

# CITY OF AUBURN, NEW YORK

*"History's Hometown"*



## Zoning Board

The Monthly Meeting of the Zoning Board of Appeals will be held at 7:00 PM on September 24, 2018 at Memorial City Hall, 24 South Street.

**Accommodations:** Requests for accommodations for individuals with disabilities may be made with prior notice of at least three work days in advance of the meeting by calling (315) 255-4100 or e-mailing [disabilityaccess@auburnny.gov](mailto:disabilityaccess@auburnny.gov). As much advance notice as possible is needed to assure that appropriate services can be acquired.

## AGENDA

### APPROVAL OF MINUTES

ZBA meeting minutes for 8/27/18

[ZBAMeetingMinutes-08-082718.docx](#)

### AGENDA ITEMS

4 Sumner St. R-1 zoning district. Area variance for enclosed rear porch/3-season room. Applicant: Magdi Hasan

[4SumnerAve-addition.pdf](#)

4 Meadowbrook Dr. R-1 zoning district. Area variance for deck in front yard. Applicants: Brian and Heather Tomasso

[4MeadowbrookDr-deck.pdf](#)

11 Delevan St. R-2 zoning district. Area variance for conversion to two units. Applicant: Michael Brown as Trustee.

11DelevanSt-conversion.pdf

**ZONING BOARD OF APPEALS**  
**MONDAY, AUGUST 27, 2018**

Members Present: Stephanie DeVito, Doug Parker, Susan Marteney, Ed Darrow

Staff Present: Brian Hicks, Code Enforcement; Nate Garland, Corporation Counsel

Absent: Scott Kilmer, Rick Tamburrino, Robert Gagnier, Scott Kilmer

**APPLICATIONS APPROVED:** 163 N. Herman Ave, 100 Genesee St., 215 Dunning Ave, 217 Genesee St.

Ed Darrow: Good evening. Welcome to the City of Auburn Zoning Board of Appeals. I'm board chairman, Ed Darrow. Tonight we will be hearing 163 N. Herman Ave, 100 Genesee St., 215 Dunning Ave, 217 Genesee St.. I ask you at this time to please silence all phones or put them in manner mode.

Chair explains to all applicants that three members are absent and a unanimous affirmative vote will be required to approve any applications. Any negative vote would deny the variance and the applicant would not be able to re-present unless a substantial change was made to the application. He asks each applicant if they wish to proceed. All applicants move forward.

---

163 N. Herman Ave. R-1 zoning district. Area variance for driveway. Applicant: Gary Giannotta.

Chair invites applicant to approach, give name and address and explain what they would like to do.

Gary Giannotta: The driveway has had a 30 foot wide approach since being built in 1994. The approach has eroded and I wish to replace it with concrete as existing and also replace the first eight feet of the driveway.

Chair opens the public hearing. None.

Chair asks for board comments. None.

Chair asks for a motion.

Motion to approve as submitted made by Susan Marteney, seconded by Stephanie DeVito.

All members vote approval. Motion carried.

Ed Darrow: Your variance is approved. Please see Code Enforcement Office for any necessary permits before beginning work.

---

100 Genesee St. Suite B. Downtown zoning district. Area variance for signs. Applicant: Scott Delap.

Chair invites applicant to approach, give name and address and explain what they would like to do.

Scott Delap: We recently established the business of Next Chapter Brew Pub and would like to erect signage that is visible on all sides of the building. We currently have two signs but they are not visible from Lincoln St. or South St. We are looking for more coverage for customers to see.

Edward Darrow: There is a letter of approval submitted by the owner of the building.

Doug Parker: Believes the existing sign on Exchange St. is attractive and does not look out of place.

Chair opens the public hearing. None.

Chair asks for board comments.

Edward Darrow: Thinks the signs are unobtrusive and attractive. The mall location needs exposure. They fit into the character of the area. Board members agree.

Chair asks for a motion.

Motion to approve as submitted made by Susan Marteney, seconded by Stephanie DeVito.

All members vote approval. Motion carried.

Ed Darrow: Your variance is approved. Please see Code Enforcement Office for any necessary permits before beginning work.

---

215 Dunning Ave. R-1 zoning district. Area variance for garage. Applicant: Patricia Colavecchio.

Chair invites applicant to approach, give name and address and explain what they would like to do.

Bill and Patty Stoddard: Would like to demolish the existing garage and replace it. The current garage was improperly built and not cost effective to repair. The other accessory building will be removed also.

Chair opens the public hearing. None.

Chair asks for board comments. General discussion, board agrees it will be an improvement

Chair asks for a motion.

Motion to approve as submitted made by Susan Marteney, seconded by Stephanie DeVito.

All members vote approval. Motion carried.

Ed Darrow: Your variance is approved. Please see Code Enforcement Office for any necessary permits before beginning work.

---

217 Genesee St. R-2 zoning district. Area variance for sign. Applicant: Gary Fellows for Unity House

Chair invites applicant to approach, give name and address and explain what they would like to do.

Gary Fellows, Unity House: Would like to install two signs on the premises. The property has been recently renovated from a school to apartments. We would like signage to denote Unity House presence and a sign in the parking area for employees. There are similar signs in the area.

Edward Darrow: Being that most clients would know your presence do you really believe such a large sign is warranted?

Gary Fellows: It's a large property.

Edward Darrow: I am concerned with the frontage and the size of that sign in the area.

Gary Fellows: We could conceivably go with a 3' x 5' sign but anything smaller wouldn't work well.

Susan Marteney: Believes a directional sign is needed as the actual location of the offices is in the rear of the building which is not well known.

Doug Parker: Questions the location of the sign.

Gary Fellows: 12 feet from the sidewalk and 20 feet from the east property line.

Chair opens the public hearing. None.

Chair asks for board comments.

Edward Darrow: The placement is good but and, although large, it should fit in with the area.

Chair asks for a motion.

Motion to approve as submitted made by Susan Marteney, seconded by Stephanie DeVito.

All members vote approval. Motion carried.

Ed Darrow: Your variance is approved. Please see Code Enforcement Office for any necessary permits before beginning work.

---

Next meeting is September 24, 2018 at 7:00 p.m. Meeting adjourned.

Recorded by Alicia McKeen

**DENIAL OF PERMIT BY CODE ENFORCEMENT**  
**Referral to the Zoning Board of Appeals**

**PART 1. APPLICATION DATE: 9/4/18 MEETING DATE: 9/24/18**

**PURPOSE:** Applicant is requesting an area variance to erect an addition.

**PROPERTY LOCATION:** 4 Sumner Ave **ZONING DISTRICT:** R1

**APPLICANT NAME:** Magdi Hasan **ADDRESS:** 8 South St. Auburn, NY 13021

\*\*\*\*\*

**PART 2. DENIAL BY CODE ENFORCEMENT OFFICER** **DATE:** 9/10/18

**REASON**(What specifically is applicant requesting and what the ordinance limitations are)

Applicant is requesting an area variance of nine feet of the required 20 feet rear yard setback to erect a 10' x 12' addition to the rear of the house. §305.13I

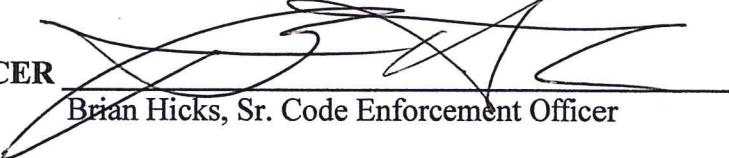
**PERTINENT TITLE, SECTION, PARAGRAPH OF ZONING ORDINANCE:**

§ 305-13R-1 Single-Family Residential District.

