting a visibility standard. VedaLeaf's lack of similar signage places it at a competitive disadvantage.

**4. Community Demand for Clear Access:** Customers expect straightforward access in commercial areas. VedaLeaf's configuration and lack of driveway signage create unnecessary confusion, impacting accessibility.

Thank you for considering our request. Please reach out at 315-475-8408 or adam@zausmerfrisch.com if you require additional information or documentation.

Sincerely,

Adam Richardson

Senior Architectural Job Captain

Zausmer-Frisch, Scruton & Aggarwal



## Supplement for Signage Permit Approval for Veda Leaf Dispensary

To whom it may concern:

We are submitting this supplement to provide additional information supporting our request for the approval of the signage permit for our dispensary, VedaLeaf, located at 2921 Erie Blvd E, Syracuse, NY. As the largest dispensary in New York, we take pride in serving our community with high-quality products and exceptional service. However, the lack of approved signage has significantly impacted our ability to operate effectively and reach our customers.

### Challenges Faced Due to Lack of Signage

1. **Customer Confusion:** Many customers have reported difficulty locating our store, particularly during nighttime hours. Some have informed us via email or in person, while others have expressed that they visited competitors due to their inability to find us.
2. **Loss of Business:** Sales data demonstrates a severe loss in revenue due to our diminished visibility:
  - Average daily sales have decreased by approximately \$5,731.92, reflecting a 75% loss in revenue potential compared to projections.
  - We are missing out on an average of 71.59 customers per day, significantly hindering our ability to grow and sustain the business.

It is important to note that sales on October 25, 2024, were higher solely due to our grand opening, which was extensively marketed. This spike in sales is not reflective of typical business activity without signage.

### Supporting Data

Below is the detailed sales data, highlighting the disparity between actual and projected performance:

Date	Current Sales	Clients	Avg \$/Customer	Projected Sales	Projected Customers	Avg \$/Customer	Revenue Loss	Lost Customers	% Revenue Loss
10/11/24	\$1,055.65	19	\$55.56	\$7,412.00	109	\$68.00	-\$6,356.35	-90	86%
10/12/24	\$357.27	15	\$23.82	\$8,160.00	120	\$68.00	-\$7,802.73	-105	96%
10/13/24	\$197.72	8	\$24.72	\$7,344.00	108	\$68.00	-\$7,146.28	-100	97%
10/14/24	\$1,287.52	22	\$58.52	\$7,888.00	116	\$68.00	-\$6,600.48	-94	84%
10/15/24	\$1,183.78	16	\$73.99	\$8,296.00	122	\$68.00	-\$7,112.22	-106	86%
10/16/24	\$1,905.46	30	\$63.52	\$8,092.00	119	\$68.00	-\$6,186.54	-89	76%
10/17/24	\$1,607.69	31	\$51.86	\$8,432.00	124	\$68.00	-\$6,824.31	-93	81%
10/18/24	\$2,438.74	37	\$65.91	\$7,004.00	103	\$68.00	-\$4,565.26	-66	65%
10/19/24	\$1,568.49	45	\$34.86	\$8,160.00	120	\$68.00	-\$6,591.51	-75	81%
10/20/24	\$1,809.63	28	\$64.63	\$6,868.00	101	\$68.00	-\$5,058.37	-73	74%
10/21/24	\$1,193.43	20	\$59.67	\$7,004.00	103	\$68.00	-\$5,810.57	-83	83%
10/22/24	\$1,241.48	25	\$49.66	\$7,616.00	112	\$68.00	-\$6,374.52	-87	84%
10/23/24	\$1,696.39	26	\$65.25	\$7,072.00	104	\$68.00	-\$5,375.61	-78	76%
10/24/24	\$1,582.65	32	\$49.46	\$8,296.00	122	\$68.00	-\$6,713.35	-90	81%
10/25/24	\$6,596.91	159	\$41.49	\$7,276.00	107	\$68.00	-\$6,799.09	52	9%
10/26/24	\$3,150.26	57	\$55.27	\$7,412.00	109	\$68.00	-\$4,261.74	-52	57%

10/27/24	\$975.48	28	\$34.84	\$6,936.00	102	\$68.00	-\$5,960.52	-74	86%
10/28/24	\$2,632.79	38	\$69.28	\$7,480.00	110	\$68.00	-\$4,847.21	-72	65%
10/29/24	\$2,509.18	43	\$58.35	\$7,616.00	112	\$68.00	-\$5,106.82	-69	67%
10/30/24	\$1,825.55	33	\$55.32	\$7,344.00	108	\$68.00	-\$5,518.45	-75	75%
10/31/24	\$1,280.13	38	\$33.69	\$6,936.00	102	\$68.00	-\$5,655.87	-64	82%
11/1/24	\$2,854.60	66	\$43.25	\$8,500.00	125	\$68.00	-\$5,645.40	-59	66%
11/2/24	\$2,059.58	56	\$36.78	\$7,888.00	116	\$68.00	-\$5,828.42	-60	74%
11/3/24	\$1,014.30	35	\$28.98	\$7,480.00	110	\$68.00	-\$6,465.70	-75	86%
11/4/24	\$1,076.71	34	\$31.67	\$8,160.00	120	\$68.00	-\$7,083.29	-86	87%
11/5/24	\$1,474.80	38	\$38.81	\$7,888.00	116	\$68.00	-\$6,413.20	-78	81%
11/6/24	\$1,824.98	49	\$37.24	\$7,344.00	108	\$68.00	-\$5,519.02	-59	75%
11/7/24	\$1,751.86	41	\$42.73	\$7,276.00	107	\$68.00	-\$5,524.14	-66	76%
11/8/24	\$2,288.28	65	\$35.20	\$7,888.00	116	\$68.00	-\$5,599.72	-51	71%
11/9/24	\$3,176.27	59	\$53.84	\$6,800.00	100	\$68.00	-\$3,623.73	-41	53%
11/10/24	\$1,484.16	42	\$35.34	\$6,936.00	102	\$68.00	-\$5,451.84	-60	79%
11/11/24	\$2,032.91	41	\$49.58	\$7,752.00	114	\$68.00	-\$5,719.09	-73	74%

### Operational Costs and Impact on Profitability

From our current sales, we still need to deduct significant operational expenses, including:

- Cost of Goods Sold (COGS): The cost to source the premium products we offer.
- Rent and Utilities: For our dispensary space in Syracuse.
- Payroll: Salaries for our dedicated staff.
- Insurance: Mandatory business and liability coverage.
- Other Business Expenses: Such as marketing, security, and maintenance.

With the current sales level, these fixed and variable costs severely reduce profitability, threatening our ability to sustain the business. Even with our current revenue we are still at a loss. Proper signage would directly address the root cause of declining sales and help stabilize our operations.

### Community Benefits of Approved Signage

Approving the signage will allow us to:

1. Improve Accessibility: Customers will be able to locate us easily, particularly during evening hours.
2. Increase Foot Traffic: By attracting more walk-in customers, we can offset revenue losses and invest back into the local economy.
3. Enhance Community Safety: Clear signage reduces confusion and ensures customers find their way safely to our location.
4. Support Local Employment: As our business grows, we plan to create additional jobs and further contribute to the community.

### Request for Action

We respectfully request your approval for the signage permit to address these pressing challenges. The proposed signage is designed to comply with all city ordinances and maintain the aesthetic standards of the area.

Thank you for your attention to this urgent matter.  
Sincerely,

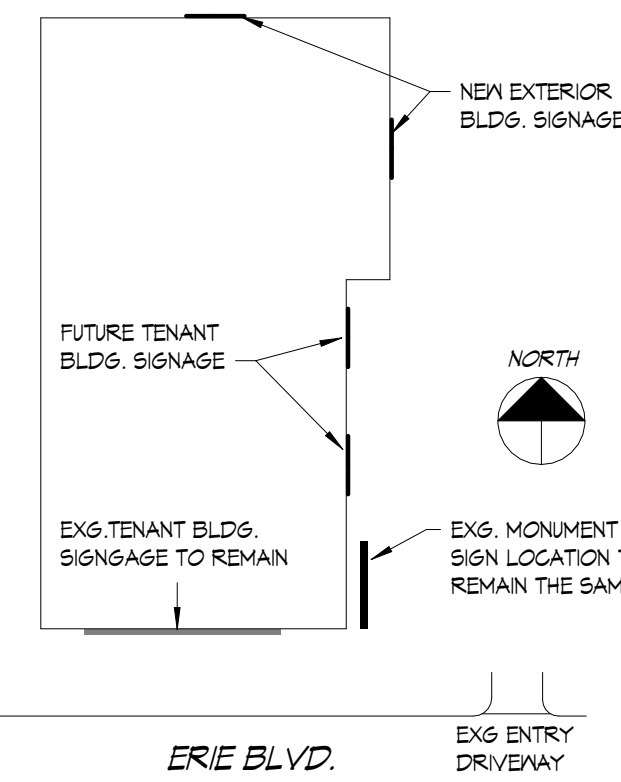
Meru Patel

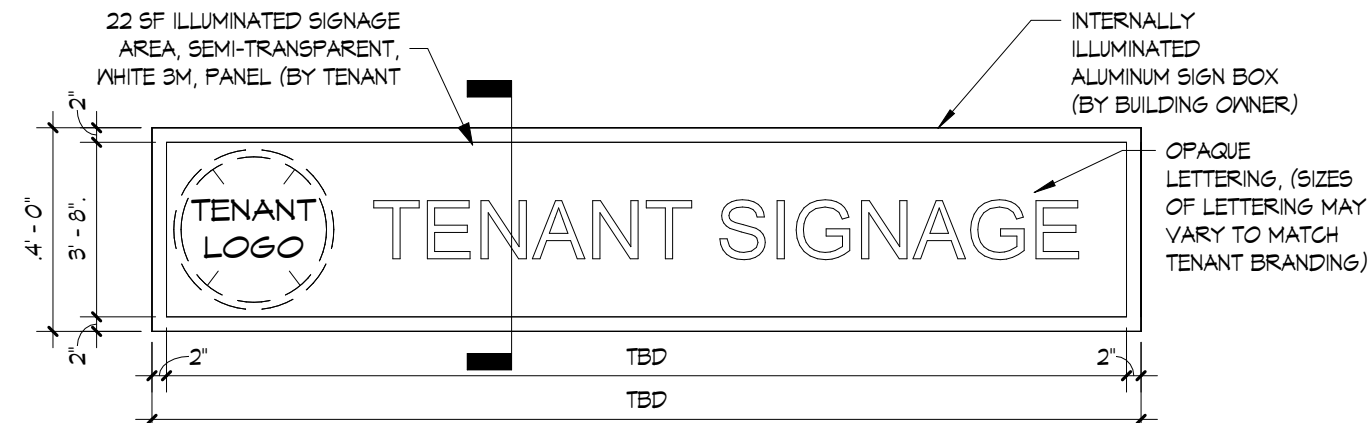
Owner, VedaLeaf

315-800-2283

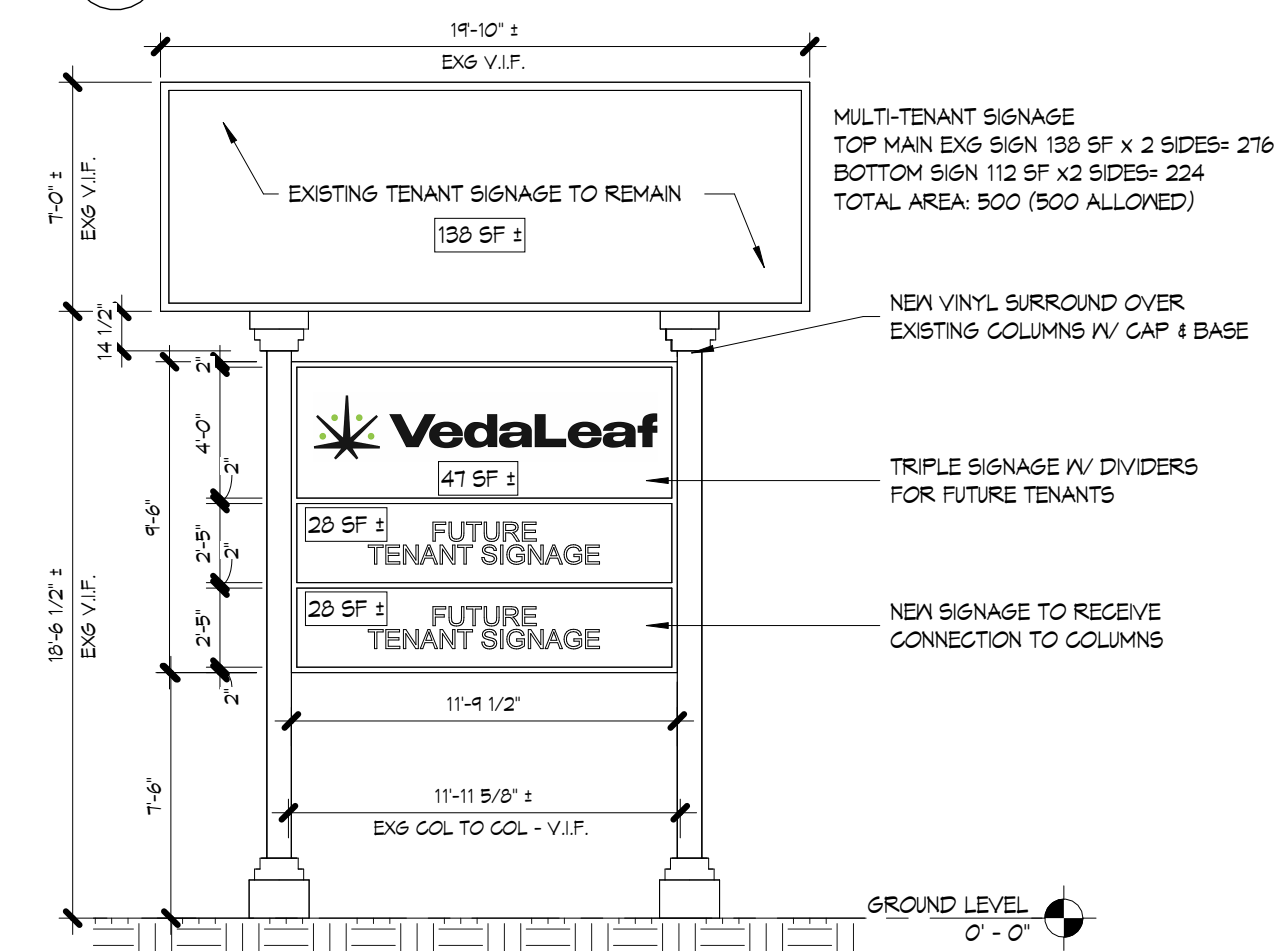
# COORDINATED SIGNAGE PLAN

FOR  
2921 ERIE BLVD. EAST, SYRACUSE, NY

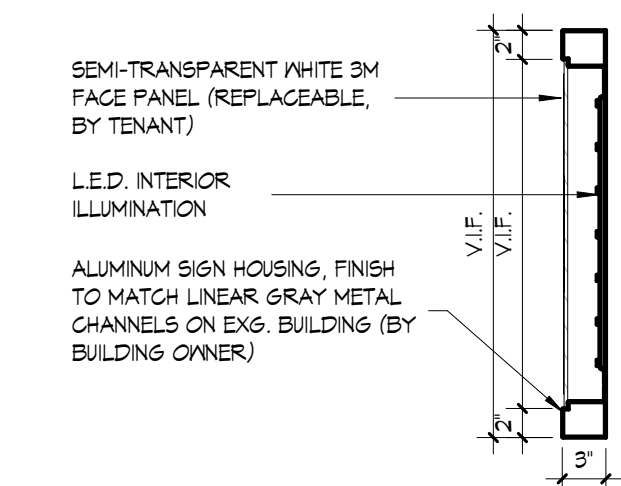
APPROVED TYPEFACES	BUILDING SIGNAGE PLAN
<p>ARIAL: Tenant Signage                      AKZIDENZ-GROTESK: Tenant Signage                      FUTURA: Tenant Signage                      ROCKWELL: Tenant Signage                      BASKERVILLE: Tenant Signage                      BOOKMAN: Tenant Signage                      TIMES NEW ROMAN: Tenant Signage                      GARAMOND: Tenant Signage</p>	
<p>TYPICALLY, ANY STANDARD SERIF OR SANS-SERIF FONT SHALL BE CONSIDERED AS ACCEPTABLE FOR SIGNAGE TEXT. SCRIPT OR DISPLAY TYPE FONTS WILL REQUIRE APPROVAL OF OWNER PRIOR TO SUBMITTAL FOR MUNICIPAL REVIEW</p>	
<p>AS PER CITY OF SYRACUSE ZONING ADMINISTRATION SIGNAGE ALLOWANCES - COMMERCIAL DISTRICT (CM)                      2 WALL SIGNS PER BUSINESS TENANT PER STREET PER 1 LF OF STREET FRONTAGE = 2 SF OF AREA FOR SIGNAGE - MAX 100 SF PER SIGN                      TOTAL BUILDING FRONTAGE 92 LF = 100 SF ALLOWED PER SIGN</p>	
<p>MULTI-TENANT SIGNAGE                      TOP MAIN EXG SIGN 138 SF x 2 SIDES= 276                      BOTTOM SIGN 112 SF x2 SIDES= 224                      TOTAL AREA: 500 (500 ALLOWED)</p>	



1 TYPICAL TENANT SIGNAGE BOX  
 CSP-1 1/2" = 1'-0"



4 TYPICAL FRONT / BACK SIGNAGE ELEVATION  
 CSP-1 3/16" = 1'-0"



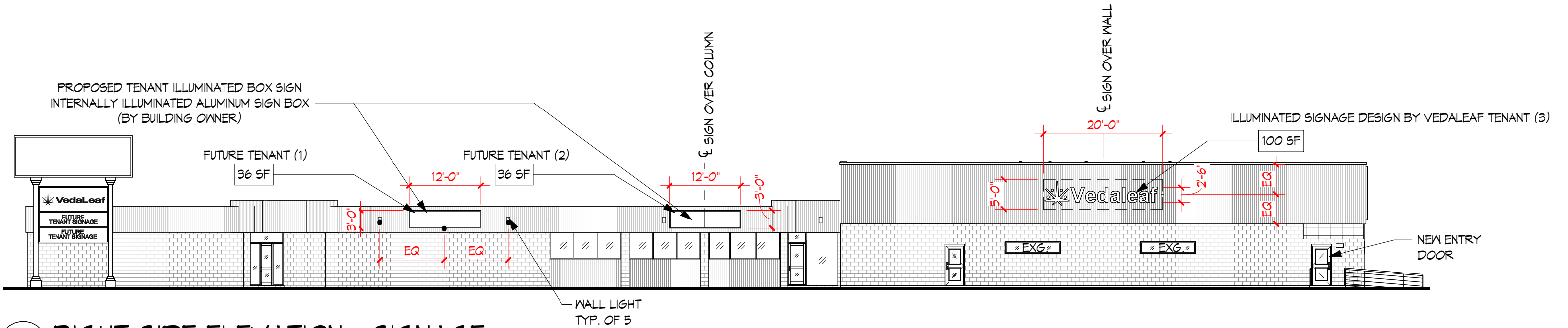
2 TYP. SECTION  
 CSP-1 1" = 1'-0"