I. Bulk and Use Table: R-2 Single, Two- and Multifamily Residential District.

Uses	Min. Lot Size (square feet)	Min. Lot Width (feet)	Min. Setback (feet)			Max. Allowable Impervious Surface Coverage (%)	Max. Building Height (feet)	Parking
			Front	Side	Rear			
Dwelling, single-family	5,000	40	15	7	20	65	35	1 per dwelling unit

**SIGNATURE OF CODE ENFORCEMENT OFFICER**

  
\_\_\_\_\_  
Brian Hicks, Sr. Code Enforcement Officer

\*\*\*\*\*

47.40 x 65.10 -  
 3,115.602  
 123.24  
 69.01  
 3307.852  $\neq$  LOT SIZE

MAX. IMPROVEMENTS  
 1,653.926  $\neq$

STRUCTURES. Garage 216  
 HOUSE 746

962  $\neq$

DETACHED 377.12

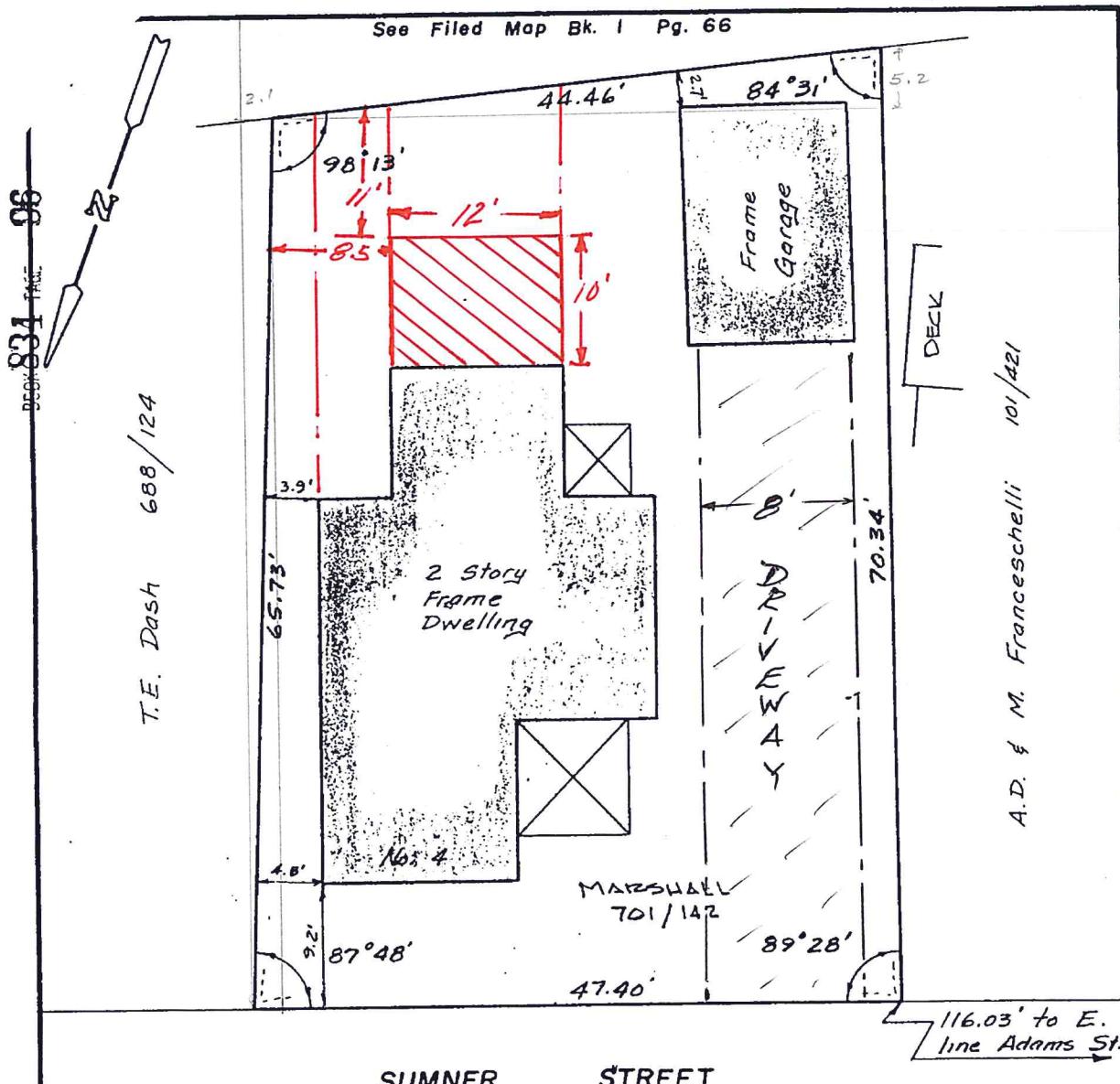
1339.12  $\neq$

NEW ADDITION 120.

1459.12  $\neq$

5.2 x 47.40 = 246.48  
 2.1 x 65.73 = 138.03  
 23.24  
 69.01

See Filed Map Bk. I Pg. 66



TO: AFFORDABLE MORTGAGE CORP., Its successors  
 and/or assigns, CHICAGO TITLE INSURANCE  
 CO., MORAVIA TITLE SERVICES

LOCATION SURVEY MAP

MADE FOR

The undersigned hereby certifies that this  
 map was made from an actual survey and both  
 map and survey are correct.

SIGNED:

Richard W. Wheeling

DATE:

July 8, 1991

Richard W. Wheeling, P.L.S. No. 49193

4 Sumner Street  
 Auburn, New York  
 Scale 1" = 10'  
 Redated 7/08/91

July 17, 1985

Richard W. Wheeling, PLS  
 39 William Street  
 Auburn, New York



CITY OF AUBURN  
ZONING BOARD OF APPEALS  
APPLICATION FOR AREA VARIANCE

RECEIVED  
SEP - 4 2018

Date: 8-31-2018

CITY OF AUBURN  
CODE ENFORCEMENT

1. Applicant(s): MAGDI HASAN

2. Contact Person: (if not shown in #1) \_\_\_\_\_

3. Address: 8 SOUTH ST, AUBURN, NY

4. Phone: (315) 884-4914 E-Mail: fasttrakk222@aol.com

5. Address where variance is requested: 4 SUMNER ST, AUBURN

Tax Map #: 116-24-1-11 Zoning District: R 1

6. Property Owner (if different than applicant): SAME

(If the applicant is not the property owner a notarized statement giving authorization to the applicant must be obtained from the property owner and submitted with this application.)

7. Date property acquired by applicant: \_\_\_\_\_

8. If the use variance is granted, will the applicant be performing the changes?  Yes  No

9. If not, please provide the name, address and phone number of the contractor(s):

N/A

10. Please describe in detail the changes you plan to make on the premises (be specific):

See Attached Description

11. Please explain how you will suffer a significant economic injury unless the area variance is granted:

See Attached Explanation

12. Please provide the following information to support how you will suffer a significant economic injury:

a) Amount paid for property in question: 5 15,000

b) Date of purchase of the property: SEPT 8, 2016

c) Present market value of the property or any part thereof: 72,500 estimated

d) Basis upon which the present market value of the property was obtained: FULL VALUE ASSESSMENT

e) Assessment and amount of taxes on the property in issue (if applicable): 72,500

f) Amount of mortgages and other encumbrances (if applicable): N/A

g) Income from the land in issue (if applicable): N/A

h) Any other relevant facts particular to the facts of the case: \_\_\_\_\_

RECEIVED  
SEP - 4 2018  
CITY OF AUBURN  
CODE ENFORCEMENT

13. Please explain why the requested variance will not produce an undesirable change in the character of the neighborhood: see attached worksheet  
# 1. (a)

14. Please explain why no detriment will be created to nearby properties: see attached worksheet  
# 1. (a)(d) & #2.

15. Please explain the reasons why there is no other feasible method available to you to pursue in order to achieve the benefit you seek other than the requested area variance: see # 1. (b) & (c)

16. Please explain why the requested area variance is not substantial: see # 1. (c) attached

Please use the following sheet of paper if you require any further space and clearly indicate which questions you are answering.

Remember that it is the sole responsibility of the applicant to provide sufficient information and documentation concerning this application. Because the determination is made solely on the basis of information provided to the ZBA, it is to the applicant's benefit to include as much supporting information as possible.

I/WE HEREBY CONSENT TOT ALLOW MEMBERS OF THE ZONING BOARD OF APPEALS, UPON REASONABLE NOTICE TO ME/US, THE RIGHT OF ACCESS TO MY/OUR PROPERTY FOR THE PURPOSE OF VIEWING AND INSPECTING THE PROPOSED VARIANCE, WHICH IS A SUBJECT MATTER OF THE PROCEEDING HEREIN BEFORE THE ZONING BOARD OF APPEALS.

I/We certify that the information submitted with this application for an area variance is true to the best of my/our knowledge and belief.

MAGDI HASAN  
Printed name of applicant

\_\_\_\_\_  
Printed name of applicant

M. Magdi Hasan  
Signature of applicant

\_\_\_\_\_  
Signature of applicant

State of New York  
County of Cayuga) ss:

Sworn to before me this 4th day of September, 2018.

Maureen Willis  
Notary Public / Commissioner of Deeds

Maureen Willis  
Notary Public, State of New York  
Reg. No. 01WI4892698  
Qualified in Cayuga County  
My Commission Expires May 04, 2019

**CITY OF AUBURN**  
**ZONING BOARD OF APPEALS**  
**APPLICATION FOR AREA VARIANCE**  
**ATTACHMENT/SUPPLEMENT**

10. The changes planned to be made to the premises are to improve the pre-existing area within the area of a concrete slab that is beneath the pre-existing elevated rear deck. A stockade fence exists on the property line along the perimeter of the back yard of the property. The proposed plan will not adversely change the character of the neighborhood. The plan will add more privacy and will not disturb the neighbors(see enclosed neighborhood letters of consent/support of the plan). There are no environmental issues related to the plan.