EXISTING CONDITION PHOTO - INFO ONLY

PAGE #  
**CSP-1**

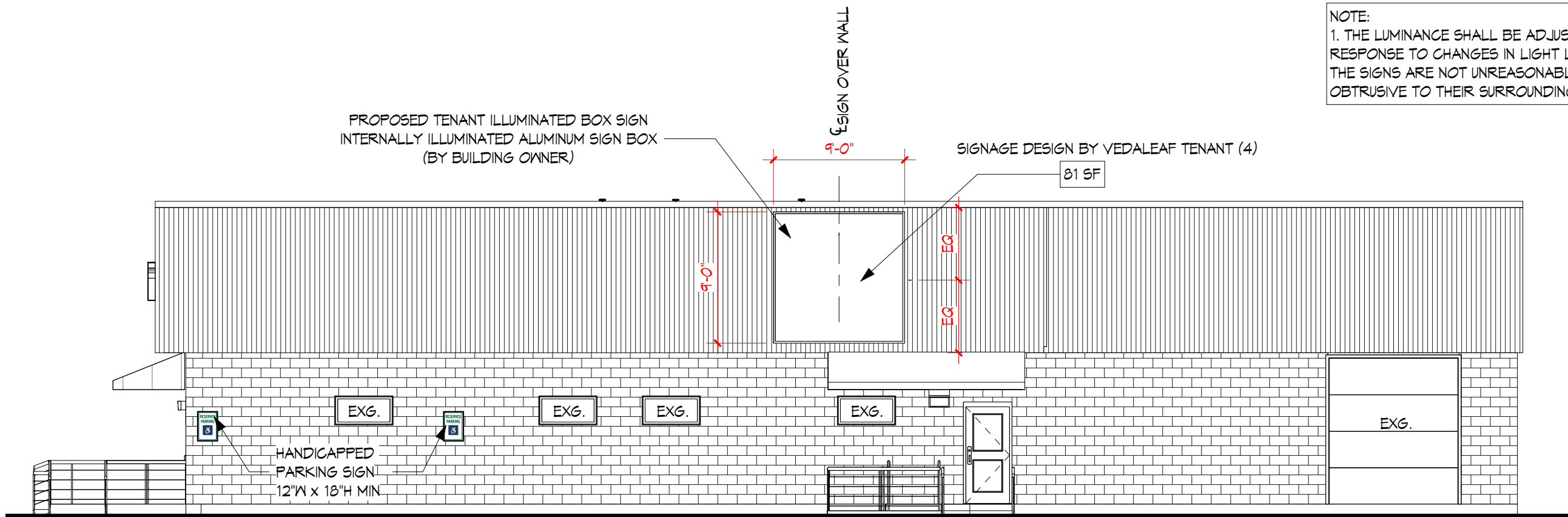
**ZAUSMER · FRISCH**  
**SCRUTON & AGGARWAL**  
 DESIGNERS / BUILDERS



# 1 RIGHT-SIDE ELEVATION - SIGNAGE

CSP-2 1/16" = 1'-0"

NOTE:  
 1. THE LUMINANCE SHALL BE ADJUSTED IN RESPONSE TO CHANGES IN LIGHT LEVELS SO THAT THE SIGNS ARE NOT UNREASONABLY BRIGHT OR OBTRUSIVE TO THEIR SURROUNDINGS.

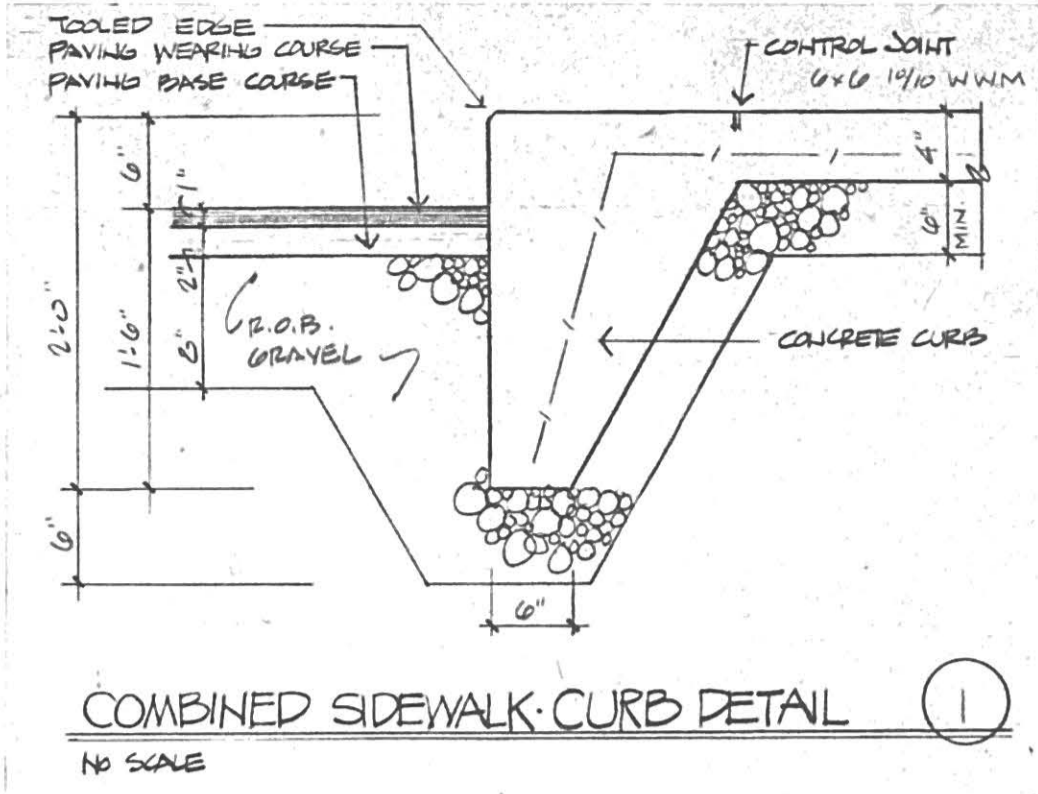


# 2 REAR ELEVATION - SIGNAGE

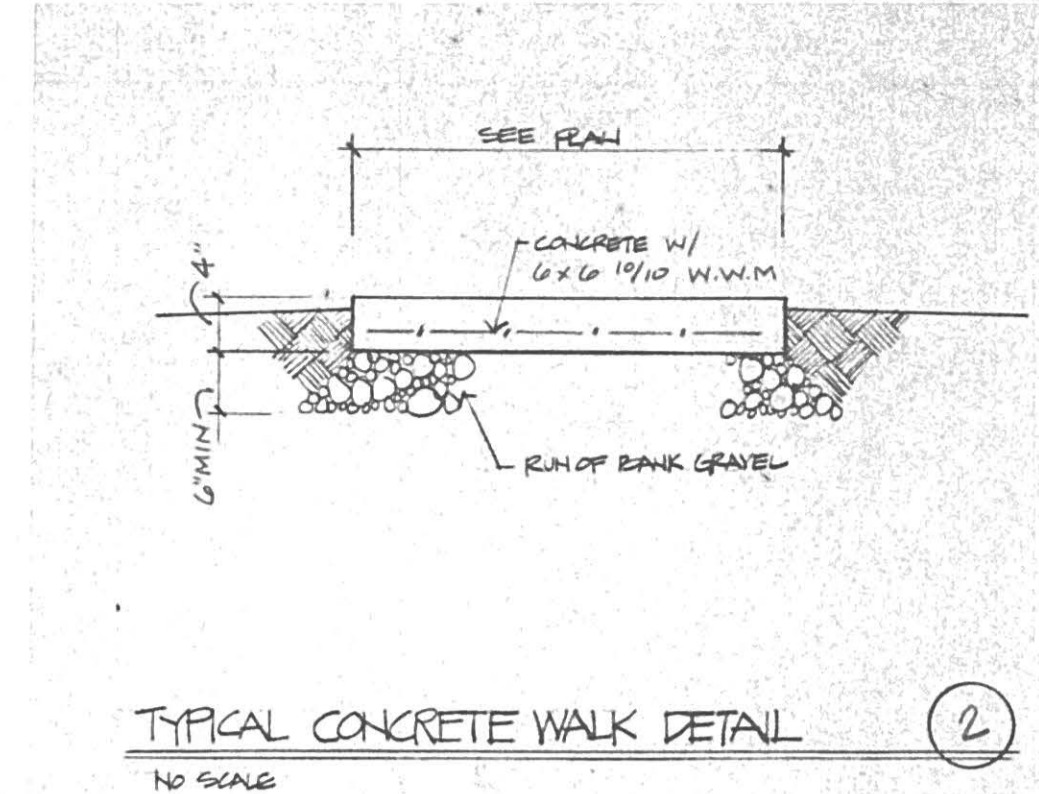
CSP-2 1/8" = 1'-0"

PAGE #	<b>ZAUSMER·FRISCH SCRUTON &amp; AGGARWAL</b> DESIGNERS / BUILDERS
CSP-2	

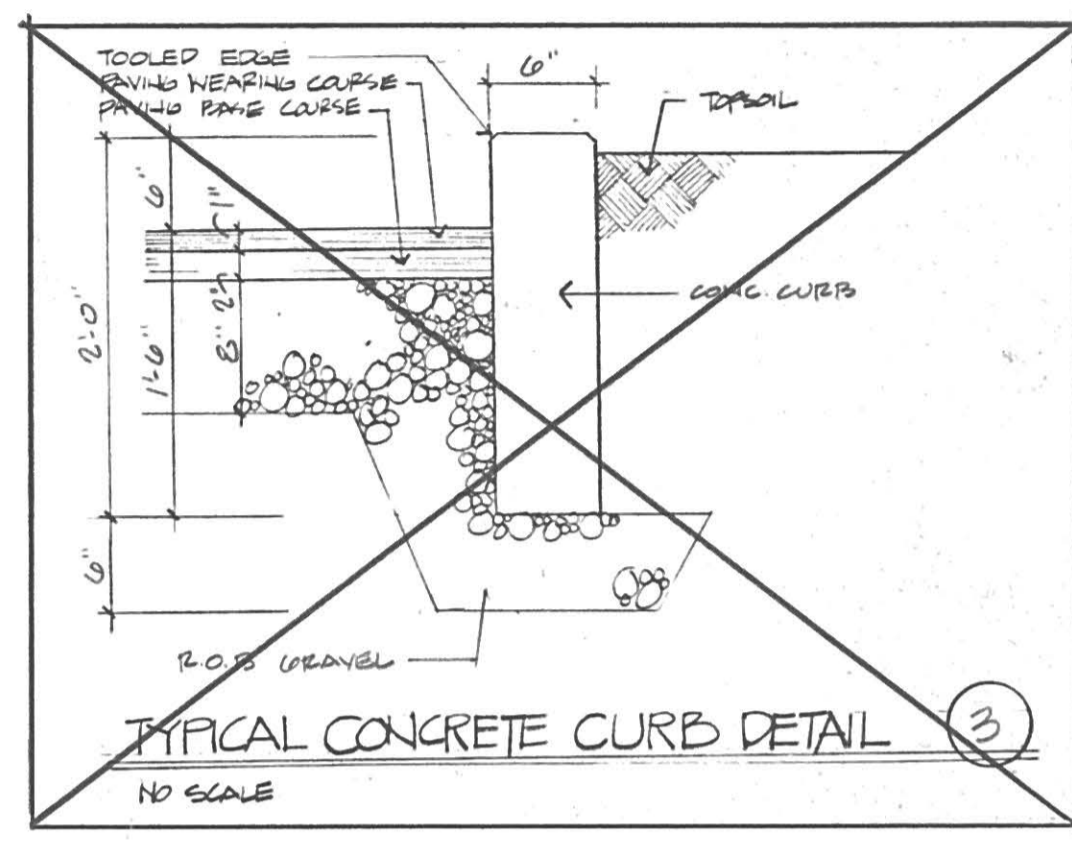




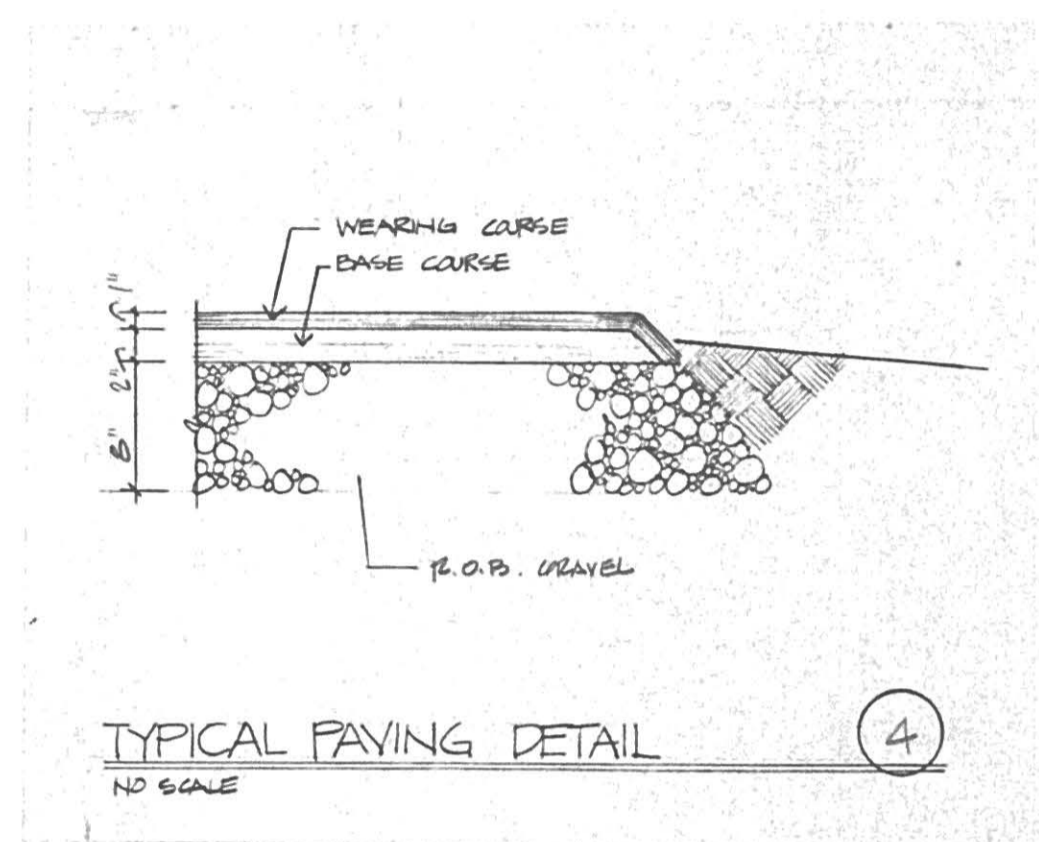
COMBINED SIDEWALK CURB DETAIL (1)  
NO SCALE



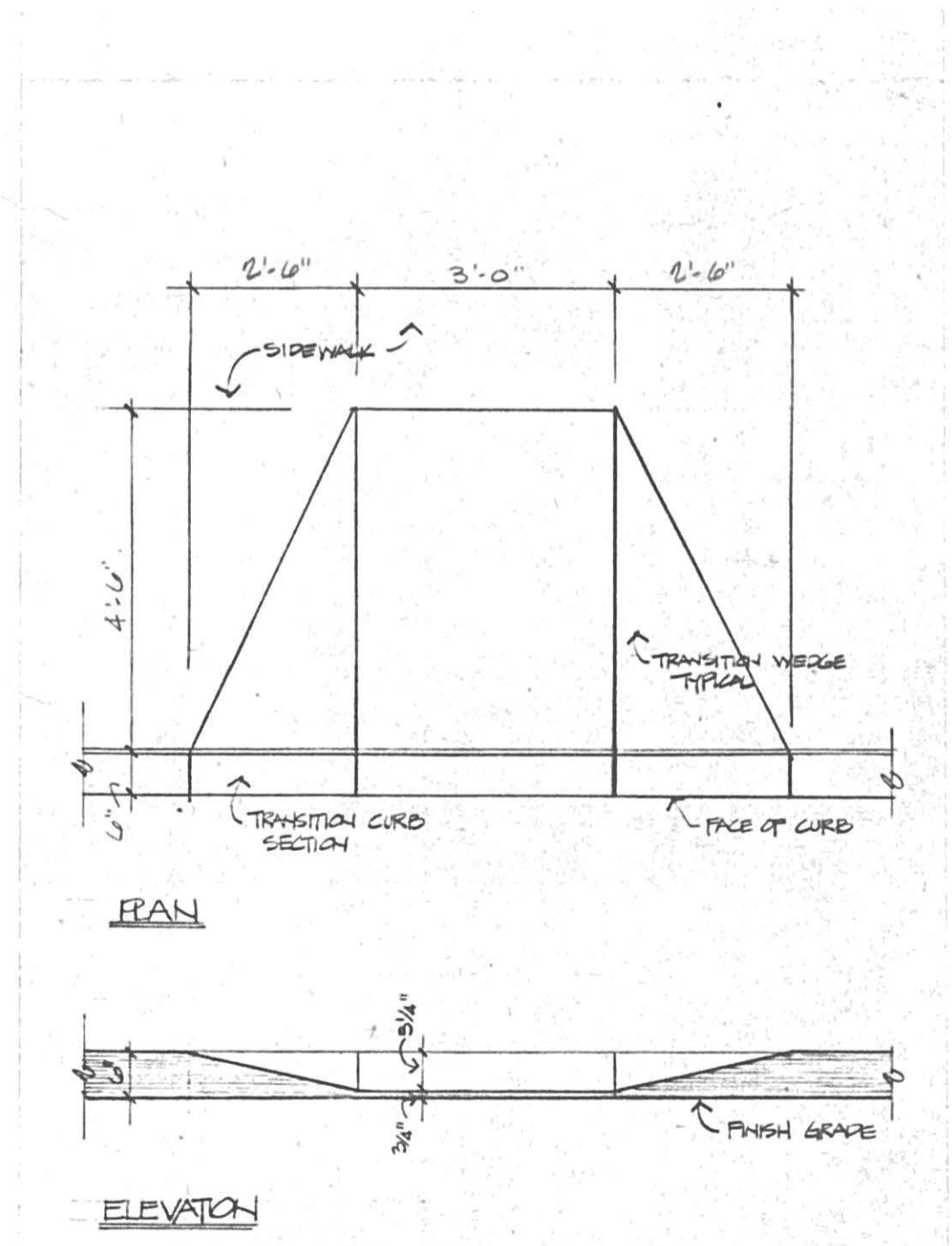
TYPICAL CONCRETE WALK DETAIL (2)  
NO SCALE