11. The economic injury that the applicant shall suffer unless the variance is granted is reflected by the loss of the pre-existing deck, loss of more usage space for the enclosed deck/porch area, the value of the property to the owner, and the utility of the space for the occupant of the dwelling.

**AUBURN ZONING BOARD OF APPEALS CASE WORKSHEET**  
**AREA VARIANCE**

**SUPPLEMENT**

Date:                    /    / 2018

Address: 4 Sumner Street, Auburn

Applicant: Magdi Hasan

**ISSUES CHECKLIST:**

1. These factors have been weighed. The proposed variance shall pose no detriment to the health, safety, and welfare of the neighborhood or community at large. It shall be an improvement with respect to safety and peaceful use and enjoyment of the neighborhood.

a. The change is minimal and will not be undesirable to the character of the neighborhood. An outside deck on a concrete slab had previously occupied the dimensions of the space to be utilized. The plan is to enclose that space with a small back porch consistent with the character of the neighborhood with added privacy. There already exists a high stockade fence around the perimeter/border of the property. The construction will not obstruct any views or interfere with the neighbors' use of their properties. All necessary permits and construction standards shall be followed.

b. A variance is the only means feasible to proceed with the plan.

c. The requested variance is not substantial. It is a replacement and improvement of a pre-existing structure that was in a poor state of repair.

d. The variance, if granted, will not adversely impact the physical or environmental conditions. There will be no change in the ground or soil beneath the structure. It will merely be situated on the existing concrete slab.

e. The problem is one of repair, demolition, or improvement of a dilapidated rear deck annexed to the house. In a sense it is not an entirely self-created problem.

Improvement in conformity with other considerations including the neighborhood, appears to be the best option.

2. I believe that the variance to be granted is the minimum needed to resolve the problem while preserving and protecting the character of the neighborhood and public health, safety, and welfare.

3. The applicant is receptive to any reasonable conditions that the Board may wish to impose prior to granting a variance in order to minimize any adverse impacts on the neighborhood or community.

Date: / / 2018

Applicant: \_\_\_\_\_  
Magdi Hasan

CITY OF AUBURN  
ZONING BOARD OF APPEALS  
APPLICATION FOR AREA VARIANCE  
NEIGHBOR CONSENT LETTER

Date: August 31, 2018

**RE:    Applicant:    Magdi Hasan**  
**Address where variance is requested:**  
**4 Sumner Street, Auburn**

To whom it may concern:

I, Mark W. Covent, residing at 2-Sumner, am a neighbor of the applicant regarding the subject property located at 4 Sumner Street for which the Area Variance is requested.

I have no objection to the granting of this variance for the construction of a rear porch on the subject property.

Signed



CITY OF AUBURN  
ZONING BOARD OF APPEALS  
APPLICATION FOR AREA VARIANCE  
NEIGHBOR CONSENT LETTER

Date: August 31, 2018

**RE:    Applicant:    Magdi Hasan**  
**Address where variance is requested:**  
**4 Sumner Street, Auburn**

To whom it may concern:

I, Melissa Deensly, residing at 3 Sumner St am a neighbor of the applicant regarding the subject property located at 4 Sumner Street for which the Area Variance is requested.

I have no objection to the granting of this variance for the construction of a rear porch on the subject property.

Signed



CITY OF AUBURN  
ZONING BOARD OF APPEALS  
APPLICATION FOR AREA VARIANCE  
NEIGHBOR CONSENT LETTER

Date: August 31, 2018

**RE:    Applicant:    Magdi Hasan**  
**Address where variance is requested:**  
**4 Sumner Street, Auburn**

To whom it may concern:

I, Ed Onoz, residing at 6 Sumner St am a neighbor of the applicant regarding the subject property located at 4 Sumner Street for which the Area Variance is requested.

I have no objection to the granting of this variance for the construction of a rear porch on the subject property.

Signed Carl J Jr.

CITY OF AUBURN  
ZONING BOARD OF APPEALS  
APPLICATION FOR AREA VARIANCE  
NEIGHBOR CONSENT LETTER

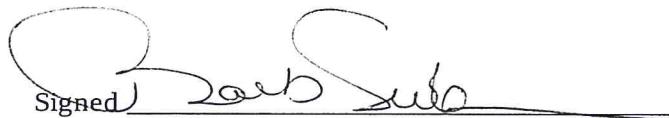
Date: August 31, 2018

**RE:    Applicant:    Magdi Hasan**  
**Address where variance is requested:**  
**4 Sumner Street, Auburn**

To whom it may concern:

I, Bob Sroka, residing at 7 Sumner St am a neighbor of the applicant regarding the subject property located at 4 Sumner Street for which the Area Variance is requested.

I have no objection to the granting of this variance for the construction of a rear porch on the subject property.

  
Signed Bob Sroka

CITY OF AUBURN  
ZONING BOARD OF APPEALS  
APPLICATION FOR AREA VARIANCE  
NEIGHBOR CONSENT LETTER

Date: August 31, 2018

**RE:    Applicant:    Magdi Hasan**  
**Address where variance is requested:**  
**4 Sumner Street, Auburn**

To whom it may concern:

I, Erin Kreil, residing at 9 Sumner St am a neighbor of the applicant regarding the subject property located at 4 Sumner Street for which the Area Variance is requested.

I have no objection to the granting of this variance for the construction of a rear porch on the subject property.

Signed Erin Kreil

CITY OF AUBURN  
ZONING BOARD OF APPEALS  
APPLICATION FOR AREA VARIANCE  
NEIGHBOR CONSENT LETTER

Date: August 31, 2018

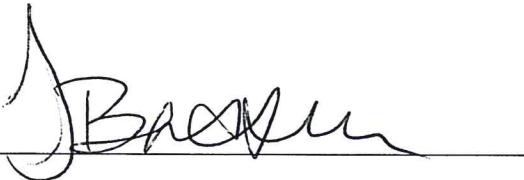
**RE:    Applicant:    Magdi Hasan**  
**Address where variance is requested:**  
**4 Sumner Street, Auburn**

To whom it may concern:

I, Tiffany Basson, residing at 11 Sumner am a neighbor of the applicant regarding the subject property located a 4 Sumner Street for which the Area Variance is requested.

I have no objection to the granting of this variance for the construction of a rear porch on the subject property.

Signed



**MAGDI HASAN  
8 SOUTH STREET  
AUBURN, NEW YORK 13021  
315-884-4974**

August 31, 2018

Brian Hicks  
Sr. Code Enforcement Officer  
24 South Street,  
Auburn, New York 13021

**RE: Application for Area Variance - 4 Sumner Street, Auburn**

To whom it may concern:

Enclosed please find Application with attached forms and supporting documentation related to my application for an area variance to the above referenced property.

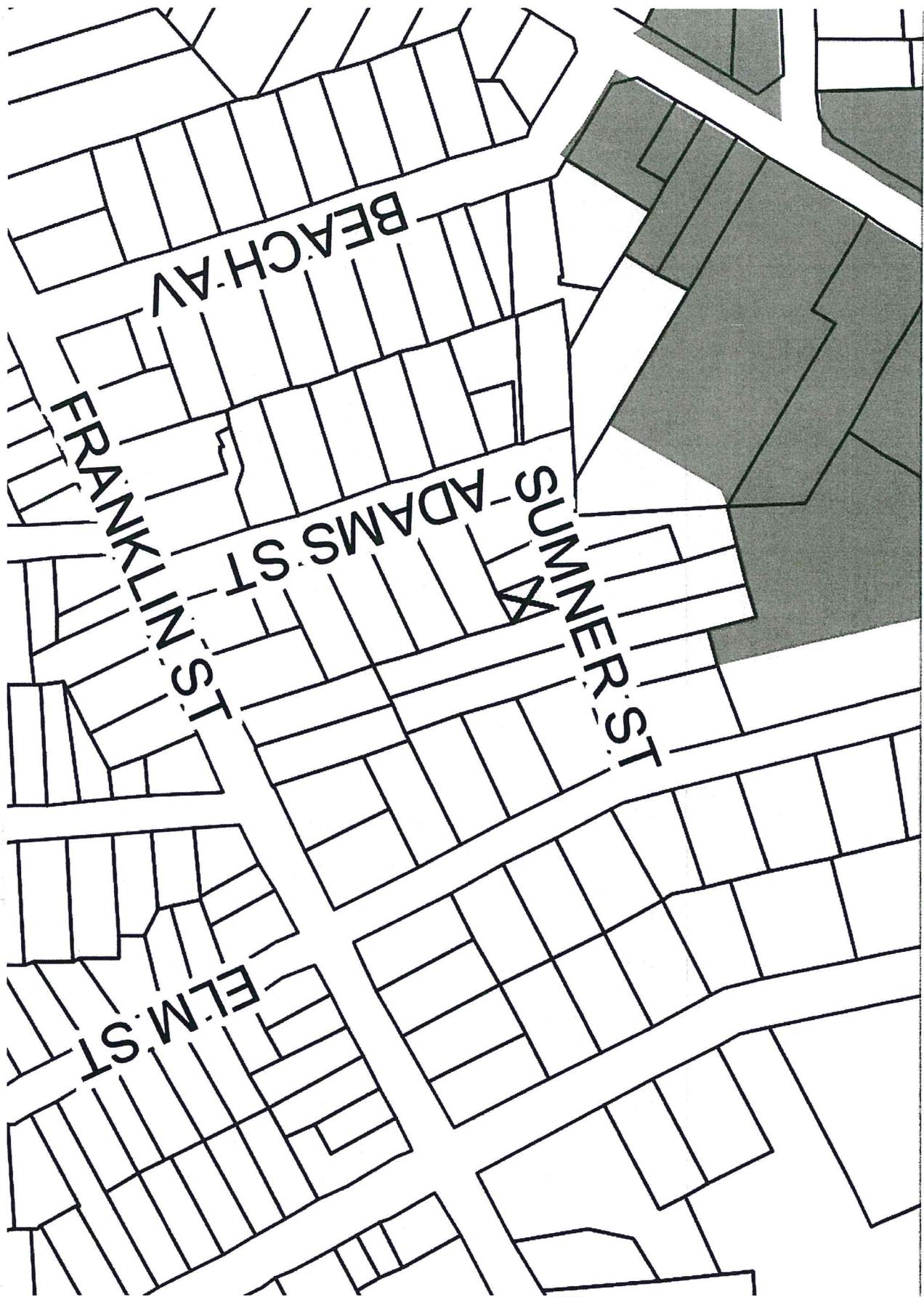
If you have any questions or concerns or require additional information or documentation, please do not hesitate to contact me.