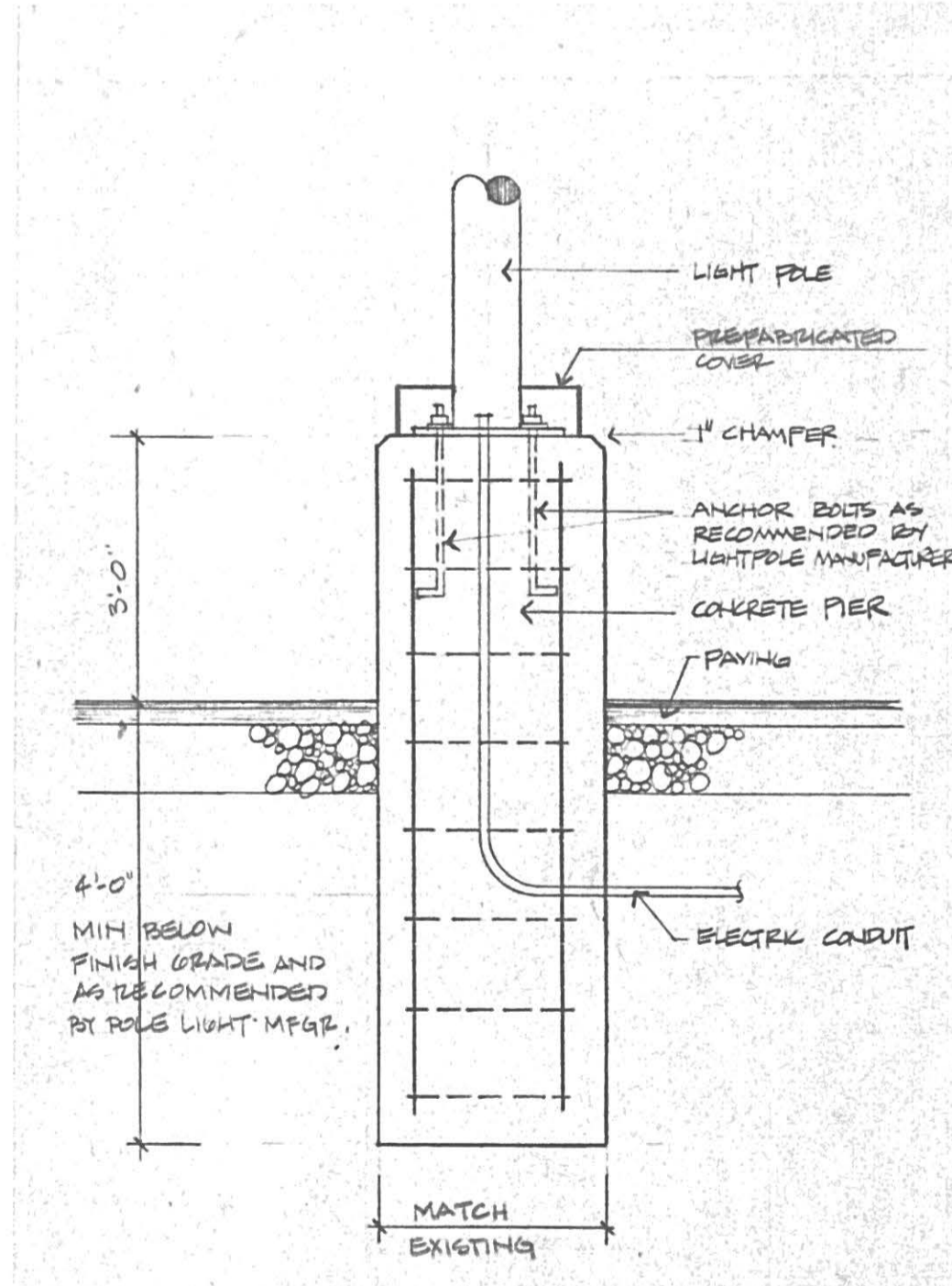
TYPICAL CONCRETE CURB DETAIL (3)  
NO SCALE



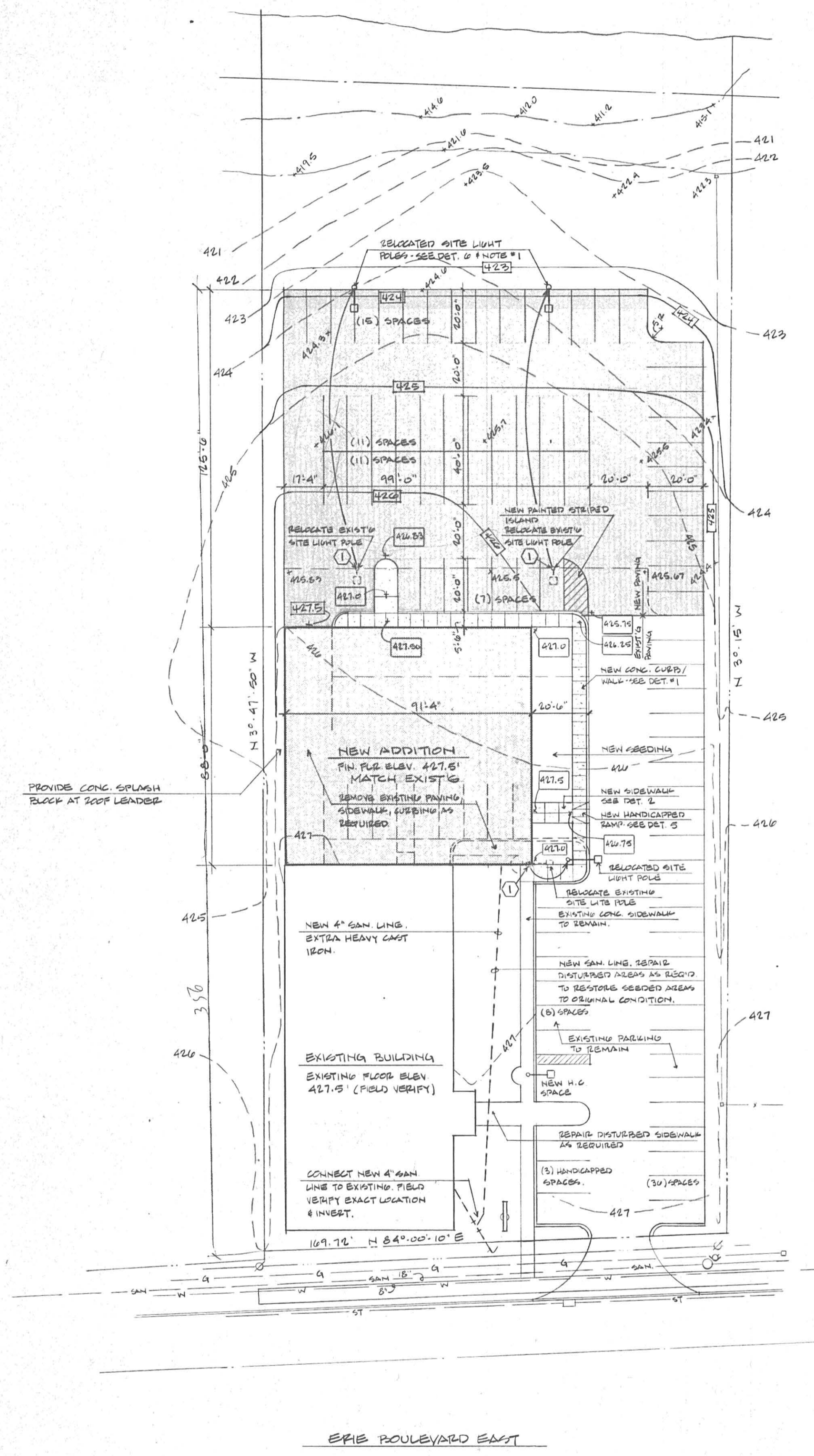
TYPICAL PAVING DETAIL (4)  
NO SCALE



DROP CURB FOR WHEELCHAIR RAMP (5)  
NO SCALE



LIGHTPOLE BASE DETAIL (6)  
NO SCALE



SITE PLAN  
SCALE: 1" = 30'-0"

- NOTES
- ① EXISTING LIGHT POLE - DISCONNECT AND RELOCATE AS FOLLOWS:
    - REMOVE EXISTING POLE BASE COMPLETE.
    - EXTEND CIRCUITRY TO NEW LOCATION INDICATED AND AS REQUIRED TO MAINTAIN CIRCUIT CONTINUITY. CONDUCTORS TO BE OF ADEQUATE SIZE AS TO MAINTAIN VOLTAGE DROP OF NO MORE THAN 3%.
    - PROVIDE NEW LIGHT POLE BASE. REFER TO DETAIL # 6 THIS SHEET.
    - POLE AND LUMINAIRE MOUNTING TO BE INSTALLED AS PER MANUFACTURER'S REQUIREMENTS.

EXISTING PARKING FOR 09 CARS.  
NEW PARKING SPACES 22  
TOTAL PARKING 31 CARS

NOTE:  
SITE DATA AND TOPOGRAPHY TAKEN FROM SURVEY BY JACK W. COTTRELL L.S. 41308 DATED 26 APRIL 1983 AND FROM SITE PLAN OF ORIGINAL BLDG. PREPARED 24 JUNE 1983.

CONTRACTOR TO FIELD VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO START OF WORK. REPORT ANY DISCREPANCIES TO CONSTRUCTION MANAGER AND PROCEED AFTER WRITTEN INSTRUCTION.

- LEGEND
- - 417 - EXISTING CONTOUR
  - 417 - NEW CONTOUR
  - x 417 EXISTING SPOT ELEV.
  - x 417 NEW SPOT ELEV.

This drawing is and shall remain the property of the Architect. It is to be used only with respect to this project. Copy right © 1985 Associated Architects of Syracuse

PROPOSED ADDITION TO  
EMPIRE VISION CENTER  
2921 ERIE PLYD. EAST SYRACUSE, NEW YORK

SITE PLAN & DETAILS

Scale AS NOTED By RW Date 30 AUG 1985 Revisions



Project No  
**1**  
Sheet No



 **Visionworks**

 **VedaLeaf**







 VedaLeaf







J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-351

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a USE VARIANCE from the City of Syracuse Zoning Administration at the request of Adam Richardson for the property located at 2921 Erie Boulevard East; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Erie Boulevard East (Route 5), a state highway; and
- WHEREAS, the applicant is requesting a use variance to allow business-identifying signs facing a private driveway on a 1.76-acre parcel in a Commercial (CM) zoning district; and
- WHEREAS, the site is located on the north side of a commercialized section of Erie Boulevard East in the City of Syracuse; neighboring businesses include multiple restaurants, medical offices, retail, and a hotel; the site is located between Erie Boulevard East and Interstate 690, both state routes; and
- WHEREAS, the site contains an approximately 20,670 sf (per GIS mapping) building containing multiple commercial tenant spaces with a parking lot located along the east side and to the rear of the building; the site has direct access to the westbound lanes of Erie Boulevard East; and
- WHEREAS, the applicant is seeking a use variance to allow business identification signs for an existing cannabis dispensary on the north and east building elevations; per City Code, business identification signs are not permitted facing a private driveway; per the referral materials, the business reports customers having difficulty locating the business, particularly in nighttime hours due to visibility of signage from Erie Boulevard East, and the lack of visibility is financially impacting the business; referral material also included multiple examples of similar signage along Erie Boulevard East; and
- WHEREAS, per the Coordinated Signage Plan (undated), the proposed building signs would be a 5'x20' internally illuminated building sign at the rear of the eastern elevation and a 9'x9' internally illuminated sign on the north/rear elevation; the Plan also shows a proposed 4'x11'9.5" sign to be located on an existing pole sign that does not require a use variance; and
- WHEREAS, GIS mapping shows the north and northwestern boundaries of the site may contain state wetlands and/or the 100-foot state wetland buffer, which appears to include the rear of the parking lot and the northwest corner of the building; the wetlands are not depicted on the plans; per EAF Mapper, the wetland is 63.5 acres in size (ID SYE-19); and
- WHEREAS, per the referral notice, the site is served by public drinking water and sewers and no changes to the existing infrastructure are proposed; the site is located in the

Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service area; and

WHEREAS, the site is located in an Onondaga County Drainage District for Bear Trap and Ley Creek, which is maintained by the Department of Water Environment Protection in this area; and

WHEREAS, the project is within 2,000 feet of a site (ID: C734103) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, the site may contain the Northern long-eared bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from the plans it appears that no trees will be removed as part of the proposed project; and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.



Martin E. Voss, Chairman  
Onondaga County Planning Board

**Project:**

**Date:**

## *Short Environmental Assessment Form*

### *Part 2 - Impact Assessment*

**Part 2 is to be completed by the Lead Agency.**

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?”

	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

## ***Short Environmental Assessment Form***

### ***Part 3 Determination of Significance***

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.

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.

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.

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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

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Signature of Preparer (if different from Responsible Officer)

## City of Syracuse

**Parcel History**

01/01/1900 - 12/05/2024

Tax Map #: 033.-01-13.0

Owners: EMPIRE VISION, Erie-Gordon Company LLC

Zoning: CM

Address	Date	Transaction	Transaction Type	Status	Description
2921 Erie Blvd E	09/27/83	Project	Off Premise Advertising	Approved with	AS-83-037   Administrative permit - Time and temperature device.
2921 Erie Blvd E	02/24/92	Project	Off Premise Advertising	Approved	AS-92-03   SIGNAGE - EMPIRE VISION NEW SIGNAGE APPROVED 12/13/04 SEE FILE (AS-92-03)
2921 Erie Blvd E	07/24/13	Permit Application	Com. Reno/Rem/Chg Occ	Issued	11503   Interior alterations to the existing [M]/[B] occupancy optomistrists office and sales floor per the attached architectural drawings dated (06-19-2013). Type IIb construction. Comply with all attached reviews and approvals. Separate permits are required for any and all HVAC, electric, plumbing, etc... . Comply with Chapter 33 of the Building Code of New York State for safeguards during construction.  Contact: Julianna Anaya - 1-210-524-6522
2921 Erie Blvd E	09/05/13	Permit Application	Electric	Issued	12515   Electric For Office Renovation
2921 Erie Blvd E	09/05/13	Completed Permit	Electric	Certificate Issued	12515   Electric For Office Renovation   Certificate of Completion #12515
2921 Erie Blvd E	09/06/13	Completed Permit	Com. Reno/Rem/Chg Occ	Certificate Issued	11503   Interior alterations to the existing [M]/[B] occupancy optomistrists office and sales floor per the attached architectural drawings dated (06-19-2013). Type IIb construction. Comply with all attached reviews and approvals. Separate permits are required for any and all HVAC, electric, plumbing, etc... . Comply with Chapter 33 of the Building Code of New York State for safeguards during construction.  Contact: Julianna Anaya - 1-210-524-6522   Certificate of Completion #11503
2921 Erie Blvd E	09/16/13	Inspection	Progress Inspection	No Work Started	
2921 Erie Blvd E	10/25/13	Permit Application	Sign	Issued	13180   Replacing existing signage with new signs to reflect Empire Visions's new name - Empire Visionworks on front of wall 34' x 24'3" and new 5' x 18' pole sign each side as per the attached approval.

City of Syracuse  
**Parcel History**

Address	Date	Transaction	Transaction Type	Status	Description
2921 Erie Blvd E	10/25/13	Completed Permit	Sign	Certificate Issued	13180   Replacing existing signage with new signs to reflect Empire Visions's new name - Empire Visionworks on front of wall 34' x 24'3" and new 5' x 18' pole sign each side as per the attached approval.   Certificate of Completion #13180
2921 Erie Blvd E	11/12/13	Inspection	Final Inspection	Pass	
2921 Erie Blvd E	12/03/13	Inspection	Progress Inspection	N/A	
2921 Erie Blvd E	12/11/13	Inspection	Progress Inspection	Pass	
2921 Erie Blvd E	12/12/13	Inspection	Final Inspection	Pass	
2921 Erie Blvd E	12/16/13	Inspection	Progress Inspection	Pass	
2921 Erie Blvd E	01/10/14	Inspection	Progress Inspection	No Progress	
2921 Erie Blvd E	01/27/14	Inspection	Progress Inspection	Pass	
2921 Erie Blvd E	03/07/14	Inspection	Final Inspection	Pass	
2921 Erie Blvd E	11/12/14	Completed Complaint	Pot Holes in Road	Completed	2014-28952   POTHOLE NEAR EMPIRE VISION (VISION WORKS)
2921 Erie Blvd E	12/02/15	Permit Application	Com. Reno/Rem/Chg Occ	Issued	21991   Office renovation - Visionworks  4/7/2016-C OF O issued
2921 Erie Blvd E	01/26/16	Inspection	Progress Inspection	In Progress	
2921 Erie Blvd E	01/27/16	Permit Application	Electric	Issued	22636   electric for new offices @ Vision World
2921 Erie Blvd E	01/28/16	Inspection	Inspector Notification	In Progress	
2921 Erie Blvd E	01/29/16	Inspection	Rough-In Wiring Before Enclosing	Pass	
2921 Erie Blvd E	02/04/16	Inspection	Progress Inspection	In Progress	
2921 Erie Blvd E	02/09/16	Inspection	Progress Inspection	In Progress	
2921 Erie Blvd E	02/09/16	Inspection	Framing Before Enclosing	Pass	
2921 Erie Blvd E	02/10/16	Permit Application	HVAC/Mechanical	Issued	22800   HVAC (Empire Vision Works)
2921 Erie Blvd E	02/11/16	Inspection	Inspector Notification	In Progress	
2921 Erie Blvd E	02/12/16	Inspection	Inspector Notification	In Progress	
2921 Erie Blvd E	02/12/16	Inspection	Fire Inspector Notification	In Progress	



City of Syracuse  
**Parcel History**

Address	Date	Transaction	Transaction Type	Status	Description
2921 Erie Blvd E	02/16/16	Inspection	Progress Inspection	Pass	
2921 Erie Blvd E	02/16/16	Completed Permit	HVAC/Mechanical	Certificate Issued	22800   HVAC (Empire Vision Works)   Certificate of Completion #22800
2921 Erie Blvd E	03/18/16	Inspection	Progress Inspection	In Progress	
2921 Erie Blvd E	03/30/16	Inspection	Final Inspection	Pass	
2921 Erie Blvd E	03/30/16	Inspection	Service Inspection	Pass	
2921 Erie Blvd E	03/31/16	Inspection	Final Inspection	Pass	
2921 Erie Blvd E	03/31/16	Inspection	Progress Inspection	Pass	
2921 Erie Blvd E	03/31/16	Completed Permit	Electric	Certificate Issued	22636   electric for new offices @ Vision World   Certificate of Completion #22636
2921 Erie Blvd E	04/01/16	Completed Permit	Com. Reno/Rem/Chg Occ	Certificate Issued	21991   Office renovation - Visionworks  4/7/2016-C OF O issued   Certificate of Completion #21991
2921 Erie Blvd E	04/25/24	Permit Application	Com. Reno/Rem/Chg Occ	Issued	50745   Interior renovations - Vedaleaf *****CO TYPED-AWAITING SIGNATURES 10/11/2024  CO ISSUED 11/15/2024
2921 Erie Blvd E	05/29/24	Project	Minor Site Plan Review	Approved	MiSPR-24-36   Minor site plan review to establish a cannabis dispensary.
2921 Erie Blvd E	06/04/24	Inspection	Fire - Pre-Permit Inspection	In Progress	
2921 Erie Blvd E	06/14/24	Inspection	Inspector Notification	In Progress	
2921 Erie Blvd E	07/09/24	Inspection	Initial Inspection	In Progress	
2921 Erie Blvd E	07/17/24	Inspection	Progress Inspection	In Progress	
2921 Erie Blvd E	07/26/24	Inspection	Fire Safety Inspection	In Progress	
2921 Erie Blvd E	09/11/24	Inspection	Progress Inspection	In Progress	
2921 Erie Blvd E	10/02/24	Permit Application	Sign	Holding For	51959   New multi tenant sign and 2 wall signs  Holding, per Z. Wu reaching out to legal for additional approvals Variance in review.
2921 Erie Blvd E	10/09/24	Inspection	Final Fire Inspection	Pass	

City of Syracuse  
**Parcel History**

<b>Address</b>	<b>Date</b>	<b>Transaction</b>	<b>Transaction Type</b>	<b>Status</b>	<b>Description</b>
2921 Erie Blvd E	10/09/24	Inspection	Final Inspection	Pass	
2921 Erie Blvd E	11/12/24	Project	Variance (Use)	In Review	V-24-23   Use Variance to allow business identification signs to face the private driveway
2921 Erie Blvd E	11/15/24	Completed Permit	Com. Reno/Rem/Chg Occ	Certificate Issued	50745   Interior renovations - Vedaleaf *****CO TYPED-AWAITING SIGNATURES 10/11/2024  CO ISSUED 11/15/2024   Certificate of Occupancy #50745

Jake Dishaw  
Zoning Administrator



300 South State St, Suite 700  
Syracuse, NY 13202

OFFICE OF ZONING ADMINISTRATION

Ben Walsh, Mayor

To: Erie-Gorden Company LLC  
From: Zhitong Wu, Zoning Planner  
Date: 12/9/2024 1:31:22 PM  
Re: Variance (Use) V-24-23  
2921 Erie Blvd E, Syracuse, 13224

The Departments and/or Boards below have reviewed your application and provided the following comments for your information and action as appropriate.