Sincerely,

Magdi Hasan

Enc.

X= 4 Sumner St. Auburn. NY 13021



**DENIAL OF PERMIT BY CODE ENFORCEMENT**  
**Referral to the Zoning Board of Appeals**

**PART 1. APPLICATION DATE: 9/4/18**      **MEETING DATE: 9/24/18**

**PURPOSE:** Applicant is requesting an area variance erect a deck in the front yard.

**PROPERTY LOCATION:** 4 Meadowbrook Dr.    **ZONING DISTRICT:** R1

**APPLICANT NAME:** Brian and Heather Tomasso.      **ADDRESS:** 4 Meadowbrook Dr. Auburn, NY 13021  
\*\*\*\*\*

**PART 2. DENIAL BY CODE ENFORCEMENT OFFICER**      **DATE:** 9/12/18

**REASON**(What specifically is applicant requesting and what the ordinance limitations are)

Applicant is requesting an area variance for a deck in the front yard attached at the front entrance. §305.51A2

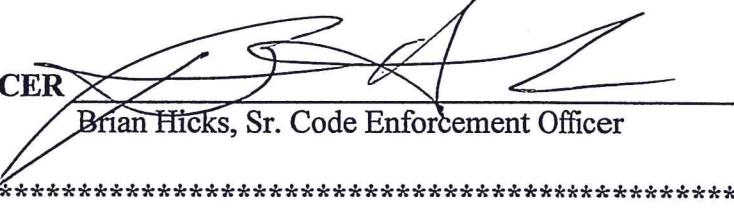
**PERTINENT TITLE, SECTION, PARAGRAPH OF ZONING ORDINANCE:**

**§ 305-51Projections into yards.**

A. General regulations.

(2) Decks, patios and terraces are allowed provided that they are located three or more feet from any side or rear lot line. Decks, patios and terraces are prohibited in the front yard.

**SIGNATURE OF CODE ENFORCEMENT OFFICER**

  
Brian Hicks, Sr. Code Enforcement Officer

\*\*\*\*\*

CITY OF AUBURN  
ZONING BOARD OF APPEALS  
APPLICATION FOR AREA VARIANCE

Date: 9/4/2018

RECEIVED  
SEP - 4 2018

CITY OF AUBURN  
CODE ENFORCEMENT

1. Applicant(s): Brian and Heather Tomasso
2. Contact Person: (if not shown in #1) \_\_\_\_\_
3. Address: 4 Meadowbrook Dr
4. Phone: 315-729-4459 E-Mail: bstomasso@yahoo.com
5. Address where variance is requested: 4 Meadowbrook Dr Auburn NY 13021  
Tax Map #: 122.43-1-37 Zoning District: R1

6. Property Owner (if different than applicant): \_\_\_\_\_

**(If the applicant is not the property owner a notarized statement giving authorization to the applicant must be obtained from the property owner and submitted with this application.)**

7. If the use variance is granted, will the applicant be performing the changes?  Yes  No

8. If not, please provide the name, address and phone number of the contractor(s):

C.J. Sawyer, address unknown, 315-209-0893

9. Please describe in detail the changes you plan to make on the premises (be specific):

We are asking for no changes to be required of the premises. We hired CJ Sawyer to build a new front porch for us as the previous one had become dangerous and dilapidated. The 2 steps of the porch had become loose and dangerous to use. The porch he constructed is 16x8. Zoning law requires this porch to only be 6' in width. We did not verify that the dimensions were acceptable or that he did indeed file for a permit as he stated.

10. Please explain how you will suffer a significant economic injury unless the area variance is granted:

We paid approximately \$4600 for the porch to be constructed as is which was above the quoted price of \$4100. If the variance is not granted we will have to either have the porch torn down and reconstructed to code or have a roof placed on the structure. Both of these options will cost us several thousand dollars.

11. Please provide the following information to support how you will suffer a significant economic injury:

- a) Amount paid for property in question: \$1 (property was willed upon previous property owners death 7/23/17)
- b) Date of purchase of the property: 3/1/2017
- c) Present market value of the property or any part thereof: 98,700
- d) Basis upon which the present market value of the property was obtained: tax assessment
- e) Assessment and amount of taxes on the property in issue (if applicable): n/a
- f) Amount of mortgages and other encumbrances (if applicable): n/a
- g) Income from the land in issue (if applicable): none
- h) Any other relevant facts particular to the facts of the case: Previously there was only 2 steps into the house. This was difficult for my handicapped mother to use. We had 3 steps put in and made it wider to accommodate her wheelchair use once she reached the top of the steps.

12. Please explain why the requested variance will not produce an undesirable change in the character of the neighborhood: There are several front porches in the neighborhood that share a similar design. The construction of the new porch was done as the previous porch had become dangerous due to loose boards and steps. The new porch design both matches the character of the neighborhood and is safer for use.

13. Please explain why no detriment will be created to nearby properties: The porch is safer to use, does not block views of any properties, creates no hindrance to nearby properties, and is an improvement aesthetically for nearby properties.

14. Please explain the reasons why there is no other feasible method available to you to pursue in order to achieve the benefit you seek other than the requested area variance: The porch has already been constructed and this request is being made after discovery that no permit was pulled by the contractor and dimensions not verified to be acceptable by us.

15. Please explain why the requested area variance is not substantial: We are requesting a variance of 2 feet. The 2 feet are not close to the road or neighboring properties and should create no disturbance to the neighborhood.

Please use the last sheet of lined paper if you require any further space and clearly indicate which questions you are answering.

Remember that it is the sole responsibility of the applicant to provide sufficient information and documentation concerning this application. Because the determination is made solely on the basis of information provided to the ZBA, it is to the applicant's benefit to include as much supporting information as possible.

I/WE HEREBY CONSENT TO ALLOW MEMBERS OF THE ZONING BOARD OF APPEALS, UPON REASONABLE NOTICE TO ME/US, THE RIGHT OF ACCESS TO MY/OUR PROPERTY FOR THE PURPOSE OF VIEWING AND INSPECTING THE PROPOSED VARIANCE, WHICH IS A SUBJECT MATTER OF THE PROCEEDING HEREIN BEFORE THE ZONING BOARD OF APPEALS.

I/We certify that the information submitted with this application for an area variance is true to the best of my/our knowledge and belief.