Please modify the proposal as necessary to address the comments/recommendations. Upon receipt of any revisions and/or written justification to the Office of Zoning Administration, a Public Hearing will be scheduled.

Please contact the Zoning Office at (315) 448-8640 or [Zoning@syr.gov](mailto:Zoning@syr.gov) if you have any questions.

Approval	Status	Status Date	Reviewer	Comments
Board of Zoning Appeals	Pending	11/12/2024		
Zoning Planner	On Hold	12/06/2024	Zhitong Wu	Hold for decision from BZA.
Onondaga Co Planning Board	Approved	12/06/2024	Zhitong Wu	No position



**CITY OF SYRACUSE, MAYOR BEN WALSH**  
**300 South State Street, Suite 700 Syracuse, NY 13202**

Department of Neighborhood and Business Development  
 Jake Dishaw, Zoning Administrator  
 Office of Zoning Administration – P: (315)448-8640 E: Zoning@syr.gov

<b>V-24-24</b>	<b>Staff Report – December 12th, 2024</b>	
<b>Application Type:</b>	Use Variance	
<b>Project Address:</b>	200 S West St. & W Fayette St. (Tax ID: 100.-06-03.0)	
<b>Summary of Proposed Action:</b>	The applicant is applying for a Use Variance to allow the establishment of the “Off-premise sign” land use type, which is not allowed in the Mixed-Use Transition, MX-3 Zone District.	
<b>Owner/Applicant</b>	Stephen Case, Owner Lily Dougherty, Applicant	
<b>Zoning Violations</b>	The proposed project is seeking a Use Variance from the Board of Zoning Appeals to violate the following Zoning Ordinance(s):	
	1. ReZone, Art. 3, Sec. 3.2E & ReZone, Art. 4, Sec. 4.9F(1)a. – “Off-premise sign” use type is allowed only within the Commercial, CM and Light Industry and Employment, IN Zone Districts.	
	<b>Prohibited in Zoning Code</b>	<b>Proposed by Applicant</b>
	Establishment of “Off-premise sign” use type in Zone Districts other than CM and IN Zone Districts.	Establishing a “Off-premise sign” use type in MX-3 Zone District.
<b>Existing Zone District:</b>	Mixed-Use Transition, MX-3 Zone District	
<b>Surrounding Zone Districts:</b>	The neighboring properties to the north are located within the Mixed-Use Transition, MX-3 Zone District. The neighboring properties to the south and west are located within the Light Industry and Employment, IN Zone District. The neighboring properties to the east are located within the Central Business District, MX-5 Zone District	
<b>Companion Application(s)</b>	None	
<b>Scope of Work:</b>	There is no scope of work associated with this Use Variance until a decision is reached.	
<b>Staff Analysis:</b>	<p><b>Factors:</b></p> <ul style="list-style-type: none"> <li>- The subject site is currently vacant and underutilized with five steel posts from a previous off-premise sign. The off-premise sign was removed due to the previous approval expiring.</li> <li>- The subject site is on the corner of S West Street and W Fayette Street with an elevated railroad track on the rear. The subject site is a triangle-shaped parcel and is only 3,032 SF in area.</li> <li>- The subject site has curb-cut which suggests vehicles can drive up onto the site, however, parking is not a legal land use type at this location. The proposed plans would help preventing illegal access via installation of fences and gate.</li> <li>- There are two existing off-premise signs located on the adjacent parcel. The two existing signs on the adjacent property have expired and are subject to be abandoned and removed by the City. The proposed “off-premise sign” would set precedent for the subject site because no new off-premise sign could be established per this use type’s proximity criteria (ReZone, Art. 4, Sec. 4.9F(5)).</li> <li>- The subject site is an eyesore to the neighborhood. The majority of the site is covered by impervious pavement with no landscaping features. The proposal will replace the on-site pavement with landscaping buffers, such as shrubs and trees, along the site’s frontages on West Fayette Street and South West Street.</li> </ul>	

V-24-24

Thus, the addition of landscaping features would help beautify the site and eliminating the eyesore.

- The proposed off-premise sign will be 17 FT in height, which is the same height as the two adjacent off-premise signs.

### **Staff Analysis on the Applicant's Use Variance Criteria**

The subject site is located within the MX-3 Zone District, which permits residential, commercial, and mixed-use development and requires zero-setback. The subject property is a 3,032-square-foot, triangle-shaped lot. Due to the lot's shape, size, location, and required setbacks, the feasibility of developing any other permitted land use is limited.

#### **1. Reasonable Return Analysis**

The subject site's layout and limited size restrict site circulation for other permitted land uses. Moreover, the financial cost to prepare the site for alternative uses would be prohibitively expensive given the physical and locational constraints. Based on the applicant's submitted financial proforma, the current owner has not realized any revenue since purchasing the site in 2021 and has incurred annual maintenance costs of over \$4,000. This suggests that pursuing other permitted land uses is financially impractical and unsustainable under current market conditions.

#### **2. Unique Circumstances Analysis**

The applicant has identified several unique circumstances that support the variance request, including:

- The site's unusual shape and limited size.
- Financial infeasibility for alternative development.
- Challenges related to heavy traffic patterns.
- The site's historic use for off-premise signs.

These factors collectively establish sufficient unique circumstances. Notably, the site cannot be expanded, and its history of being utilized for off-premise signs suggests that the addition of a modern off-premise sign—incorporating enhanced landscaping and fencing—would mitigate existing conditions and discourage loitering while improving the site's aesthetics.

#### **3. Neighborhood Character Analysis**

The proposed use of an off-premise sign would have minimal impact on the surrounding neighborhood character. The site is situated in a predominantly commercial and industrial area, where off-premise signs are an allowed use per the zoning code.

According to the rendering and sign plan provided, the proposed sign's height would align with the two existing signs located on the adjacent parcel. The proposed static sign face would further minimize any potential distraction. Importantly, the project would introduce additional green space and landscaping improvements that would enhance the neighborhood's visual appeal rather than detract from it.

#### **4. Self-Created Hardship Analysis**

The requested variance is not a result of self-imposed hardship. Rather, the physical limitations of the site's size, shape, and location—combined with the 2023 adoption of a new zoning map and code—have created circumstances that preclude feasible

**V-24-24**

	development under permitted land use options.
	<p><b>Recommended conditions if approved:</b></p> <ul style="list-style-type: none"> <li>- This Use Variance shall adhere to the general use variance conditions.</li> <li>- The applicant shall obtain a zoning approval on the proposed off-premise sign and a sign permit in accordance with City regulations.</li> </ul>
<b>Zoning Procedural History:</b>	AS-89-53   Off-premise sign review to establish one off-premise sign   Approved with conditions AS-77-124   Sign waiver to paint a 600-SF wall sign   Approved with conditions AS-74-57   Off-premise sign review to maintain one off-premise sign   Approved with conditions
<b>Summary of Zoning History:</b>	The property had always been used for off-premise signs and sign related uses. In 1974, a 300-SF off-premise sign was approved to be maintained on the site. In 1977, a sign waiver was granted to paint a 600-SF wall sign for Case Supply, Inc. In 1989, a 437-SF off-premise sign was established on the site.
<b>Code Enforcement History:</b>	See attached code enforcement history.
<b>Summary of Changes:</b>	This is not a continued application.
<b>Property Characteristics:</b>	<p><b>Existing property characteristics:</b></p> <p>The lot is a triangle corner lot with 70 feet of frontage on S West St. and 88 feet of frontage on W Fayette St. The total lot size is 0.07 Acres (3032 SF). The property is vacant and covered by impervious surface.</p>
<b>SEQR Determination:</b>	Pursuant to 6 NYCRR §617.2(al), the proposal is an Unlisted Action.
<b>Onondaga County Planning Board Referral:</b>	Pursuant to GML §239-1, m and n, the proposal was reviewed by the Onondaga County Planning Board with no position.

**Application Submittals:** The application submitted the following in support of the proposed project:

- Use Variance application
- Short Environmental Assessment Form Part 1
- Location Survey on Part of Lot #1, Block #241, City of Syracuse, County of Onondaga, and State of New York. Known as #200 S. West Street. Prepared by New York State Licensed Land Surveyor Martin E. Davis. Scale: 1" = 20'. Date: 11/27/2020.
- Site Plan and Planting Plan (Sheet L-101). Prepared by QPK Design, LLP. Scale: 1"=10'. Date: 10/09/2024.
- Site Rendering.
- Sign Plan.

**Attachments:**

Use Variance Application

Short Environmental Assessment Form Part 2 &amp; Part 3

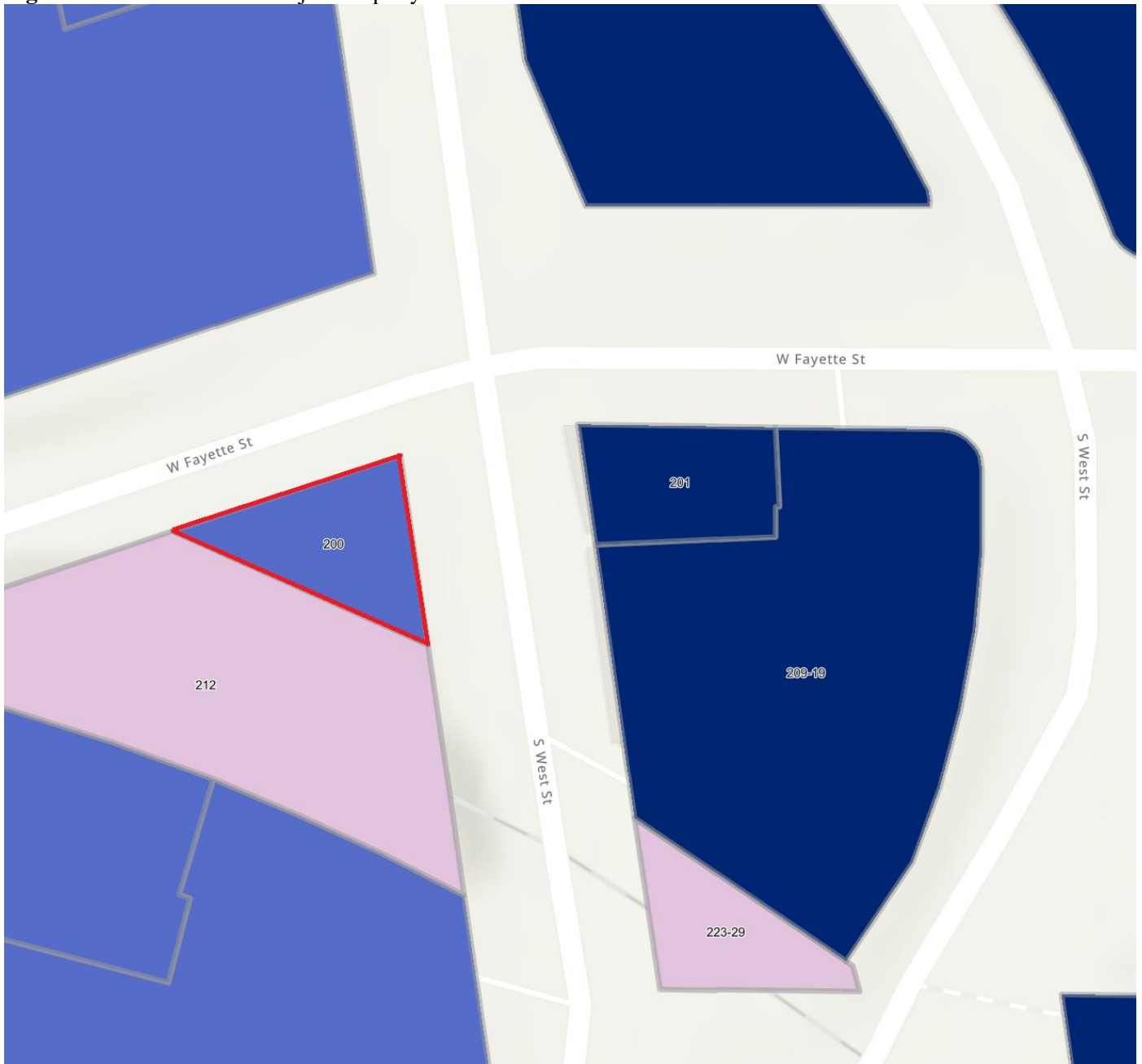
Code Enforcement History

IPS Comments from City Departments

**V-24-24**

**Context Maps:**

**Figure 1: Zone District of Subject Property**



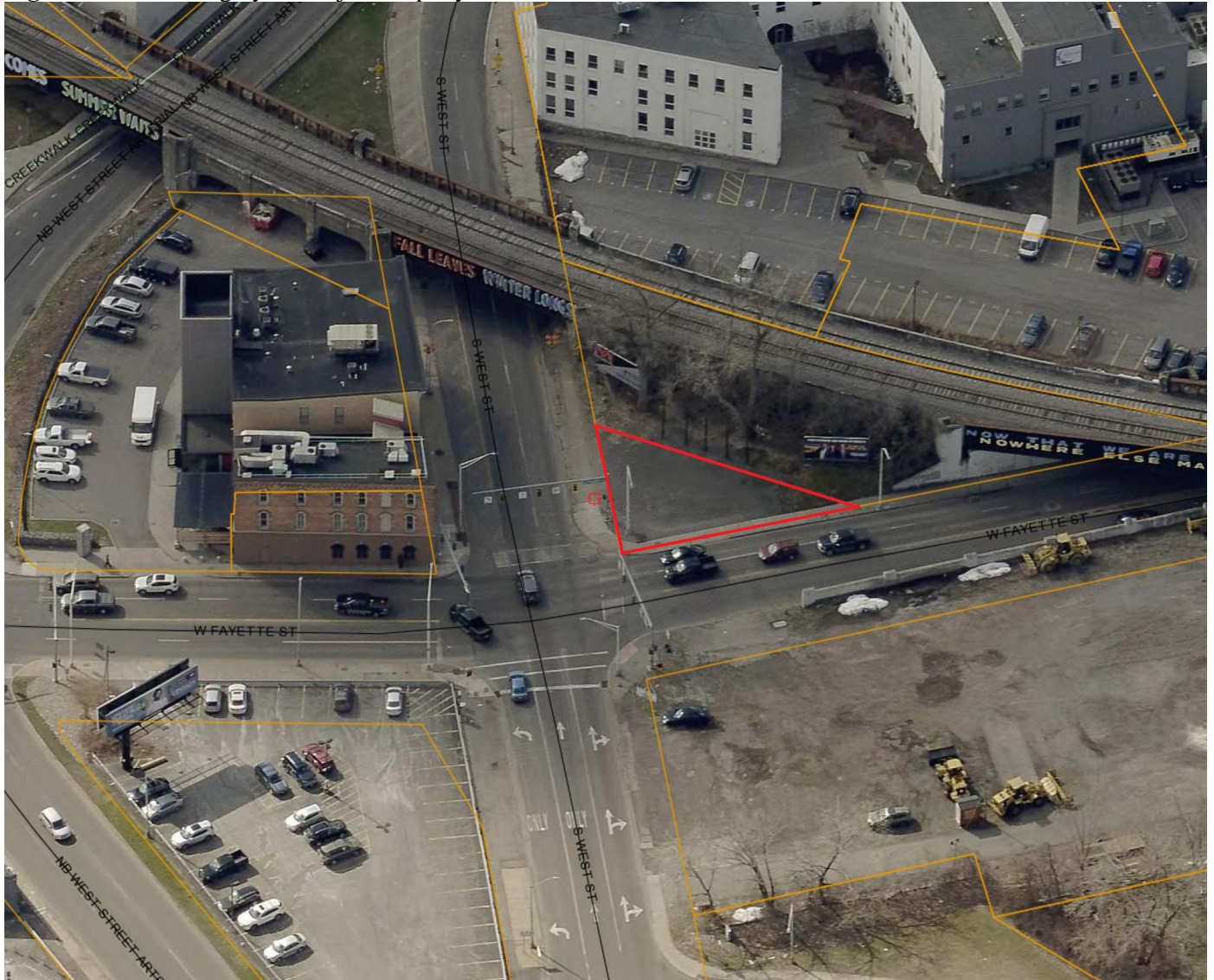
Description: Figure 1 shows the current Zone District of the subject property.

Image Source: City of Syracuse Neighborhood and Business Development, ReZone Syracuse Zoning Map.



V-24-24

Figure 2: Aerial Imagery of Subject Property



Description: Figure 2 shows satellite imagery of the subject property.  
Image Source: ConnectExplorer™, Eagle View Technology Corporation

**BRODY D. SMITH, ESQ.**

bsmith@bsk.com

P: (315) 218-8225

F: (315) 218-8100

November 21, 2024

**VIA FIRST CLASS MAIL**

City of Syracuse  
Office of Zoning Administration  
One Park Place, 300 S State St,  
Suite 700  
Syracuse, NY 13202

Re: *200 West St S & Fayette St W Use Variance Application*

To Whom It May Concern:

We submit this letter in support of the application of Case Marketing, LLC (the "Applicant") as owner and applicant for a use variance for the property located at 200 West St S & Fayette St W, Syracuse, New York 13210 (the "Property"). Enclosed please find the following documents:

1. Application for Use Variance;
2. Affidavit of Stephen F. Case;
3. Off-Premise Sign Permit Application with all required elements corresponding to Use Variance Application submittal sheet; and
4. A firm check in the amount of \$25 to cover the application fee.

**History**

The Property consists of a 0.07 acre parcel with no improvements. The Applicant purchased the Property for \$25,000 in April of 2021. Currently vacant and unoccupied, the Property has been underutilized ever since.

The intention of this application is to obtain approval for the Applicant's proposed use of a billboard on the Property for advertising and marketing purposes. The billboard would be placed on pre-existing posts already located on the Property. The billboard will contribute to the vibrancy of the neighborhood and will support local businesses within the greater Syracuse area by providing advertising and marketing opportunities.

Office of Zoning Administration  
November 20, 2024  
Page 2

### Current Zoning

The Property is located in the Mixed-Use Transition zoning district (MX-3). The primary uses permitted in this district are articulated in the affidavit of Stephen P. Case. With the Property's unique and small configuration, economically viable uses of the Property are already restricted, without the limitations on permitted use imposed under the MX-3 zoning classification. As set forth in the affidavit of Stephen P. Case, the Property is not suited for any use permitted in the MX-3 district.

### Use Variance

As you are aware, a use variance should be granted upon a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. Town Law § 267-b(2)(b). When deciding whether to grant a use variance, the Zoning Administration should consider the following factors:

- 1) That the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
- 2) That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
- 3) That the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- 4) That the alleged hardship has not been self-created.

Town Law § 267-b(2)(b). Each of these factors is addressed in the Affidavit of Stephen P. Case.

Through the submission of these materials and with the Applicant having established that each of the four factors above are satisfied, the Applicant has demonstrated that the MX-3 zoning classification poses unnecessary hardship and a use variance should be granted.

Very truly yours,

BOND, SCHOENECK & KING, PLLC



Brody D. Smith  
Member

BDS/ci  
Enclosures

1



## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syr.gov.net

### Summary of Variance Procedure

The variance procedure is summarized below. For complete details, see Sections 7.3 and 7.5.A of the Zoning Ordinance.

<b>1</b>	<b>Pre-Application Conference</b>	<i>Required</i>	
<b>2</b>	<b>Application Submittal and Processing</b>	<i>Submit to Office of Zoning Administration</i>	<b>Submittal and Internal Review</b>
<b>3</b>	<b>Staff Review and Action</b>	<i>Review by Office of Zoning Administration</i>	
<b>4</b>	<b>Scheduling and Notice of Public Hearings</b>	<i>Public hearing required for Board of Zoning Appeals</i>	<b>Hearings and Decision-Making</b>
<b>5</b>	<b>Review and Decision</b>	<i>Review and decision by Board of Zoning Appeals</i>	
<b>6</b>	<b>Post-Decision Actions and Limitations</b>	<i>Variance expires after one year (unless extension granted)</i>	

#### 1. Pre-Application Conference

- Opportunity for the applicant to meet with Zoning staff to review applicable submittal requirements, identify applicable procedures, and identify any issues associated with the proposed development

#### 2. Application Submittal and Processing

- Submit to Office of Zoning Administration along with applicable fees

#### 3. Staff Review and Action

- Applications are not considered complete until all required submittals are received
- Includes evaluation of the application under the State Environmental Quality Review Act (SEQR)

#### 4. Scheduling and Notice of Public Hearings

- Once an application is determined ready for a public hearing, it will be scheduled for the next available hearing date with the Board of Zoning Appeals
- Notice of hearing mailed to applicant (and representative, if any), approximately 10 days prior to hearing
- Unless otherwise notified, all public hearings are held at 1:00 p.m. in Common Council Chambers on the third floor of City Hall

#### 5. Review and Decision

- Decision shall be based only on the record of the public hearing and reduced to writing
- Decision is not final until a written resolution is adopted by the Board of Zoning Appeals and filed with the secretary to the Board

#### 6. Post-Decision Actions and Limitations

- Variance expires if the authorized use or construction has not obtained all necessary building permits within one year of approval or an extension is granted
- All conditions of the variance approval must be met within 18 months

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syrgov.net

### Summary of Variance Procedure (cont.)

**What is a variance and when is a variance needed for my project?** If your project is not expressly allowed under the current zoning ordinance you may seek a variance from the City of Syracuse Board of Zoning Appeals. A zoning variance is an exception to a zoning ordinance that may be granted by the Board of Zoning Appeals on a case-by-case basis. Depending on the nature of the proposed project an applicant will be required to apply for either a use or an Area Variance. The evidence burden for the approval of a variance is on the applicant. Therefore the applicant should provide any evidence that may support their claim. Evidence may include financial records and estimates and detailed explanations, supported by evidence, of the nature of the project and its potential effect on the community.

A **Use Variance** is required to permit a use of land that is otherwise prohibited by the local zoning ordinance. Here, the applicant must seek permission from the Board of Zoning appeals to use the property in a manner that is not permitted in their zoning district.

#### *Use Variance Approval Criteria*

In making its determination the Board of Zoning Appeals must find that the applicant meets all of the criteria to demonstrate an unnecessary hardship on the property. A Use Variance cannot be granted without a showing by the applicant that applicable requirements of this Ordinance have caused unnecessary hardship. In order to prove unnecessary hardship, the applicant meet the requirements of New York General City Law, which requires the applicant to demonstrate that, for each and every allowed use under the zone district in which the property is located: (if the use variance is granted)

- The applicant must prove that the property is unable to achieve a reasonable return for any use allowed in that zone district;
- The applicant must prove that unique circumstances apply to the property for which the variance is requested;
- The applicant must prove that the hardship is not self-created; and
- The applicant must prove that the essential character of the neighborhood will not be altered.

Generally, the necessity for a Use Variance is more difficult to prove than the necessity for an Area Variance because all the above criteria must be proven in order to permit the Board to approve an application.

An **Area Variance** is required for a use of land in a manner that is allowable under the local zoning ordinance, but which is not allowed by the dimensional or physical requirements of the applicable zoning regulations. One seeks an area variance to seek relief from hardship created by the strict application of the zoning code.

#### *Area Variance Approval Criteria*

In making its determination, the Board of Zoning Appeals will take into consideration 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 by such grant. In making such determination the board shall also consider:

- 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;
- whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an Area Variance;
- whether the requested Area Variance is substantial;
- whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Zoning Appeals and shall not necessarily preclude the granting of the Area Variance.

The board of appeals, in the granting of Area Variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

## Variance Application

**For Office Use Only**

Zoning District: \_\_\_\_\_  
 Application Number: V-\_\_\_\_\_-\_\_\_\_\_  
 Date: \_\_\_\_\_

Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syr.gov.net

**Variance Application**

*This application may be emailed, or mailed, or delivered in person to the Syracuse Office of Zoning Administration. Do not bind application materials. Faxed submissions will not be processed. **Email submissions must be packaged together in a single PDF with all applicable materials, please call if you want to discuss another electronic delivery method.** If you wish to discuss the application with a member of our staff, please call ahead for an appointment.*

**General Project Information**

Business/project name: Case Marketing, LLC		
Street address (as listed in the Syracuse Department of Tax Assessment property tax records): 200 West St S & Fayette St W		
Lot numbers:	Block number:	Lot size (sq. ft.) 3,030
Current use of property: None	Proposed: Billboard	
Current number of dwelling units (if applicable): N/A	Proposed:	
Current hours of operation (if applicable): N/A	Proposed:	
Current onsite parking (if applicable): N/A	Proposed:	
Zoning (base and any overlay) of property: Code: 015 (MX-3: Mixed Use Transition)		
Companion zoning applications (if applicable, list any related zoning applications):		
Project construction (check all that apply): <input type="checkbox"/> Demolition (full or partial) <input type="checkbox"/> New construction <input type="checkbox"/> Exterior alterations <input type="checkbox"/> Site changes		
Variance requested (check one and cite the section of the Zoning Ordinance that a variance is requested): <input checked="" type="checkbox"/> Use variance <input type="checkbox"/> Area variance		
Nature and extent of variance requested (attach additional pages if necessary): We would like to request use of the property as a billboard for marketing purposes.		



## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
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 Syracuse, NY 13202  
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**Owner/Owner's Agent Certification**

By signing this application below, I, as the owner of the property under review give my endorsement of this application.

**Print owner's name:** Stephen Case

Signature:

Date: 11/20/2024

Mailing address: 155 Xavier Cir Syracuse, NY 13210

**Print authorized agent's name:** Lily Dougherty

Date: 11/20/2024

Signature:

Mailing address: 109 Academy St Fayetteville, NY 13066

The names, addresses, and signatures of all owners of the property are required. Please attach additional sheets as needed. **If a property owner designates an authorized agent as a legal representative to apply on their behalf or to present the project at the City Planning Commission, please attach an executed power of attorney.** Faxed or photocopied signatures will not be accepted.

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
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### Use Variance Test

*A Use Variance is permission to establish a land use that is not allowed by the Zoning Rules and Regulations, as amended. New York State law requires applicants to prove that this has caused an unnecessary hardship using all of the four tests below (see [https://www.dos.ny.gov/lg/publications/Zoning Board of Appeals.pdf](https://www.dos.ny.gov/lg/publications/Zoning_Board_of_Appeals.pdf) for more information).*

*Briefly describe below how each of the required Use Variance tests is met and attach all supporting materials.*

#### 1. Reasonable Return

Describe how the property is unable to achieve a reasonable return for any use allowed in that zoning district (actual "dollars and cents" proof must be submitted).

The lot as it currently stands could not achieve any return as it is currently zoned. Due to the small size, layout, and proximity of the property to high traffic roads, the lot is not suitable for use as a parking lot, or for any other use currently allowed by the zoning. The property was purchased for \$25,000.00 and is able to make \$0.00 with its current zoning. Use under the current zoning incurs a financial loss. Use of a billboard on the property would allow for a return on investment.

#### 2. Unique Circumstances

Describe that unique circumstances apply to the property for which the variance is requested.

The property's small size and abnormal layout makes it unsuitable for any use other than a billboard. The location is also adjacent to high-traffic roads, which also contributes to it being unsuitable for other uses. Historically, this site has been used for a billboard, evidenced by the existing posts.

#### 3. Neighborhood Character

Describe the variance, if granted, the essential character of the neighborhood will not be altered.

The area surrounding this property includes various commercial establishments. The proposed billboard will be aesthetically designed and maintained to align with community standards, ensuring it complements rather than detracts from the area. Landscaping will also be added to the land around the billboard, helping to beautify the neighborhood. Moreover, it will contribute to the vibrancy of the neighborhood by providing advertising opportunities for local businesses.

#### 4. Self-Created Hardship

Describe how the hardship is not self-created.

The property was bought exactly as it is today with the billboard posts where they currently stand. The rezoning of the area caused the parcel to change zoning classifications to one that no longer supports the use of a billboard.

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
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### Area Variance Test

*An Area Variance is permission to build in a portion of the property that is otherwise restricted by the Zoning Rules and Regulations, as amended. New York State law requires applicants to prove that the potential benefit of an Area Variance will outweigh any burden to community health, safety, and welfare through a five-part balancing test (see [https://www.dos.ny.gov/lq/publications/Zoning Board of Appeals.pdf](https://www.dos.ny.gov/lq/publications/Zoning_Board_of_Appeals.pdf) for more information).*

*Briefly describe below how an Area Variance would affect the community using the following five tests and attach all supporting materials.*

#### 1. Neighborhood Character

Describe 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.

#### 2. Feasibility of Alternatives

Describe whether the benefit sought by the applicant can be achieved by some other method that will be feasible for the applicant to pursue, other than an area variance.

#### 3. Substantiality

Describe whether the requested area variance is substantial.

#### 4. Adverse Effect

Describe whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

#### 5. Self-Created Difficulty

Describe whether an alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
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 Syracuse, NY 13202  
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### Required Submittal Sheet

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

*Please submit one copy of each of the following:*

- APPLICATION** – filled out completely, dated, and signed by property owner as instructed.
- DENIAL OF PERMIT** – provided by the City of Syracuse Central Permit Office at 315-448-8600.
- STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR)** – Short Environmental Assessment Form (SEAF) Part One filled out to the best of your ability, dated, and signed.
- PHOTOGRAPHS (COLOR) of the PROJECT SITE** – keyed to a property survey or site plan.
- PHOTOGRAPHS (COLOR) of the STREETScape** – including properties adjacent to and across the street from the project site, labeled with addresses and keyed to a property survey or site plan.
- APPLICATION FEE** – \$25 for Area Variance and Use Variance issued to the Commissioner of Finance.

*Please submit three full sized and one no larger than 11x17" of all of the plans listed below (all plans must include a title block with author, date, scale, and the Property Tax Assessment address, and must be an accurate graphic representation of all pertinent information that can be correctly interpreted by any person without additional explanation.*

- AS BUILT PROPERTY SURVEY(S)** of all involved properties illustrating boundaries and current conditions including structures, fencing, parking surface, and retaining walls (signed and stamped by a licensed surveyor)
- SITE PLAN(S)** illustrating site alterations and post project conditions that are/will be different from the as built property survey including:
  - Zoning (density, setbacks, bldg. and parking surface coverage, screening) and onsite parking requirements
  - Demolitions and post demolition conditions
  - Structures
  - Parking areas including surface type, dimensioned spaces, number of spaces, traffic patterns, and coverage
  - Loading dock and delivery areas
  - Dumpsters and/or trash receptacles
  - Landscaping including type, height, and number of plantings
  - Screening including parking, dumpsters, and site
  - Fencing including type and height
  - Lighting including structure heights and luminaries wattage
  - Ground signs
  - Street rights-of-way conditions, existing and proposed, including curb cuts, driveways, sidewalks, and plantings
  - Encroachments, existing or proposed, into the City rights-of-way including stairs, signs, and awning
- FLOOR PLANS** for new construction, additions, and change of zoning use/building occupancies with square footages and all applicable layouts (e.g., customer areas, kitchens, bathrooms, bedrooms, etc.) clearly labeled for land uses.
- EXTERIOR BUILDING ELEVATIONS** with all dimensions, materials, and colors clearly illustrated and noted. (Schematics or color renderings can be submitted in addition to elevation drawings, if available.)

2

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In the Matter of the Use Variance Application of:

Case Marketing, LLC  
155 Xavier Cir.  
Syracuse, New York 13202

---

**AFFIDAVIT OF  
STEPHEN F. CASE**

Stephen F. Case, being duly sworn, deposes and says:

1. My name is Stephen F. Case, and I am a Licensed Real Estate Broker authorized to practice in the State of New York.

2. I have been engaged in the real estate business since 2011, when I began leasing commercial and residential real estate. In 2014, I transitioned to a role as Senior Leasing Director with Paramount Realty Group which consisted of brokering commercial and residential real estate transactions, as well as redevelopment projects. In 2015, I assumed my current role as Owner and Real Estate Agent with Acropolis Development, LLC and in 2018 with Acropolis Realty Group.

3. I am experienced in all aspects of the real estate business, both residential and commercial. Since 2011 I have facilitated the sale and/or lease of numerous commercial properties involving transactions of various sizes. I am familiar with the commercial real estate market, particularly that of the greater Syracuse area as I have lived and worked here for most of my life.

4. I submit this affidavit in support of the use variance application submitted to the City of Syracuse Office of Zoning Administration by Case Marketing, LLC ("CM") for the property located at 200 West St. S & Fayette St. W, Syracuse, New York 13210, tax map number 100.-06-03.0 (the "Property"). The use variance application is attached hereto as **Exhibit A**.

5. It is my understanding that, if granted, the use variance would allow CM to operate a billboard on the Property for advertising and marketing purposes. A brief recitation of the Property's history will shed light on why the issuance of a use variance is so appropriate.

6. The Property is currently owned by CM. The Property consists of a 0.07± acres parcel of land with no improvements. As the Property currently sits, there are poles in place to accommodate a billboard. The Property's small size and unique layout makes it unsuitable for any other use. Photographs of the layout of the Property and the billboard posts are attached hereto as **Exhibit B**, and **Exhibit C**, respectively.

7. Upon information and belief, the Property was initially classified as 330 – Vacant commercial before its sale to Dunk & Bright Furniture Co., Inc. in 2009. Upon that transaction, the Property was classified as 474 – Billboard before receiving its current classification as 438 – Parking lot in the two transactions immediately preceding CM's purchase of the Property. Please see the Property Description Report attached hereto as **Exhibit D**.

8. Upon information and belief, since the sale of the Property in 2009, the Property has not been in use and continues to sit idle in its unoccupied state. As detailed further below, it has produced no revenue to date and is a drain on the resources of CM. A copy of CM's maintenance costs and other expenses is attached hereto as **Exhibit E**.

9. On April 16, 2021, the Property was purchased by CM for \$25,000. This breaks down to \$4.09 per square foot.

10. The Property is currently zoned as Mixed-Use Transition ("MX-3") under the City of Syracuse Zoning Ordinance (the "Code"). While there are numerous uses permitted as of right within this zoning district for the Property, none of them are practical or even possible given the nature of the Property. The residential uses permitted as of right in the MX-3 district include all



household living uses, except for a single unit attached dwelling, and as a boarding or rooming house. The public, institutional, and civic uses permitted as of right in the MX-3 district include all uses listed except as a hospital. The commercial uses permitted as of right in the MX-3 district include community garden; animal grooming and day care; veterinary hospital; day care center; family day care; private recreation club; all uses in the food and beverage use category except for a bar or nightclub, all lodging uses; all office and professional service uses; all personal services uses; all retail sales uses except for food and beverage retail and commercial greenhouse, or plant nursery; and automobile showroom. The industrial uses permitted as of right in the MX-3 district include research and innovation; artisan manufacturing; antenna or communication tower; and minor utility.

11. As explained in more detail below, the Property is unfit for any of these uses.

12. Use of the Property for any of the permitted uses listed under the Code is unrealistic because the Property is only 0.07 acres in size. The configuration of the neighborhood is also not conducive to any of the permitted uses under the Code. As described above and portrayed by the photographs in **Exhibits B** and **C**, the Property is located at the corner of a busy intersection with heavy traffic. Upon information and belief, the Property's configuration and design has not changed in many years. This is further unlikely to change given the presence of railroad tracks and busy streets that surround the Property. The conversion of the small empty lot to any of the permitted uses is both impractical and dangerous given the immediate surrounding area. Simply put, the Property does not have enough space, nor road frontage to accommodate any of the permitted uses for a MX-3 Zoning District under the Code.

13. Under the Property's existing zoning, no permissible use of the Property will yield a reasonable return.

14. None of the listed permitted uses are practical due to the physical constraints of the Property. Given its size, structure, and configuration, the Property is ill suited to any use for which a reasonable return could be expected under the current zoning.

15. Zoned as MX-3, the Property is unable to accommodate any of the listed permitted uses unless a use variance is granted. Due to the Property's small size and irregular layout, it is unable to comply with the applicable setback requirements under the Code to accommodate any of the permitted uses. Namely, the rear and side setback requirements under the Code. The Property therefore lacks the requisite building envelope in order to construct any structures to accommodate any of the permitted uses. Any expansion of the Property is not practical in this situation either, given the existence of railroad tracks that run behind the Property and busy streets that border the other sides, preventing any further accumulation or expansion of land.