Heather Tomasso  
Printed name of applicant

  
Signature of applicant

Brian Tomasso  
Printed name of applicant

  
Signature of applicant

\*\*\*Office use only\*\*\*

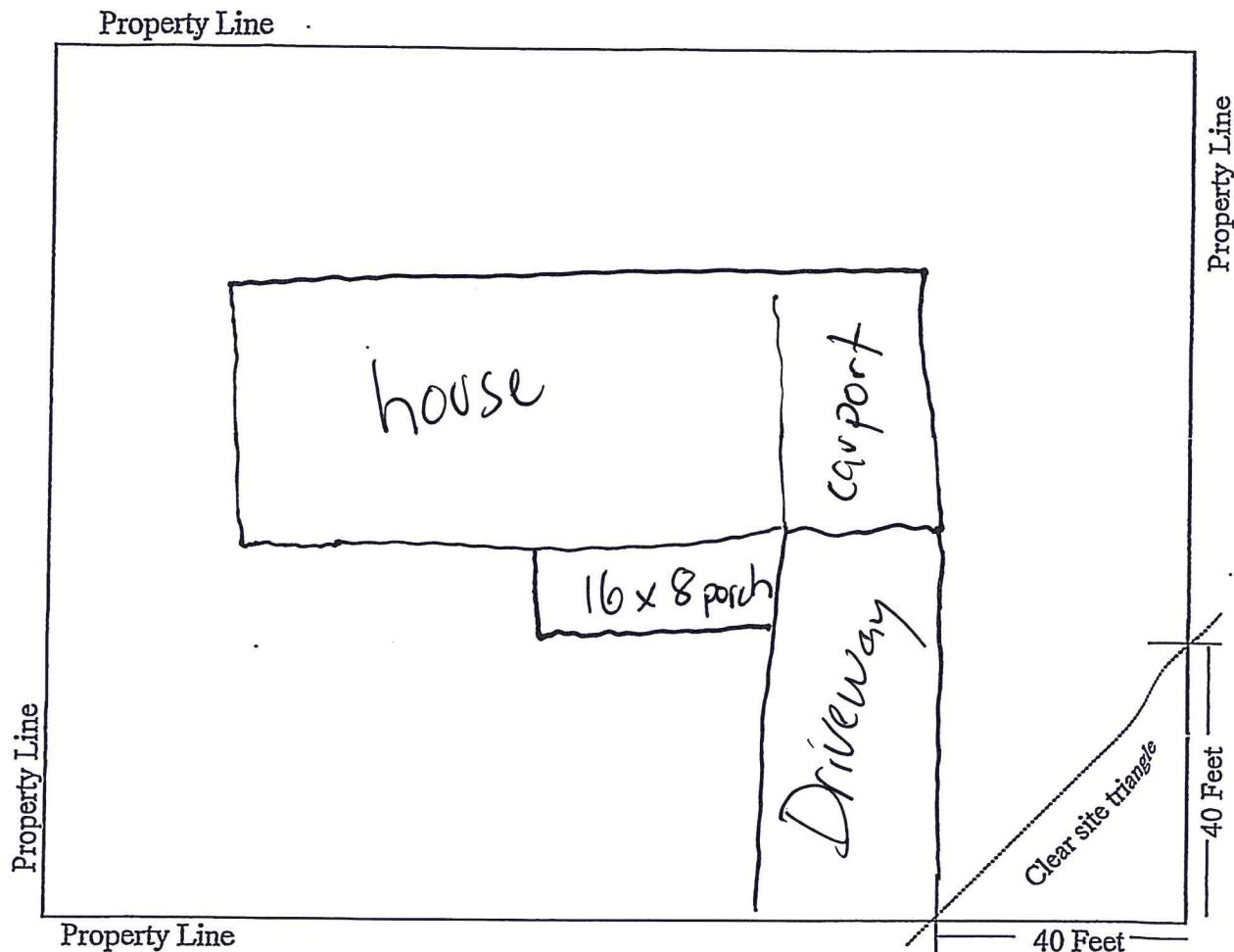
State of New York)  
County of Cayuga) ss:

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public / Commissioner of Deeds

PLOT PLAN FOR BUILDING PERMIT

Address permit is for: 4 Meadowbrook Dr, Auburn, NY 13021



Maintain clear view on corners within the clear site triangle. Fence or vegetation must not exceed thirty (30) inches in height.

The facts contained herein are true and accurate to the best of my knowledge. False statements herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signature of applicant: Brian

Printed name: Brian Tomasso

\*\*\*\*\*

(For office use only)

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

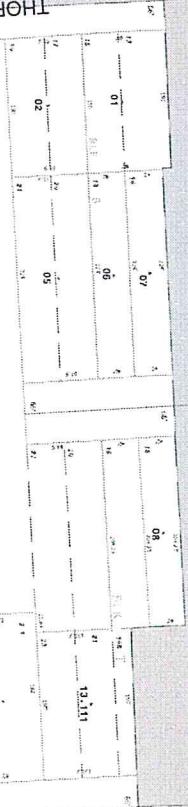
\_\_\_\_\_  
Notary Public or Commissioner of Deeds

CITY OF  
AUBURN  
122.50

CITY OF  
AUBURN  
122.50

CITY OF  
AUBURN  
122.50

COFFRELL ST



CITY OF  
AUBURN  
122.50

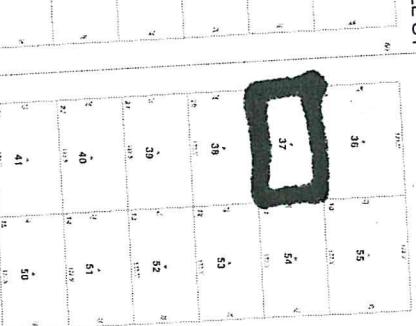
THORNTON AVE

03.5  
56  
03.4  
03.6

GARROW STREET EXT



OAK ST



CITY OF  
AUBURN  
122.50



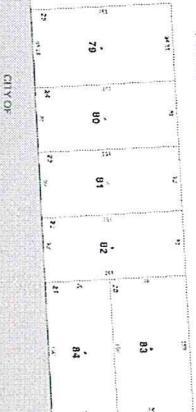
OAK ST



MEDDWBROOK DR

03.5

ANDERSON CIR



CITY OF  
AUBURN  
122.50

CITY OF  
AUBURN  
122.50

ANDERSON CIR

03.5

03.6

03.7

03.8

03.9

03.10

03.11

03.12

03.13

03.14

03.15

03.16

03.17

03.18

03.19

03.20

03.21

03.22

03.23

03.24

03.25

03.26

03.27

03.28

03.29

03.30

03.31

03.32

03.33

03.34

03.35

03.36

03.37

03.38

03.39

03.40

03.41

03.42

03.43

03.44

03.45

03.46

03.47

03.48

03.49

03.50

03.51

03.52

03.53

03.54

03.55

03.56

03.57

03.58

03.59

03.60

03.61

03.62

03.63

03.64

03.65

03.66

03.67

03.68

03.69

03.70

03.71

03.72

03.73

03.74

03.75

03.76

03.77

03.78

03.79

03.80

03.81

03.82

03.83

03.84

03.85

03.86

03.87

03.88

03.89

03.90

03.91

03.92

03.93

03.94

03.95

03.96

03.97

03.98

03.99

03.100

03.101

03.102

03.103

03.104

03.105

03.106

03.107

03.108

03.109

03.110

03.111

03.112

03.113

03.114

03.115

03.116

03.117

03.118

03.119

03.120

03.121

03.122

03.123

03.124

03.125

03.126

03.127

03.128

03.129

03.130

03.131

03.132

03.133

03.134

03.135

03.136

03.137

03.138

03.139

03.140

03.141

03.142

03.143

03.144

03.145

03.146

03.147

03.148

03.149

03.150

03.151

03.152

03.153

03.154

03.155

03.156

03.157

03.158

03.159

03.160

03.161

03.162

03.163

03.164

03.165

03.166

03.167

03.168

03.169

03.170

03.171

03.172

03.173

03.174

03.175

03.176

03.177

03.178

03.179

03.180

03.181

03.182

03.183

03.184

03.185

03.186

03.187

03.188

03.189

03.190

03.191

03.192

03.193

03.194

03.195

03.196

03.197

03.198

03.199

03.200

03.201

03.202

03.203

03.204

03.205

03.206

03.207

03.208

03.209

03.210

03.211

03.212

03.213

03.214

03.215

03.216

03.217

03.218

03.219

03.220

03.221

03.222

03.223

03.224

03.225

03.226

03.227

03.228

03.229

03.230

03.231

03.232

03.233

03.234

03.235

03.236

03.237

03.238

03.239

03.240

03.241

03.242

03.243

03.244

03.245

03.246

03.247

03.248

03.249



# Cayuga County

## Image Mate Online

Navigation Tax Maps | ORPS Links | Assessment Info

Help Log In

### Residential

#### Municipality of City of Auburn

SWIS:	050100	Tax ID:	122.43-1-37
-------	--------	---------	-------------

#### Improvements

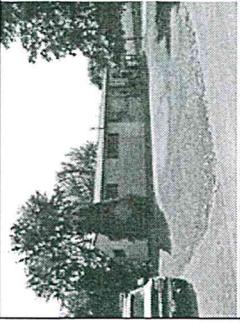
Structure	Size	Grade	Condition	Year
Carport	288 sq ft	Average	Normal	1967
Porch-open/deck	40 sq ft	Average	Normal	1967
Shed-machine	80 sq ft	Average	Normal	1980
Fence, Vinyl ch	100 x 6	Average	Good	2017

#### Tax Info

Report
Comparables

### Photographs

(Click on photo to enlarge it.)



### Documents

- Transfer 7-25-2008
- Transfer 3-10-2017

### Maps

[View Tax Map](#)

[View in Google Maps](#)

[View in Yahoo! Maps](#)

[View in Bing Maps](#)

[Map Disclaimer](#)

## Cayuga County



## Image Mate Online

[Navigation](#) | [Tax Maps](#) | [ORPS Links](#) | [Assessment Info](#)
[Help](#) | [Log In](#)

## Residential

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

## Municipality of City of Auburn

SWIS:	050100	Tax ID:	122.431-1-37
-------	--------	---------	--------------

## Ownership Information

Name	Address
Heather L Tomasso	4 Meadowbrook Dr Auburn NY 13021

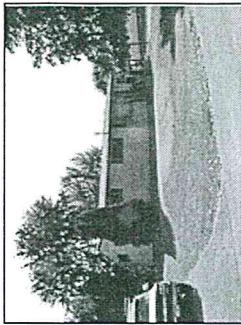
## Sale Information

Sale Date	Price	Property Class	Sale Type	Prior Owner
3/10/2017	\$1	210 - 1 Family Res	Land & Building	DeTomaso, David
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	1662	147

Sale Date	Price	Property Class	Sale Type	Prior Owner
7/25/2008	\$45,000	210 - 1 Family Res	Land & Building	DeBenedetto, Gerald
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	1359	63

## Photographs

(Click on photo to enlarge it.)


[File Photo](#)

## Documents

- Transfer 7-25-2008
- Transfer 3-10-2017

## Maps

<a href="#">View Tax Map</a>
<a href="#">View in Google Maps</a>
<a href="#">View in Yahoo! Maps</a>
<a href="#">View in Bing Maps</a>
<a href="#">Map Disclaimer</a>

## Cayuga County



## Image Mate Online

[Navigation](#) | [Tax Maps](#) | [ORPS Links](#) | [Assessment Info](#)
[Help](#) | [Log In](#)

Residential			
<a href="#">Property Info</a>			
<a href="#">Owner/Sales</a>			
<a href="#">Inventory</a>			
<a href="#">Improvements</a>			
<a href="#">Tax Info</a>			
<a href="#">Report</a>			
<a href="#">Comparables</a>			

## Municipality of City of Auburn

<a href="#">Photographs</a>
(Click on photo to enlarge it.)

Tax Map ID / Property Data			
Status:	Active	Roll Section:	Taxable
Address:	4 Meadowbrook Dr	Site Property Class:	210 - 1 Family Res
Property Class:	210 - 1 Family Res	In Ag. District:	No
Site:	Res 1	Bldg. Style:	Ranch
Zoning Code:	R1 -	School District:	Auburn
Neighborhood:	00031 -	Legal Property Description:	Meadowbrook Hts 19
Total Acreage/Size:	70 x 122.5	Equalization Rate:	----
Land Assessment:	2018 - \$16,400	Total Assessment:	2018 - \$98,700
Full Market Value:	2018 - \$98,700		
Deed Book:	1662	Deed Page:	147
Grid East:	8222595	Grid North:	1061918
Special Districts for 2018			
No information available for the 2018 roll year.			
Land Types			
Primary	Type	Size	
Primary		70 x 122	

County of Cayuga  
City of Auburn

PARCEL INFORMATION  
050100 122.43-1-37  
4 Meadowbrook Dr  
210 - 1 Family Res  
Front Feet-70.00 Depth-122.50

**2018 ASSESSMENT NOTIFICATION**

**OWNER INFORMATION**

David RLU DeTomaso  
Heather L. Tomasso  
4 Meadowbrook Dr  
Auburn, NY 13021

You are hereby notified in accordance with the requirements of Section 510 of the Real Property Tax Law of your preliminary assessment. New York State law requires all properties in each municipality to be assessed at market value or at a uniform level of assessment each year.

Year	Assessed Value
2017	\$87,000
2018	\$98,700
Net Change	+\$11,700

A change in your property's assessment does not necessarily indicate that your taxes will change. Your tax liability will be affected by several factors, including: changes to school/county/municipal budgets, changes to assessments of other properties, changes to exemptions applicable to your property, and apportionment of school and/or county taxes among multiple municipal segments.

You may contact representatives of the assessor's office regarding this notice. If, as a result of consultation with the assessor or otherwise, your tentative assessment differs from this preliminary assessment, you will be notified of that tentative assessment. If you disagree with your property's tentative assessment, in order to protect your right to assessment review, you must file a formal written complaint on the officially prescribed form (RP-524), available from your assessor or online at [www.tax.ny.gov](http://www.tax.ny.gov), with your Board of Assessment Review (BAR) on or before

**Grievance Day: SEE BELOW.**

A publication entitled "Contesting Your Assessment in New York State" is available at the assessor's office and online: [www.tax.ny.gov](http://www.tax.ny.gov).

Please note that your assessor and the BAR can only review your **assessed value**; they do not set and cannot adjust your taxes. If you feel that your assessment is fair but your taxes are too high, your comments should be addressed to the appropriate taxing jurisdiction.

2018 Informal Meetings with Assessors by appointment only Feb 5th to Feb 16th (no form needed). 2018 Board of Assessment Review by appointment April 2,3 & 4: 1pm to 8pm; April 5,6 & 12: 9am to 5pm; April 7: 9am to 3pm; April 9,10 & 11: 1pm to 5pm; April 13th: 9am to 1pm. (completed/signed RP-524 form needed) For an appointment call (315) 255-4125. Please bring evidence of your opinion of your property's value.

Michael J. Burns  
Assessor



**CITY OF AUBURN**  
**2018/2019 City Tax Bill Receipt**

\* THIS IS NOT A BILL. REFER TO BACK PAGE FOR DETAILS \*

**From 7/01/2018 to 6/30/2019 Warrant Date 7/01/2018**

**MAKE CHECKS PAYABLE TO:**

City Treasurer  
P.O. Box 7  
Auburn, NY 13021  
Phone: (315) 255-4143

SWIS CD 050100  
TAX MAP NO. 116.62-2-004.001  
PROPERTY ADDRESS 6-8 MARY ST

**TO PAY IN PERSON**

Memorial City Hall  
24 South St.  
Auburn, NY 13021

ESTIMATED STATE AID 4,982,093  
BILL NO. 06769

Exemption Value Tax Purpose

Tax Description	Total Tax Levy	% Change From Prior Year	Taxable Value	Rate	TAX AMOUNT
CITY TAX	9,256,858	8.77	85,000	8.8047	748.40
CAPITAL IMPROV. PROGRAM	3,150,000	-6.38	85,000	2.9962	254.68
LIBRARY	474,167	1.83	85,000	.4373	37.17
REFUSE COLLECTION FEE					235.00
<b>TOTAL DUE--&gt;</b>					<b>1,275.25</b>

TOMASSO BRIAN S  
4 MEADOWBROOK DR  
AUBURN, NY 13021

FAILURE TO RECEIVE THIS BILL  
DOES NOT WAIVE PENALTY

FRONT FOOTAGE 70.70 DEPTH 107.75 ACRES  
ROLL SECTION 1  
PROPERTY ADDRESS 6-8 MARY ST  
PROPERTY CLASS 220  
BANK CODE 5000

**PROPERTY TAXPAYER'S BILL OF RIGHTS**

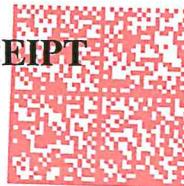
The assessor estimates the Full Market Value of this property as of July 1, 2018 is \$ 85,000.00  
The Total Assessed Value of this property is \$ 85,000.00  
The Uniform Percentage of Value used to establish assessments in your municipality is 100 %

FULL PAYMENT STUB	SECOND INSTALLMENT	FIRST INSTALLMENT
ENCLOSE THIS STUB WITH YOUR CHECK WHEN PAYING IN FULL DUE 7/31/2018 WITHOUT PENALTY	ENCLOSE THIS STUB WITH YOUR CHECK WHEN PAYING SECOND INSTALLMENT DUE 1/31/2019 W/OUT PENALTY	ENCLOSE THIS STUB WITH YOUR CHECK WHEN PAYING FIRST INSTALLMENT DUE 7/31/2018 W/OUT PENALTY
CITY TAX, CITY OF AUBURN	CITY TAX, CITY OF AUBURN	CITY TAX, CITY OF AUBURN
BILL NO. 06769	BILL NO. 06769	BILL NO. 06769
6-8 MARY ST	6-8 MARY ST	6-8 MARY ST
116.62-2-004.001	116.62-2-004.001	116.62-2-004.001
FULL PAYMENT \$ 1,275.25	SECOND INST. \$ 619.04	FIRST INST. \$ 656.21
1st INST PEN \$	PENALTY \$	PENALTY \$
2nd INST PEN \$		
AMOUNT PAID \$	AMOUNT PAID \$	AMOUNT PAID \$ 656.21

CITY TREASURER  
P.O. BOX 7  
AUBURN, NY 13021

SYRACUSE

**IMPORTANT  
2018/2019 CITY TAX BILL RECEIPT  
PM 2 L**



US POSTAGE  
**\$00.47<sup>0</sup>**  
First-Class  
Mailed From 13021  
08/01/2018  
032A 0061834810

TOMASSO BRIAN S  
4 MEADOWBROOK DR  
AUBURN, NY 13021

13021-521304



Your tax bill was recently paid by your mortgage company. **This is not a tax bill.** It is a receipt that is required to be sent by the TAXPAYER BILL OF RIGHTS effective July 1, 1998. Your mortgage company has the original tax bill. If you have any questions please call the TREASURER'S OFFICE at 255-4143.