16. **It is my expert opinion that without a variance the Property has no value.**

17. CM's interest in the Property stems from its desire to erect a billboard on the pre-existing poles to generate revenue for advertising and marketing purposes. Because this is not a permitted use under the current zoning, CM has submitted an application for a use variance to the City of Syracuse Office of Zoning Administration.

18. CM's purchase of the Property for \$25,000 indicates the low economic value that the Property possesses in its current form and under its current zoning classification. This is also shown through the Property's transaction history. Any transactions which occurred after 1987 were equal to \$25,000 or less, with multiple not at arm's length. Please see **Exhibit D**. To date, the Property has produced no income, and CM has incurred over \$4,000 in expenses over that time period. Please see **Exhibit E**.

19. The unique configuration of the Property precludes a reasonable rate of return from any conforming uses. That it lacks any improvements and measures in at an insignificant 3,032± square feet makes the Property ill-suited for any use allowed under the current zoning.

20. To date, there has been little interest in making continued use of the Property for any of the permitted uses under the Code. The prior classifications of the Property underscore this fact. Upon information and belief, throughout its history, the Property has only been classified as vacant commercial, billboard, or parking lot. The awkward configuration of the Property, small capacity for parking of any motor vehicles, and its location at a busy intersection make its use as a parking lot impractical, potentially unsafe, and any return on an investment for this use would be non-existent.

21. Upon information and belief, CM has had no need for the Property as a parking lot. In its current state, CM cannot realize any return on the Property without the granting of a use variance or by selling it entirely. This is underscored by the fact that CM has realized no revenue from the Property since it was acquired and has even suffered a loss in the form maintenance and other expenses related to the Property. Please see the attached **Exhibit E**.

22. Indeed, the Property's current zoning classification has prevented CM from earning *any* profit and the proposed use as a billboard would allow CM a reasonable return on investment through advertising revenue.

23. CM has taken no action to create this hardship itself. CM came to the Property as is and has played no part in any creation of hardship. There have been no changes or alterations to the Property since it was acquired by CM. The zoning of the area encompassing the Property shoehorns the Property into an area that does not support the use of a billboard.

24. The hardship is unique. The size, structure, and configuration of the lot are evidence of the Property's uniqueness. Its particular features along with its restrictive zoning classification limit a reasonable return and cause the inability to use it in a conforming manner. The current zoning classification impedes the use of the Property in a way permitted under the current zoning, while at the same time preventing use of the Property for a billboard. As the Property is unlike any other in the neighborhood or district, the problems hindering its productive use are not shared among the other properties in the neighborhood.

25. The proposed variance will not create undesirable change in the character of the neighborhood. The Property is located in an area predominantly used for commercial development, along with various scattered parking and vacant lots. The Property is located within the MX-3 zoning district and borders the MX-5 zoning district. Rather than continuing to let it sit vacant and slowly become an eyesore within the community, the installment of a billboard will bring the underutilized Property new life. This will involve very little change to the neighborhood as the Property has been historically used for the placement of a billboard as evidenced by the billboard posts located on the Property. The only other changes foreseen at this point in time would be the planting of green space and plants to beautify the Property. Please see a copy of the Off-Premise Sign Permit Application attached as **Exhibit F** hereto. The use of the Property as a billboard would also be consistent with other billboards immediately adjacent to and diagonally across from the Property.

26. CM cannot realize a return on investment unless the use variance application it has submitted is approved.

  
\_\_\_\_\_  
Stephen F. Case

Sworn to before me this  
20 day of November, 2024.

**CONNOR C. INGERSON**  
Notary Public, State of New York  
Qualified in Onondaga Co., No. 011N0023424  
My Commission Expires April 11, 2028

\_\_\_\_\_  
Notary Public

# Exhibit A

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syr.gov.net

### Summary of Variance Procedure

The variance procedure is summarized below. For complete details, see Sections 7.3 and 7.5.A of the Zoning Ordinance.

<b>1</b>	<b>Pre-Application Conference</b>	<i>Required</i>	
<b>2</b>	<b>Application Submittal and Processing</b>	<i>Submit to Office of Zoning Administration</i>	<b>Submittal and Internal Review</b>
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- Opportunity for the applicant to meet with Zoning staff to review applicable submittal requirements, identify applicable procedures, and identify any issues associated with the proposed development

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- Submit to Office of Zoning Administration along with applicable fees

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- Applications are not considered complete until all required submittals are received
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- Decision shall be based only on the record of the public hearing and reduced to writing
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- Variance expires if the authorized use or construction has not obtained all necessary building permits within one year of approval or an extension is granted
- All conditions of the variance approval must be met within 18 months



## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
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### Summary of Variance Procedure (cont.)

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#### *Use Variance Approval Criteria*

In making its determination the Board of Zoning Appeals must find that the applicant meets all of the criteria to demonstrate an unnecessary hardship on the property. A Use Variance cannot be granted without a showing by the applicant that applicable requirements of this Ordinance have caused unnecessary hardship. In order to prove unnecessary hardship, the applicant meet the requirements of New York General City Law, which requires the applicant to demonstrate that, for each and every allowed use under the zone district in which the property is located: (if the use variance is granted)

- The applicant must prove that the property is unable to achieve a reasonable return for any use allowed in that zone district;
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#### *Area Variance Approval Criteria*

In making its determination, the Board of Zoning Appeals will take into consideration 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 by such grant. In making such determination the board shall also consider:

- 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;
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- whether the requested Area Variance is substantial;
- whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Zoning Appeals and shall not necessarily preclude the granting of the Area Variance.

The board of appeals, in the granting of Area Variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

## Variance Application



## For Office Use Only

Zoning District: \_\_\_\_\_  
 Application Number: V- \_\_\_\_\_ - \_\_\_\_\_  
 Date: \_\_\_\_\_

Office of Zoning Administration  
 One Park Place, 300 S State St,  
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 Email: zoning@syrgov.net

## Variance Application

*This application may be emailed, or mailed, or delivered in person to the Syracuse Office of Zoning Administration. Do not bind application materials. Faxed submissions will not be processed. **Email submissions must be packaged together in a single PDF with all applicable materials, please call if you want to discuss another electronic delivery method.** If you wish to discuss the application with a member of our staff, please call ahead for an appointment.*

## General Project Information

Business/project name: Case Marketing, LLC		
Street address (as listed in the Syracuse Department of Tax Assessment property tax records): 200 West St S & Fayette St W		
Lot numbers:	Block number:	Lot size (sq. ft.) 3,030
Current use of property: None	Proposed: Billboard	
Current number of dwelling units (if applicable): N/A	Proposed:	
Current hours of operation (if applicable): N/A	Proposed:	
Current onsite parking (if applicable): N/A	Proposed:	
Zoning (base and any overlay) of property: Code: 015 (MX-3: Mixed Use Transition)		
Companion zoning applications (if applicable, list any related zoning applications):		
Project construction (check all that apply): <input type="checkbox"/> Demolition (full or partial) <input type="checkbox"/> New construction <input type="checkbox"/> Exterior alterations <input type="checkbox"/> Site changes		
Variance requested (check one and cite the section of the Zoning Ordinance that a variance is requested): <input checked="" type="checkbox"/> Use variance <input type="checkbox"/> Area variance		
Nature and extent of variance requested (attach additional pages if necessary): We would like to request use of the property as a billboard for marketing purposes.		

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syrgov.net

**Owner/Owner's Agent Certification**

By signing this application below, I, as the owner of the property under review give my endorsement of this application.

**Print owner's name:** Stephen Case

Signature:

Date: 11/20/2024

Mailing address: 155 Xavier Cir Syracuse, NY 13210

**Print authorized agent's name:** Lily Dougherty

Date: 11/20/2024

Signature:

Mailing address: 109 Academy St Fayetteville, NY 13066

The names, addresses, and signatures of all owners of the property are required. Please attach additional sheets as needed. **If a property owner designates an authorized agent as a legal representative to apply on their behalf or to present the project at the City Planning Commission, please attach an executed power of attorney.** Faxed or photocopied signatures will not be accepted.

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syr.gov.net

### Use Variance Test

*A Use Variance is permission to establish a land use that is not allowed by the Zoning Rules and Regulations, as amended. New York State law requires applicants to prove that this has caused an unnecessary hardship using all of the four tests below (see [https://www.dos.ny.gov/lq/publications/Zoning\\_Board\\_of\\_Appeals.pdf](https://www.dos.ny.gov/lq/publications/Zoning_Board_of_Appeals.pdf) for more information).*

*Briefly describe below how each of the required Use Variance tests is met and attach all supporting materials.*

#### 1. Reasonable Return

Describe how the property is unable to achieve a reasonable return for any use allowed in that zoning district (actual "dollars and cents" proof must be submitted).

The lot as it currently stands could not achieve any return as it is currently zoned. Due to the small size, layout, and proximity of the property to high traffic roads, the lot is not suitable for use as a parking lot, or for any other use currently allowed by the zoning. The property was purchased for \$25,000.00 and is able to make \$0.00 with its current zoning. Use under the current zoning incurs a financial loss. Use of a billboard on the property would allow for a return on investment.

#### 2. Unique Circumstances

Describe that unique circumstances apply to the property for which the variance is requested. The property's small size and abnormal layout makes it unsuitable for any use other than a billboard. The location is also adjacent to high-traffic roads, which also contributes to it being unsuitable for other uses. Historically, this site has been used for a billboard, evidenced by the existing posts.

#### 3. Neighborhood Character

Describe the variance, if granted, the essential character of the neighborhood will not be altered. The area surrounding this property includes various commercial establishments. The proposed billboard will be aesthetically designed and maintained to align with community standards, ensuring it complements rather than detracts from the area. Landscaping will also be added to the land around the billboard, helping to beautify the neighborhood. Moreover, it will contribute to the vibrancy of the neighborhood by providing advertising opportunities for local businesses.

#### 4. Self-Created Hardship

Describe how the hardship is not self-created. The property was bought exactly as it is today with the billboard posts where they currently stand. The rezoning of the area caused the parcel to change zoning classifications to one that no longer supports the use of a billboard.



## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syrgov.net

### Area Variance Test

*An Area Variance is permission to build in a portion of the property that is otherwise restricted by the Zoning Rules and Regulations, as amended. New York State law requires applicants to prove that the potential benefit of an Area Variance will outweigh any burden to community health, safety, and welfare through a five-part balancing test (see [https://www.dos.ny.gov/lg/publications/Zoning\\_Board\\_of\\_Appeals.pdf](https://www.dos.ny.gov/lg/publications/Zoning_Board_of_Appeals.pdf) for more information).*

*Briefly describe below how an Area Variance would affect the community using the following five tests and attach all supporting materials.*

#### 1. Neighborhood Character

Describe 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.

#### 2. Feasibility of Alternatives

Describe whether the benefit sought by the applicant can be achieved by some other method that will be feasible for the applicant to pursue, other than an area variance.

#### 3. Substantiality

Describe whether the requested area variance is substantial.

#### 4. Adverse Effect

Describe whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

#### 5. Self-Created Difficulty

Describe whether an alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

## Variance Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syr.gov.net

### Required Submittal Sheet

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

*Please submit one copy of each of the following:*

- APPLICATION** – filled out completely, dated, and signed by property owner as instructed.
- DENIAL OF PERMIT** – provided by the City of Syracuse Central Permit Office at 315-448-8600.
- STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR)** – Short Environmental Assessment Form (SEAF) Part One filled out to the best of your ability, dated, and signed.
- PHOTOGRAPHS (COLOR) of the PROJECT SITE** – keyed to a property survey or site plan.
- PHOTOGRAPHS (COLOR) of the STREETScape** – including properties adjacent to and across the street from the project site, labeled with addresses and keyed to a property survey or site plan.
- APPLICATION FEE** – \$25 for Area Variance and Use Variance issued to the Commissioner of Finance.

*Please submit three full sized and one no larger than 11x17" of all of the plans listed below (all plans must include a title block with author, date, scale, and the Property Tax Assessment address, and must be an accurate graphic representation of all pertinent information that can be correctly interpreted by any person without additional explanation.*

- AS BUILT PROPERTY SURVEY(S)** of all involved properties illustrating boundaries and current conditions including structures, fencing, parking surface, and retaining walls (signed and stamped by a licensed surveyor)
- SITE PLAN(S)** illustrating site alterations and post project conditions that are/will be different from the as built property survey including:
  - Zoning (density, setbacks, bldg. and parking surface coverage, screening) and onsite parking requirements
  - Demolitions and post demolition conditions
  - Structures
  - Parking areas including surface type, dimensioned spaces, number of spaces, traffic patterns, and coverage
  - Loading dock and delivery areas
  - Dumpsters and/or trash receptacles
  - Landscaping including type, height, and number of plantings
  - Screening including parking, dumpsters, and site
  - Fencing including type and height
  - Lighting including structure heights and luminaries wattage
  - Ground signs
  - Street rights-of-way conditions, existing and proposed, including curb cuts, driveways, sidewalks, and plantings
  - Encroachments, existing or proposed, into the City rights-of-way including stairs, signs, and awning
- FLOOR PLANS** for new construction, additions, and change of zoning use/building occupancies with square footages and all applicable layouts (e.g., customer areas, kitchens, bathrooms, bedrooms, etc.) clearly labeled for land uses.
- EXTERIOR BUILDING ELEVATIONS** with all dimensions, materials, and colors clearly illustrated and noted. (Schematics or color renderings can be submitted in addition to elevation drawings, if available.)

# Exhibit B





P Fayette/West Street Lot

Warehouse Fayette St Lot (WHFS) P

Billboard #3

The Property

Billboard #1

Studio Central Post Bread

W Fayette St

S West St

Billboard #2

122

122

200

212

212

405

Good

# Exhibit C





**Pre-existing Billboard Posts**

# Exhibit D



# Property Description Report For: 200 West St S & Fayette St W, Municipality of City of Syracuse

No Photo Available

**Status:** Active  
**Roll Section:** Taxable  
**Swis:** 311500  
**Tax Map ID #:** 100.-06-03.0  
**Property #:** 0895001200  
**Property Class:** 438 - Parking lot  
**Site:** COM 1  
**In Ag. District:** No  
**Site Property Class:** 438 - Parking lot  
**Zoning Code:** 015  
**Neighborhood Code:** 15790  
**School District:** Syracuse  
**Total Assessment:** 2024 - \$21,100  
  
**Property Desc:** Lot P 1 Bl 241 70x88 Triang Vac/blbrd  
**Deed Page:** 31424  
**Grid North:** 1111010

**Total Acreage/Size:** 70 x 88  
**Land Assessment:** 2024 - \$15,100  
**Full Market Value:** 2024 - \$33,760  
**Equalization Rate:** ----  
  
**Deed Book:** 2023  
**Grid East:** 613298

## Owners

Case Marketing, LLC  
 155 Xavier Cir  
 Syracuse NY 13210

## Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book and Page
9/20/2023	\$1	438 - Parking lot	Land Only	201 West Street LLC	No	No	No	2023/31424
4/16/2021	\$25,000	438 - Parking lot	Land & Building	D & B Industries 2,LLC	Yes	Yes	No	2021/17077
11/6/2009	\$1	474 - Billboard	Land Only	Dunk & Bright Furn Co Inc	No	No	No	5111/124
4/29/1991	\$1	330 - Vacant comm	Land Only	Gateway, Associates	Yes	No	No	3693/172
7/28/1989	\$180,000	330 - Vacant comm	Land Only	Dunk	Yes	Yes	Yes	3551/156
7/30/1987	\$750	330 - Vacant comm	Land Only	Unknown	No	No	No	3372/300

## Utilities

**Sewer Type:** Comm/public      **Water Supply:** Comm/public  
**Utilities:** Gas & elec

### Inventory

**Overall Eff Year Built:** **Overall Condition:** Normal  
**Overall Grade:** **Overall Desirability:** 3

### Buildings

AC%	Sprinkler%	Alarm%	Elevators	Basement Type	Year Built	Eff Year Built	Condition	Quality	Gross Floor Area (sqft)	Stories	Num Indent Bldgs
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### Improvements

Structure	Size	Grade	Condition	Year
-----------	------	-------	-----------	------

### Special Districts for 2024

Description	Units	Percent	Type	Value
SKC02-Com NW Sidewalk	1	0%		0
FL001-Sweeping	88	0%		0
CSW13-Onon Co San No Unit	0	0%		0
CWR40-County water	0	0%		0
WF001-Water Frontage-V	70	0%		0

### Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
------	-------------	--------	----------	----------	--------	--------	--------	-------

### Taxes

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

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

# Exhibit E



## 200 West Street Proforma

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Purchase Price                   \$ 25,000.00

	Monthly	Annual
<b><u>Income</u></b>		
Billboard Rental	\$ -	\$ -
<b><u>Expenses</u></b>		
Interest on Cost of Capital	\$ 166.67	\$ 2,000.00 (Pathfinder LOC at 8%)
Maintenance	50	\$ 600.00
City/School Taxes	\$ 71.00	\$ 851.96
County Taxes	\$ 19.55	\$ 234.57
Insurance	\$ 41.67	\$ 500.00
<b>Total Expenses</b>	<b>\$ 348.88</b>	<b>\$ 4,186.53</b>
 NOI	 \$ (348.88)	 \$ (4,186.53)
 Cash on cash return		 -17%

# Exhibit F

## Off-Premise Sign Permit Application

**For Office Use Only**

Zone District: \_\_\_\_\_  
 Application Number: AS-\_\_\_\_\_-\_\_\_\_\_  
 Date: \_\_\_\_\_

Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700,  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syr.gov.net

**Off-Premise Sign Permit Application**

*This application may be mailed or delivered in person to the Syracuse Office of Zoning Administration. **Email submissions must be packaged together in a single PDF with all applicable materials, please call if you want to discuss another electronic delivery method.** If you wish to discuss the application with a member of our staff, please call ahead for an appointment.*

**General Project Information**

Business/project name: Case Marketing, LLC
Street address (as listed in the Syracuse Department of Tax Assessment property tax records): 200 West Street S
Plane coordinates (datum, projection, easting, northing): 43.0485570, -76.1590526
Tax number: 100.-06-03.0

**Sign Information**

New or existing	Type (wall, ground, projecting, other)	Height	Support type (center pole, flagpole, etc.)	Type of illumination
Existing	Ground	17 ft	Column	None

**Electronic Changeable Copy Information (if applicable)**

Brightness technology: N/A
Duration of message (in seconds):
Message transition (type, duration):

**Panel Information**

Sign panel	Orientation direction (N, E, S, W)	Orientation street	Panel height	Panel width
1	South East	S West St, W Fayette St	9ft 6in	38 ft
2				
3				
4				

**Owner/Owner's Agent Certification**

*By signing this application below, I, as the owner of, or the agent of the owner, of the property under review give my endorsement of this application.*

**Print owner's name:** Stephen Case

Signature: 

Date: 10/01/2024

Mailing address: 155 Xavier Circle Syracuse, NY 13210

Phone: (315)569-8915

Email: sfcase@gmail.com

## Off-Premise Sign Permit Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700,  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syrgov.net

<b>Print authorized agent's name:</b> Lily Dougherty	
Signature: <i>Lily Dougherty</i>	Date: 10/01/2024
Mailing address: 109 Academy St Fayetteville, NY 13066	
Phone: (315)436-4485	Email: ldougherty@acropolisrealtygroup.com
The names, addresses, and signatures of all owners of the property are required. Please attach additional sheets as needed. <b>If a property owner designates an authorized agent as a legal representative to apply on their behalf or to present the project at the City Planning Commission, please attach an executed power of attorney.</b> Faxed or photocopied signatures will not be accepted.	