Brian and Heather Tomasso

16 X 8 Composite Deck

Remove old deck from house and get rid of all lumber and debris. Cost \$200 Labor

Install flashing where ledger board is to be installed to house.

Install ledger board to house with lag bolts. Dig all holes and install 4 X 4 posts.

Pour sika in all holes and level 4 X 4 posts.

Install rim joints to all 4 X 4's.

Install all framing joists for deck.

Install all bridging boards between joists.

Install 4 X 4 concrete landing for steps.

Install all composite decking with hidden mounting clips.

Install vinyl sleeves to all posts and post caps.

Install all vinyl railings with mounting brackets.

Install 2 X 4 PT between all posts for structure support for composite shirting.

Install composite decking vertical for skirting around entire deck.

Install stringers for steps. Steps to land on concrete pad.

Remove all tools, ladders, etc. from job site upon completion. Clean up all debris and waste.

All extra materials, if any, to be left with homeowner.

Final inspection with homeowner upon final payment.

**TOTAL MATERIALS COST \$2226.43 -- TO BE PAID BY HOMEOWNER**

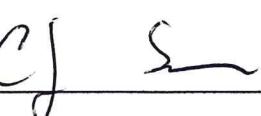
**TOTAL LABOR COST \$2200.00**

**HALF LABOR DOWN PAYMENT \$1100      HALF UPON COMPLETION \$1100**

HOMEOWNER



CONTRACTOR



&lt; 3

i

## CJ Sawyer

The business MUST be either: (1) owned by one individual; (2) is a partnership (including L.L.C., L.L.P., P.L.L.C., or L.P.) under the laws of New York State and is not a corporation; (3) is one or two person owned corporation, with those individuals owning all of the stock and holding all offices of the corporation (in a two person owned corporation each individual must be an officer and own at least one share of stock); (4) is a business with no NYS location. In addition, the business does not require disability and paid family leave benefits coverage at this time since it has not employed one or more individuals on at least 30 days in any calendar year in New York State. (Independent contractors are not considered to be employees under the Disability and Paid Family Leave Benefits Law.)

I, CHARLES J. SAWYER, am the Sole Proprietor with the above-named legal entity. I affirm that due to my position with the above-named business I have the knowledge, information and authority to make this Certificate of Attestation of Exemption. I hereby affirm that the statements made herein are true, that I have not made any materially false statements and I make this Certificate of Attestation of Exemption under the penalties of perjury. I further affirm that I understand that any false statement, representation or concealment will subject me to felony criminal prosecution, including jail and civil liability to the state of New York and the workers' compensation board. By submitting this Certificate of Attestation of Exemption to the government entity listed above I also hereby affirm that if circumstances change that the workers' compensation insurance and/or disabling and paid family leave benefits coverage is required, the above-named legal entity will immediately acquire appropriate New York State specific workers' compensation insurance and/or disability and paid family leave benefits coverage and also immediately furnish proof of that coverage or forms approved by the Chair of the Workers' Compensation Board to the government entity listed above.

SIGN HERE	Signature:	Date:
Exemption Certificate Number 2018-041210		Received June 7, 2018 NYS Workers' Compensation Board

CE-200-01-2018

Fri, Jun 29, 10:01 AM

CJ you've gotta file that today and get us the permit please

ok

The fence guy just brought over the permit for the fence so that's in the window now(didn't want you to think it was the porch one) so if I'm not home just leave it in between the storm door and front door please

Fri, Jun 29, 3:08 PM

so they took what i had said they have to review it and will get back to me

Is that normal for them not to issue a permit?

I guess they want to look at it



Text Message





**Certificate of Attestation of Exemption  
from New York State Workers' Compensation and/or  
Disability and Paid Family Leave Benefits Insurance Coverage**

***\*\*This form cannot be used to waive the workers' compensation rights or obligations of any party.\*\****

The applicant may use this Certificate of Attestation of Exemption **ONLY** to show a government entity that New York State specific workers' compensation and/or disability and paid family leave benefits insurance is not required. The applicant may **NOT** use this form to show another business or that business's insurance carrier that such insurance is not required. Please provide this form to the government entity from which you are requesting a permit, license or contract. This Certificate will not be accepted by government officials one year after the date printed on the form.

<p style="text-align: center;"><b>In the Application of (Legal Entity Name and Address):</b></p> <p>CHARLES J SAWYER 166-170 Van Anden Street AUBURN, NY 13021 PHONE: 315-209-0893 FEIN: XXXXX5184</p>	<p style="text-align: center;"><b>Business Applying For:</b> Building Permit</p> <p><b>From:</b> cayuga county</p> <p>The location of where work will be performed is 4 meadowbrook lane, auburn, NY 13021.</p> <p>Estimated dates necessary to complete work associated with the building permit are from <b>June 11, 2018</b> to <b>June 18, 2018</b>. The estimated dollar amount of project is <b>\$0 - \$10,000</b></p>
--	--

**Workers' Compensation Exemption Statement:**

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE SPECIFIC WORKERS' COMPENSATION INSURANCE COVERAGE** for the following reason:

The business is owned by one individual and is not a corporation. Other than the owner, there are no employees, day labor, leased employees, borrowed employees, part-time employees, unpaid volunteers (including family members) or subcontractors.

**Disability and Paid Family Leave Benefits Exemption Statement:**

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE STATUTORY DISABILITY AND PAID FAMILY LEAVE BENEFITS INSURANCE COVERAGE** for the following reason:

The business **MUST** be either: 1) owned by one individual; OR 2) is a partnership (including LLC, LLP, PLLP, RLLP, or LP) under the laws of New York State and is not a corporation; OR 3) is a one or two person owned corporation, with those individuals owning all of the stock and holding all offices of the corporation (in a two person owned corporation each individual must be an officer and own at least one share of stock); OR 4) is a business with no NYS location. In addition, the business does not require disability and paid family leave benefits coverage at this time since it has not employed one or more individuals on at least 30 days in any calendar year in New York State. (Independent contractors are not considered to be employees under the Disability and Paid Family Leave Benefits Law.)

I, CHARLES J. SAWYER, am the Sole Proprietor with the above-named legal entity. I affirm that due to my position with the above-named business I have the knowledge, information and authority to make this Certificate of Attestation of Exemption. I hereby affirm that the statements made herein are true, that I have not made any materially false statements and I make this Certificate of Attestation of Exemption under the penalties of perjury. I further affirm that I understand that any false statement, representation or concealment will subject me to felony criminal prosecution, including jail and civil liability in accordance with the Workers' Compensation Law and all other New York State laws. By submitting this Certificate of Attestation of Exemption to the government entity listed above I also hereby affirm that if circumstances change so that workers' compensation insurance and/or disability and paid family leave benefits coverage is required, the above-named legal entity will immediately acquire appropriate New York State specific workers' compensation insurance and/or disability and paid family leave benefits coverage and also immediately furnish proof of that coverage on forms approved by the Chair of the Workers' Compensation Board to the government entity listed above.

<b>SIGN HERE</b>	<b>Signature:</b>	<b>Date:</b>
<b>Exemption Certificate Number</b>		<b>Received</b>
2018-041210		June 7, 2018
<b>NYS Workers' Compensation Board</b>		

To Whom It May Concern:

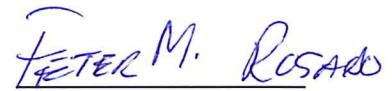
I support Brian and Heather Tomasso's request for a variance to allow their front deck to be 8 feet in width instead of the required 6 feet.

I do not feel that this will create an undesirable change in the character of the neighborhood nor will it create a detriment to my property.