## Required Submittal Sheet

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

*Please submit one copy of each of the following:*

- APPLICATION** – filled out completely, dated, and signed by property owner as instructed
- STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR)** – Short Environmental Assessment Form (SEAF) Part One filled out to the best of your ability, dated, and signed
- PHOTOGRAPHS (COLOR) of the EXTERNAL ILLUMINATION PANELS** – for all panel orientations show the current view of the proposed sign and site with a representation of the sign superimposed on a photograph
- PHOTOGRAPHS (COLOR) of the LIGHT EMITTING PANELS** – for all panel orientations, a series of photographs that approximate panel brightness for clear, overcast, and nighttime conditions
- APPLICATION FEE** – \$0

*Please submit all of the plans listed below (all plans must include a title block with author, date, scale, and the Property Tax Assessment address, and must be an accurate graphic representation of all pertinent information that can be correctly interpreted by any person without additional explanation.*

- AS BUILT PROPERTY SURVEY(S)** of all involved properties illustrating boundaries and current conditions including structures, fencing, parking surface, and retaining walls (signed and stamped by a licensed surveyor)
- SITE PLAN(S)** illustrating site alterations and post project conditions that are/will be different from the as built property survey
- SIGN PLAN(S)** including:
  - Sign structure and panel diagrams with detailed dimensions, including the total height, and the height from the "orientation elevation" (i.e., the elevation that observers are intended to view the sign, to the top of the sign)
  - Associated support and lighting structure information

## *Short Environmental Assessment Form*

### *Part 1 - Project Information*

#### 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.

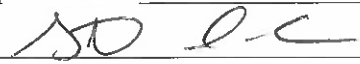
<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: <b>Case Marketing, LLC</b>			
Project Location (describe, and attach a location map): <b>200 West Street S, W Fayette Street</b>			
Brief Description of Proposed Action: <b>Use of billboard for marketing purposes as well as additional landscaping to beautify the site.</b>			
Name of Applicant or Sponsor: <b>Stephen Case</b>		Telephone: <b>(315)569-8915</b>	
		E-Mail: <b>sfcase@gmail.com</b>	
Address: <b>155 Xavier Circle</b>			
City/PO: <b>Syracuse</b>		State: <b>NY</b>	Zip Code: <b>13210</b>
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 government Agency? If Yes, list agency(s) name and permit or approval: <b>Onondaga County</b>			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ <b>.14</b> acres	
b. Total acreage to be physically disturbed?		_____ <b>0</b> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ <b>.14</b> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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			

Authentisign ID: BAB2F66B-3187-EF11-8473-002248299057

5. Is the proposed action,	NO	YES	N/A
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 checked="" 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 checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" 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"/>	
b. Are public transportation services available at or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
N/A If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
N/A If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
	<input checked="" 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"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

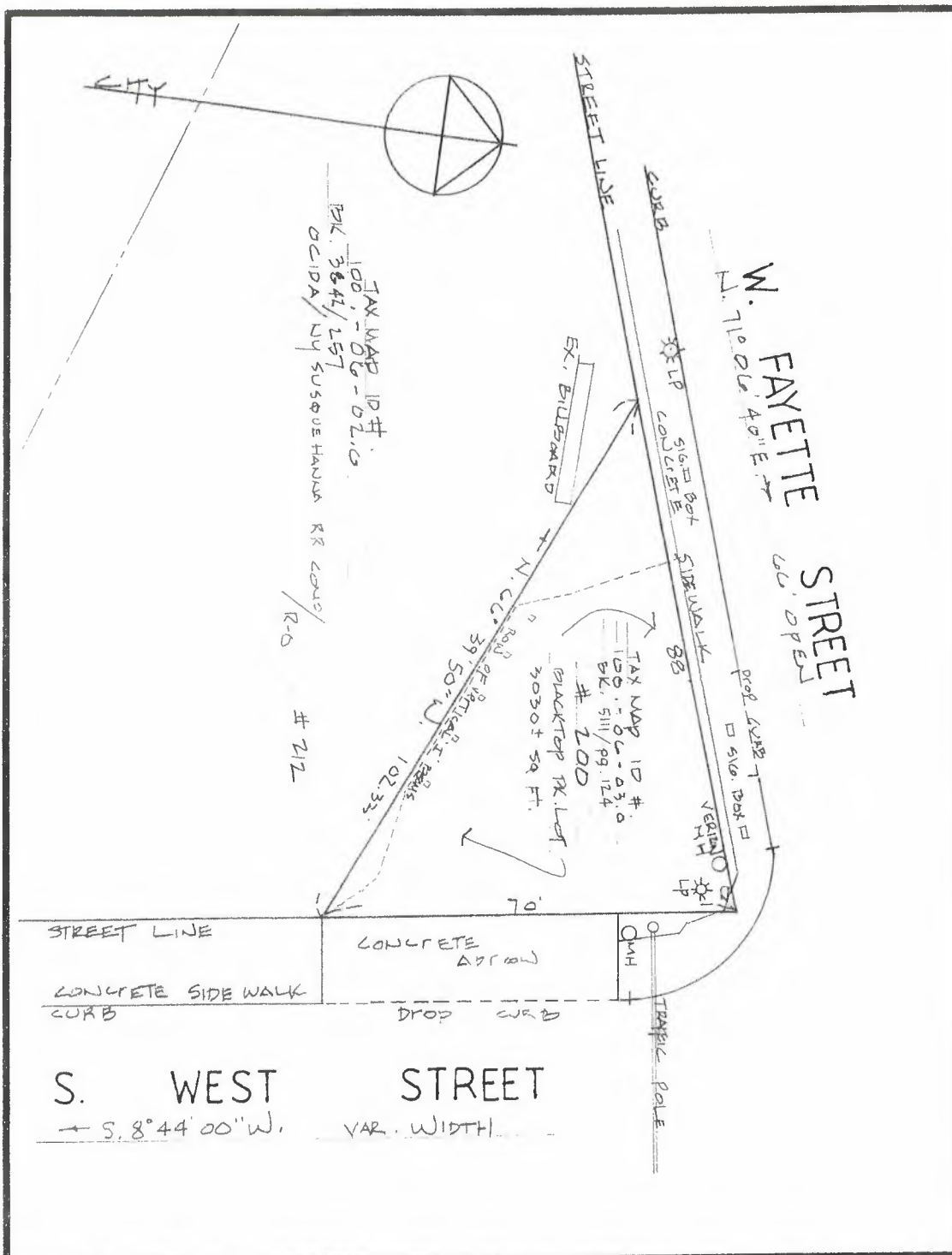


Authentisign ID: BAB2F66B-3187-EF11-8473-002248299057

<p>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:</p> <p><input type="checkbox"/> Shoreline   <input type="checkbox"/> Forest   <input type="checkbox"/> Agricultural/grasslands   <input type="checkbox"/> Early mid-successional</p> <p><input type="checkbox"/> Wetland   <input checked="" type="checkbox"/> Urban   <input type="checkbox"/> Suburban</p>		
<p>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?</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>16. Is the project site located in the 100-year flood plan?</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,</p> <p>a. Will storm water discharges flow to adjacent properties?</p> <p>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?</p> <p>If Yes, briefly describe:</p> <p>_____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:</p> <p>_____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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:</p> <p>_____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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:</p> <p>_____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor/name: <u>Stephen Case</u> Date: <u>10/2/2024</u></p> <p>Signature: <u></u> Title: <u>member</u></p>		

**PRINT FORM**





Location Survey on part of Lot #1, Block #241, City of Syracuse, County of Onondaga, and State of New York.  
Known as #200/S. West Street.

THE UNDERSIGNED SURVEYOR HEREBY CERTIFIES THAT THIS IS AN ACCURATE MAP OF AN ACTUAL SURVEY  
**MARTIN E. DAVIS**  
409 RIDGEWOOD DRIVE  
LICENSED LAND SURVEYOR SYRACUSE, NEW YORK

DRAWN BY: MD  
DATE: 11/27/20  
SCALE: 1"=20'  
REVISIONS:





450 SOUTH SALINA STREET  
SUITE 300 PC BOX 29  
SYRACUSE, NY 13201-0029



PLANTING PLAN FOR ANY EXISTING OR NEW PLANTING TO BE INSTALLED ON ANY LOT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

200 West Street  
Off-Premise Signage  
Acropolis Realty Group

PROJECT STATUS  
SITE PLAN REVIEW



REVISIONS

DATE DESCRIPTION  
PROJECT NUMBER

DATE  
10/09/2024

SHEET TITLE  
LAYOUT & PLANTING PLAN

L-101



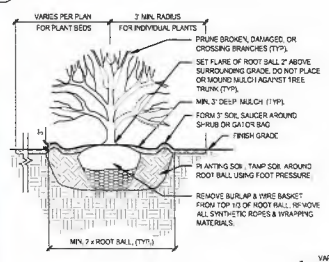
PLANT SCHEDULE						
TREES						
KEY	Botanical Name Common Name	SIZE	SPACING	FOOT	MATURE SIZE	REMARKS
CC	Cornus alternifolia Eastern Dogwood	7-1/2' CALIPTR	A4	30'x30'	30' x 13' W	
SHRUBS						
PL	Prunella virginiana Common Nectarine	No. 1 CONTAINER	A3	30'x30'	8' x 4' W	
HERBACEOUS PLANTS						
CA	Carex acutiformis Narrow-leaved Sedge	No. 2 CONTAINER	A3	30'x30'	4' x 2' W	
CV	Cyperus virginicus Narrow-leaved Sedge	No. 1 CONTAINER	A3	30'x30'	4' x 2' W	

LETTER SYMBOL OF EACH PLANT SPECIES IDENTIFIED IN PLANT KEY

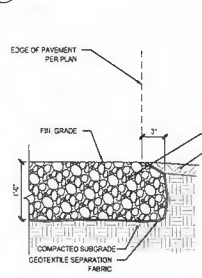
NUMBER OF PLANTS REQUIRED FOR INDIVIDUAL PLANTING AREA

ABBREVIATION LIST:  
SET = SPACED PLANTING  
O.C.E.W. = ON CENTER EACH WAY

D3 PLANT SCHEDULE



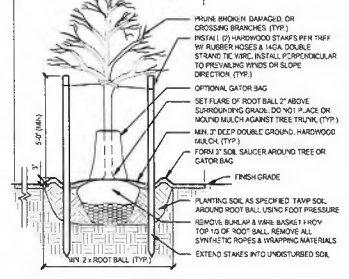
C3 SHRUB PLANTING



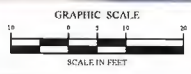
A3 GRAVEL DRIVE PAVEMENT



C4 TREE PLANTING



A1 LAYOUT & PLANTING PLAN







Proposed Condition

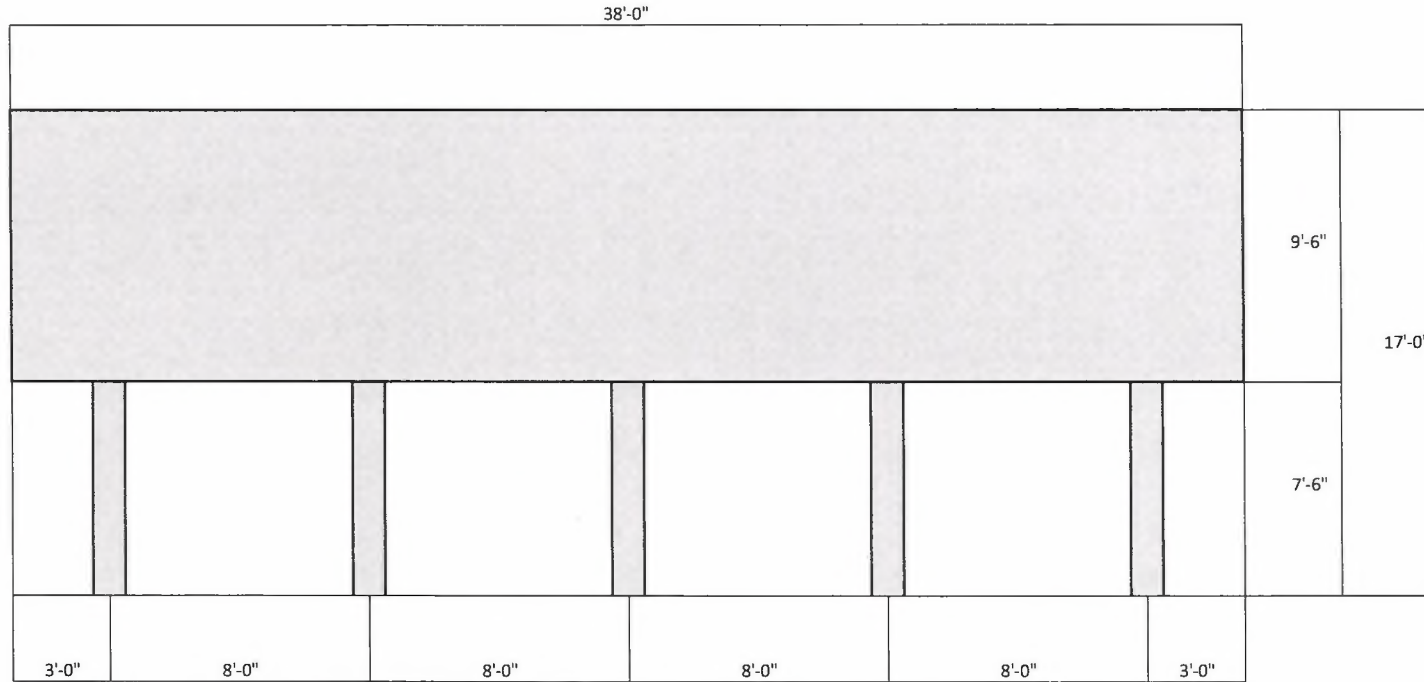
200 South West Street Planting Improvements

City of Syracuse

June 10, 2024

DATE: 06/10/2024 11:45 AM





**Measurements**

Width: 38'-0"

Height: 9'-6"

Total Area: 361'-0"

DATE: 10/01/2024

3

## Off-Premise Sign Permit Application



## For Office Use Only

Zone District: \_\_\_\_\_  
 Application Number: AS-\_\_\_\_\_-\_\_\_\_\_  
 Date: \_\_\_\_\_

Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700,  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syrgov.net

## Off-Premise Sign Permit Application

*This application may be mailed or delivered in person to the Syracuse Office of Zoning Administration. **Email submissions must be packaged together in a single PDF with all applicable materials, please call if you want to discuss another electronic delivery method.** If you wish to discuss the application with a member of our staff, please call ahead for an appointment.*

## General Project Information

Business/project name: Case Marketing, LLC
Street address (as listed in the Syracuse Department of Tax Assessment property tax records): 200 West Street S
Plane coordinates (datum, projection, easting, northing): 43.0485570, -76.1590526
Tax number: 100.-06-03.0

## Sign Information

New or existing	Type (wall, ground, projecting, other)	Height	Support type (center pole, flagpole, etc.)	Type of illumination
Existing	Ground	17 ft	Column	None

## Electronic Changeable Copy Information (if applicable)

Brightness technology: N/A
Duration of message (in seconds):
Message transition (type, duration):

## Panel Information

Sign panel	Orientation direction (N, E, S, W)	Orientation street	Panel height	Panel width
1	South East	S West St, W Fayette St	9ft 6in	38 ft
2				
3				
4				

## Owner/Owner's Agent Certification

*By signing this application below, I, as the owner of, or the agent of the owner, of the property under review give my endorsement of this application.*

Print owner's name: Stephen Case

Signature: 

Date: 10/01/2024

Mailing address: 155 Xavier Circle Syracuse, NY 13210

Phone: (315)569-8915

Email: sfcase@gmail.com



## Off-Premise Sign Permit Application



Office of Zoning Administration  
 One Park Place, 300 S State St,  
 Suite 700,  
 Syracuse, NY 13202  
 Phone: (315) 448-8640  
 Email: zoning@syr.gov.net

Print authorized agent's name: Lily Dougherty	
Signature: <i>Lily Dougherty</i>	Date: 10/01/2024
Mailing address: 109 Academy St Fayetteville, NY 13066	
Phone: (315)436-4485	Email: ldougherty@acropolisrealtygroup.com
The names, addresses, and signatures of all owners of the property are required. Please attach additional sheets as needed. <b>If a property owner designates an authorized agent as a legal representative to apply on their behalf or to present the project at the City Planning Commission, please attach an executed power of attorney.</b> Faxed or photocopied signatures will not be accepted.	

## Required Submittal Sheet

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Please submit one copy of each of the following:

- APPLICATION** – filled out completely, dated, and signed by property owner as instructed
- STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR)** – Short Environmental Assessment Form (SEAF) Part One filled out to the best of your ability, dated, and signed
- PHOTOGRAPHS (COLOR) of the EXTERNAL ILLUMINATION PANELS** – for all panel orientations show the current view of the proposed sign and site with a representation of the sign superimposed on a photograph
- PHOTOGRAPHS (COLOR) of the LIGHT EMITTING PANELS** – for all panel orientations, a series of photographs that approximate panel brightness for clear, overcast, and nighttime conditions
- APPLICATION FEE** – \$0

Please submit all of the plans listed below (all plans must include a title block with author, date, scale, and the Property Tax Assessment address, and must be an accurate graphic representation of all pertinent information that can be correctly interpreted by any person without additional explanation.

- AS BUILT PROPERTY SURVEY(S)** of all involved properties illustrating boundaries and current conditions including structures, fencing, parking surface, and retaining walls (signed and stamped by a licensed surveyor)
- SITE PLAN(S)** illustrating site alterations and post project conditions that are/will be different from the as built property survey
- SIGN PLAN(S)** including:
  - Sign structure and panel diagrams with detailed dimensions, including the total height, and the height from the "orientation elevation" (i.e., the elevation that observers are intended to view the sign, to the top of the sign)
  - Associated support and lighting structure information

## *Short Environmental Assessment Form*

### *Part 1 - Project Information*

#### Instructions for Completing

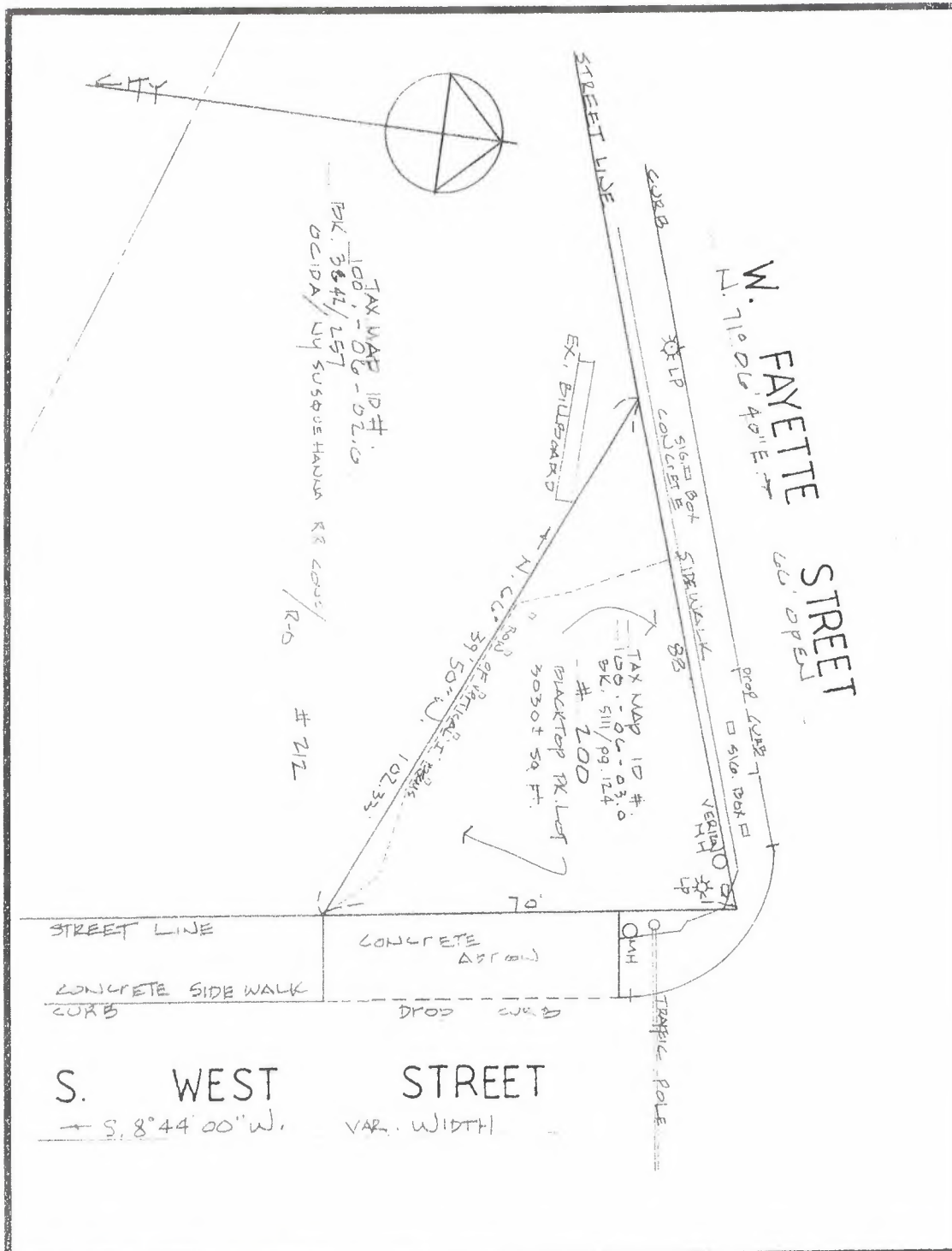
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: <b>Case Marketing, LLC</b>			
Project Location (describe, and attach a location map): <b>200 West Street S, W Fayette Street</b>			
Brief Description of Proposed Action: <b>Use of billboard for marketing purposes as well as additional landscaping to beautify the site.</b>			
Name of Applicant or Sponsor: <b>Stephen Case</b>		Telephone: <b>(315)569-8915</b>	
		E-Mail: <b>sfcase@gmail.com</b>	
Address: <b>155 Xavier Circle</b>			
City/PO: <b>Syracuse</b>		State: <b>NY</b>	Zip Code: <b>13210</b>
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 government Agency? If Yes, list agency(s) name and permit or approval: <b>Onondaga County</b>			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		.14 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.14 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: _____	<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? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" 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: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A	<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: _____ N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<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? 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"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





Location Survey on part of Lot #1, Block #241, City of Syracuse, County of Onondaga, and State of New York.  
Known as #200 S. West Street.

THE UNDERSIGNED SURVEYOR HEREBY CERTIFIES THAT THIS IS AN ACCURATE MAP OF AN ACTUAL SURVEY

**MARTIN E. DAVIS**  
409 RIDGEWOOD DRIVE  
LICENSED LAND SURVEYOR SYRACUSE, NEW YORK

DRAWN BY:	MD
DATE:	11/27/20
SCALE:	1"=20'
REVISIONS:	







450 SOUTH SALINA STREET  
SUITE 300 PO BOX 29  
SYRACUSE, NY 13201-0029



FOR ALL WORK ON THE LAND OR ON PERSONS, UNLESS OTHERWISE SPECIFIED, THE DESIGN SHALL BE IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERS AND SURVEYORS OF THE STATE OF NEW YORK.

200 West Street  
Off-Premise Signage

Acropolis Realty Group

PROJECT STATUS  
SITE PLAN REVIEW



REVISIONS

NO.	DATE	DESCRIPTION

PROJECT NUMBER

DATE  
10/09/2024

SHEET TITLE  
LAYOUT & PLANTING PLAN

L-101



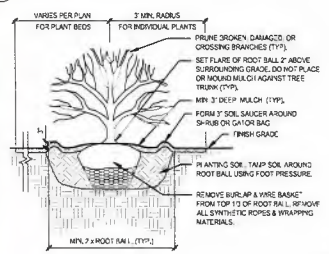
PLANT SCHEDULE						
TREES						
KEY	Botanical Name Common Name	SIZING	SPACING	ROOT	MATURE SIZE	REMARKS
CC	Common Name Latin Name	7-1/2' CALIPER	10' SQUARE	10'	30' x 15' H	
SHRUBS						
PL	Plant Name Latin Name	No. 5 CONTAINER	45 3/4" H	15" DIA	5' x 4' H	
HERBACEOUS PLANTS						
CA	Common Name Latin Name	1/2" CONTAINER	45 3/4" H	15" DIA	4' x 12" W	
PY	Plant Name Latin Name	No. 3 CONTAINER	45 3/4" H	15" DIA	4' x 12" W	

LETTER SYMBOL OF EACH PLANT SPECIES IDENTIFIED IN PLANT KEY

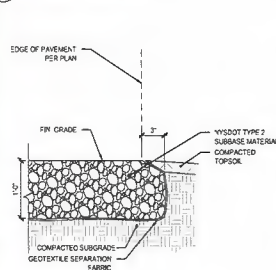
NUMBER OF PLANTS REQUIRED FOR INDIVIDUAL PLANTING AREA

ABBREVIATION LIST:  
 15" = 15" DIA. & 45 3/4" H  
 D C.E.W. = ON CENTER EACH WAY

D3 PLANT SCHEDULE



C3 SHRUB PLANTING



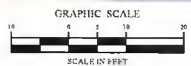
A3 GRAVEL DRIVE PAVEMENT



C4 TREE PLANTING



A1 LAYOUT & PLANTING PLAN

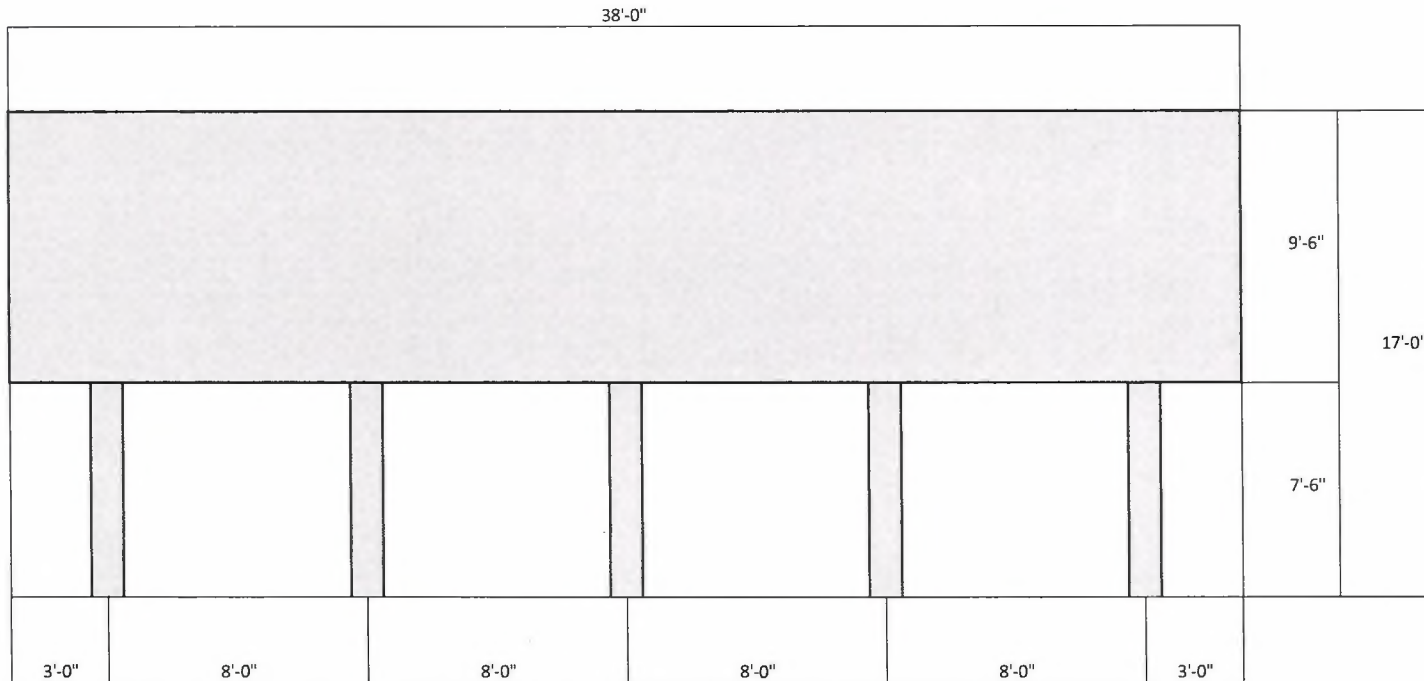






Proposed Condition  
 200 South West Street Planting Improvements  
 City of Syracuse  
 June 10, 2024





**Measurements**

Width: 38'-0"

Height: 9'-6"

Total Area: 361'-0"

DATE: 10/01/2024



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-350

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a USE VARIANCE from the City of Syracuse Zoning Administration at the request of Stephen Case for the property located at 200 South West Street and West Fayette Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of South West Street, a state-owned arterial; and
- WHEREAS, the applicant is requesting a use variance to establish an off-premise sign on a 0.14-acre parcel in a Mixed-Use Transition (MX-3) zoning district; and
- WHEREAS, the Board is concurrently reviewing a use variance referral (Z-24-350) to allow this proposed billboard; and
- WHEREAS, the site is located on the west side of downtown Syracuse; the site is a triangular parcel located at the intersection of West Fayette Street and South West Street, a state road, and abuts the New York, Susquehanna and Western railroad tracks to the rear; Armory Square and the building containing Wunderbar and Subcat Studio are to the east and the buildings for the Reading League, WCNY, and the Delavan Center are to the west; across West Fayette Street are a vacant lot and a parking lot; and
- WHEREAS, the site is a vacant parcel with sidewalks along both road frontages and trees lining the rear of the parcel; two billboards are located to the rear of the parcel and per the Location Survey dated 11/27/20, are located on railroad property adjacent to the site boundary; per Google StreetView, posts for a previous billboard are still located at the rear of the site, between the currently existing signs; and
- WHEREAS, the applicant is proposing an off-premise sign or billboard to be located at the center of the rear site boundary and facing the intersection of West Fayette Street and South West Streets; per the Layout and Planting Plan dated 10/9/24, the proposal includes landscaping the area currently covered by gravel and installing trees, shrubs, and plantings; the proposed sign will be 38' wide and 17' tall from the ground to top of sign;
- ADVISORY NOTE: Off-premises signs located within 660 feet of the right-of-way and intended to be seen from the National Highway System (or 1991 Primary Highway) must be registered with NYS Department of Transportation, in compliance with the Federal 1965 Highway Beautification Act and Part 150 of the Official Compilation of Codes, Rules and Regulations of the State of New York; and
- WHEREAS, the applicant is seeking a use variance to allow the sign which is not permitted in the MX-3 zoning district; per the local application, the applicant states the small size of the parcel, unique location on two busy roads, and abutting the railway

prevent the site from other uses allowed in MX-3 and the billboard would be the only way to obtain a return on the applicant's investment; it is noted that the site previously had a billboard in this location; and

WHEREAS, per the City zoning code, the MX-3 district allows uses including educational buildings, clinics, hospitals, day care centers, private clubs, beverage cafes, microbreweries, and hotels; and

WHEREAS, per the referral notice, there is no existing drinking water or wastewater service to the site and no changes to the current infrastructure are proposed; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: C734157, 734060) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, the site may contain the Peregrine falcon, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); and

WHEREAS, the site is located near the WCNY Office which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.



Martin E. Voss, Chairman  
Onondaga County Planning Board

Project: V-24-24

Date: 12/6/2024

## *Short Environmental Assessment Form*

### *Part 2 - Impact Assessment*

**Part 2 is to be completed by the Lead Agency.**

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"/>
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"/>

Project:	V-24-24
Date:	12/12/2024

### **Short Environmental Assessment Form Part 3 Determination of Significance**

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 checked="" 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.	
Board of Zoning Appeal	12/12/2024
Name of Lead Agency	Date
Honora Spillane	Chairperson
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 FORM**



## City of Syracuse

**Parcel History**

01/01/1900 - 12/02/2024

Tax Map #: 100.-06-03.0

Owners: Case Marketing, LLC

Zoning: MX-3

Address	Date	Transaction	Transaction Type	Status	Description
200 West St S & Fayette St W	08/09/74	Project	Off Premise Advertising	Approved with	AS-74-057   Off-premise advertising
200 West St S & Fayette St W	10/28/77	Project	Sign Waiver	Approved with	AS-77-124   Waiver of area. aka 200 West St & Fayette St W
200 West St S & Fayette St W	01/04/90	Project	Off Premise Advertising	Approved with	AS-89-053   Off-premise advertising (Dunk-n-Bright) aka 200 West St S & Fayette St W
200 West St S & Fayette St W	06/13/13	Inspection	Complaint Inspection	<None>	
200 West St S & Fayette St W	07/01/13	Inspection	Complaint Inspection	<None>	
200 West St S & Fayette St W	07/23/13	Completed Complaint	Vacant Lot: Overgrown	Completed	2013-15614   Overgrown vegetation.
200 West St S & Fayette St W	11/12/13	Completed Complaint	Vacant Lot: Overgrown	Completed	2013-12899   Overgrown grass.
200 West St S & Fayette St W	06/05/14	Completed Complaint	Vacant Lot: Overgrown	Completed	2014-14428   Overgrown
200 West St S & Fayette St W	06/09/14	Inspection	Complaint Inspection	<None>	
200 West St S & Fayette St W	08/13/14	Completed Complaint	Property Maintenance-Ext	Completed	2014-21748   Overgrowth.
200 West St S & Fayette St W	02/17/16	Inspection	Complaint Inspection	Fail	
200 West St S & Fayette St W	02/17/16	Violation	SZC - Section Z-B-1 - Illegal Land Use	Closed	
200 West St S & Fayette St W	03/02/16	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	03/23/16	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	05/26/16	Completed Complaint	Vacant Lot: Trash/Debris	Completed	2016-12820   Trash/debris under billboard.
200 West St S & Fayette St W	06/07/16	Inspection	Progress Inspection	No Progress	
200 West St S & Fayette St W	06/20/16	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	08/03/16	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	08/24/16	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	09/21/16	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	10/12/16	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	11/16/16	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	01/04/17	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	02/01/17	Inspection	Progress Inspection	In Progress	

City of Syracuse  
**Parcel History**

Address	Date	Transaction	Transaction Type	Status	Description
200 West St S & Fayette St W	03/15/17	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	04/27/17	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	05/26/17	Inspection	Progress Inspection	In Progress	
200 West St S & Fayette St W	06/23/17	Completed Complaint	Zoning Violations	Completed	2016-03298
200 West St S & Fayette St W	06/23/17	Inspection	Progress Inspection	Pass	
200 West St S & Fayette St W	07/24/18	Inspection	Complaint Inspection	Pass	
200 West St S & Fayette St W	09/05/19	Inspection	Complaint Inspection	Pass	
200 West St S & Fayette St W	09/10/19	Completed Complaint	Overgrowth: Private, Occ	Completed	2018-22481   Overgrown grass
200 West St S & Fayette St W	09/17/19	Completed Complaint	Property Maintenance-Ext	Resolved	2015-18834   Trash and debris on the lot, especially under the billboard.
200 West St S & Fayette St W	03/11/20	Completed Complaint	Traffic Sign Req - General	Completed	2020-03906   sign pole has started to lean  Image included
200 West St S & Fayette St W	09/12/22	Inspection	Complaint Inspection	Fail	
200 West St S & Fayette St W	09/12/22	Violation	SPCC - Section 27-72 (f) - Overgrowth	Closed	
200 West St S & Fayette St W	09/20/22	Inspection	Complaint Re-Inspection	No Progress	
200 West St S & Fayette St W	09/28/22	Completed Complaint	Property Maintenance-Ext	Completed	2022-08201   Overgrowth
200 West St S & Fayette St W	09/28/22	Inspection	Complaint Re-Inspection	Pass	
200 West St S & Fayette St W	06/04/24	Inspection	Complaint Inspection	Fail	
200 West St S & Fayette St W	06/04/24	Violation	SPCC - Section 27-72 (f) - Overgrowth	Closed	
200 West St S & Fayette St W	06/11/24	Inspection	Complaint Re-Inspection	Pass	
200 West St S & Fayette St W	07/11/24	Completed Complaint	Property Maintenance-Ext	Admin-Closed	2024-04388   Overgrowth
200 West St S & Fayette St W	11/18/24	Completed Complaint	Trash/Debris-Private, Occ	Admin-Closed	2019-24199   Trash & Debris
200 West St S & Fayette St W	11/22/24	Project	Off Premise Advertising	In Review	AS-24-03   Establishing a new Off-premise sign on the site.
200 West St S & Fayette St W	11/22/24	Project	Variance (Use)	In Review	V-24-24   Use Variance to establish an off-premise sign in MX-3 Zone District.

Jake Dishaw  
Zoning Administrator



300 South State St, Suite 700  
Syracuse, NY 13202

OFFICE OF ZONING ADMINISTRATION  
Ben Walsh, Mayor

To: 201 West Street LLC

From: Zhitong Wu, Zoning Planner

Date: 12/8/2024 5:58:25 PM

Re: Variance (Use) V-24-24  
200 West St S & Fayette St W, Syracuse, 13204

The Departments and/or Boards below have reviewed your application and provided the following comments for your information and action as appropriate.

Please modify the proposal as necessary to address the comments/recommendations. Upon receipt of any revisions and/or written justification to the Office of Zoning Administration, a Public Hearing will be scheduled.

Please contact the Zoning Office at (315) 448-8640 or [Zoning@syr.gov](mailto:Zoning@syr.gov) if you have any questions.

Approval	Status	Status Date	Reviewer	Comments
Board of Zoning Appeals	Pending	11/22/2024		
Zoning Planner	On Hold	12/06/2024	Zhitong Wu	Hold for decision from BZA.
Onondaga Co Planning Board	Approved	12/06/2024	Zhitong Wu	No position.