Sincerely,



Signature



Printed Name

3 MEADOWBROOK DRIVE

Auburn NY 13021

315-252-5097

Phone Number

To Whom It May Concern:

I support Brian and Heather Tomasso's request for a variance to allow their front deck to be 8 feet in width instead of the required 6 feet.

I do not feel that this will create an undesirable change in the character of the neighborhood nor will create a detriment to my property.

Sincerely,



Signature



Printed Name

12 Main Street  
Auburn NY 13021



Phone Number

To Whom It May Concern:

I support Brian and Heather Tomasso's request for a variance to allow their front deck to be 8 feet in width instead of the required 6 feet.

I do not feel that this will create an undesirable change in the character of the neighborhood nor will create a detriment to my property.

Sincerely,



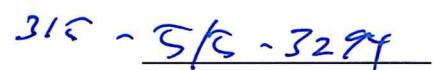
Signature



Printed Name



Auburn NY 13021



Phone Number

**DENIAL OF PERMIT BY CODE ENFORCEMENT**  
**Referral to the Zoning Board of Appeals**

**PART 1. APPLICATION DATE: 9/4/18 MEETING DATE: 9/24/18**

**PURPOSE:** Applicant is requesting area variances for a conversion.

**PROPERTY LOCATION:** 11 Delevan St. **ZONING DISTRICT:** R-2

**APPLICANT NAME:** Michael Brown, Trustee of A&M Trust.  
110202 Cambrian Heights NY 11411

**ADDRESS:** 229-01 Linden Blvd PO Box

**PART 2. DENIAL BY CODE ENFORCEMENT OFFICER**

**DATE:** 9/17/18

**REASON (What specifically is applicant requesting and what the ordinance limitations are)**

Applicant is requesting four area variances for the conversion to a two-unit residential use.

1. An area variance of 3,042 SF in required lot size of the required 7,500 SF. §305.29C4
2. An area variance to install front yard parking. §305.32A1
3. An area variance of ten feet of the required ten feet setback from the side property line to the parking pad/area. §305.14I Table
4. An area variance of four feet of the required 18 feet of width of a two car parking pad/area. §305.48E2a

**PERTINENT TITLE, SECTION, PARAGRAPH OF ZONING ORDINANCE:**

**§305.29 Conversions**

C. Increase in number of dwelling units.

(4) Minimum lot size. Lot size shall comply with the requirements for minimum lot size as defined within the Bulk and Use Tables, but shall not be less than the following:

Proposed Use	Required Minimum Lot Size (square feet)
Dwelling, two-family	7,500
Dwelling, multifamily	11,250

**§ 305-32Driveway, residential.**

A. Application.

(1) No parking of vehicles shall be permitted nor any driveway or parking area established in the front yard.

**§ 305-14R-2 Single, Two- and Multifamily Residential District.**

I. Bulk and Use Table: R-2 Single, Two- and Multifamily Residential District.

Uses	Min. Lot Size (SF)	Min. Lot Width (LF)	Min. Setback (feet)			Max. Allowable Impervious Surface Coverage (%)	Max. Bldg. Height (feet)	Parking
			Front	Side	Rear			
Dwelling,two-family	5,000	40	15	10	20	65	35	2 per dwelling unit

**§ 305-48 Off-street parking and loading.**

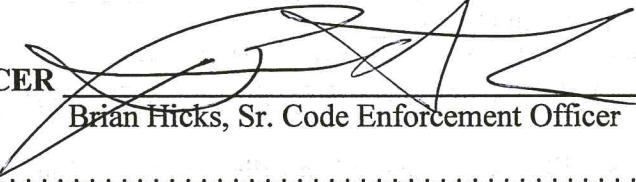
E. Design standards.

(2) Parking dimensions.

(a) Each off-street parking space shall have the following minimum dimensions, in feet:

	Parallel Parking		Perpendicular Parking	
	Width	Length	Width	Length
Standard	9	24	9	18

**SIGNATURE OF CODE ENFORCEMENT OFFICER**

  
Brian Hicks, Sr. Code Enforcement Officer

\*\*\*\*\*

CITY OF AUBURN  
ZONING BOARD OF APPEALS  
APPLICATION FOR AREA VARIANCE

RECEIVED  
SEP - 4 2018

Date: 09/04/2018

CITY OF AUBURN  
CODE ENFORCEMENT

1. Applicant(s): Michael Brown, Trustee of A&M Trust
2. Contact Person: (if not shown in #1)
3. Address: 229-01 Linden Blvd P.O. Box 110202 Cambria Heights, NY 11411
4. Phone: (516) 902-2670 E-Mail: Amrentalnyc@gmail.com
5. Address where variance is requested: 11 Delevan St, Auburn, NY 13021  
Tax Map #: 115.74-1-57 Zoning District: R2 -
6. Property Owner (if different than applicant): A & M Trust

**(If the applicant is not the property owner a notarized statement giving authorization to the applicant must be obtained from the property owner and submitted with this application.)**

7. If the use variance is granted, will the applicant be performing the changes?  Yes  No

8. If not, please provide the name, address and phone number of the contractor(s):

John Tomandl DBA Tomandl Services 48 Park Ave Auburn, NY 13021

9. Please describe in detail the changes you plan to make on the premises (be specific):

The property will undergo a full kitchen and bathroom remodel for both units. Electrical components will be upgraded. We will be replacing rotten footings for front porch. Basement repairs will be made to repair minor foundation damage due to lack of maintenance. exterior work would include replacing roof, fixing siding, paving driveway and completing landscaping.

10. Please explain how you will suffer a significant economic injury unless the area variance is granted:  
Presently, the property is structured in a 2- family layout. A large portion of the rehabilitation budget is allotted to revitalizing the overall condition and appearance of the property. To convert to a single family usage, rehabilitation budget will be increased by 15% leaving owner with unfavorable financial positioning.

11. Please provide the following information to support how you will suffer a significant economic injury:

- a) Amount paid for property in question: \$17,500
- b) Date of purchase of the property: June 26th, 2018
- c) Present market value of the property or any part thereof: \$53,800
- d) Basis upon which the present market value of the property was obtained: 2017 Final assessment roll
- e) Assessment and amount of taxes on the property in issue (if applicable): \$53,800/ \$432
- f) Amount of mortgages and other encumbrances (if applicable): \$50,000
- g) Income from the land in issue (if applicable) Market rate rent once work is complete and CO is obtained.
- h) Any other relevant facts particular to the facts of the case: Property was recently inhabited as a 2 family and conversion back to single family would significantly increase renovation budget.

12. Please explain why the requested variance will not produce an undesirable change in the character of the neighborhood: The proposed variance will not affect the character of the neighborhood based on the predominant multi-family demographics of the neighborhood. Given the rental to owner ratio, this proposed variance serves as an enhancement and solution to residential housing for working families.

13. Please explain why no detriment will be created to nearby properties: This property once tenanted with market rent occupants, will accompany the existing multi-family dwellings in the neighborhood. Despite the 545SF less than required, vehicles parked will not be parked past the front extension of residence.

14. Please explain the reasons why there is no other feasible method available to you to pursue in order to achieve the benefit you seek other than the requested area variance: The proposed variance is the minimum variance that will make possible the most reasonable use of the structure.

15. Please explain why the requested area variance is not substantial: \*See last page\*

Please use the last sheet of lined paper if you require any further space and clearly indicate which questions you are answering.

Remember that it is the sole responsibility of the applicant to provide sufficient information and documentation concerning this application. Because the determination is made solely on the basis of information provided to the ZBA, it is to the applicant's benefit to include as much supporting information as possible.

I/WE HEREBY CONSENT TO ALLOW MEMBERS OF THE ZONING BOARD OF APPEALS, UPON REASONABLE NOTICE TO ME/US, THE RIGHT OF ACCESS TO MY/OUR PROPERTY FOR THE PURPOSE OF VIEWING AND INSPECTING THE PROPOSED VARIANCE, WHICH IS A SUBJECT MATTER OF THE PROCEEDING HEREIN BEFORE THE ZONING BOARD OF APPEALS.

I/We certify that the information submitted with this application for an area variance is true to the best of my/our knowledge and belief.



Printed name of applicant

Printed name of applicant

Michael Brown  
Signature of applicant

Signature of applicant

\*\*\*Office use only\*\*\*

State of New York)  
County of Cayuga) ss:

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public / Commissioner of Deeds

15. WE ARE REQUESTING FRONT YARD PARKING AS PARKING PER CITY REQUIREMENTS FOR FOUR (4) VEHICLES IS CURRENTLY UNAVAILABLE ON THE PROPERTY. PROPERTY OWNER IS ASKING TO BE ALLOWED TO CREATE A 15' WIDE PARKING AREA TO THE NORTH SIDE OF THE PROPERTY WITH CURB CUT AND APRON EXTENDING TO 18' BEYOND THE FRONT OF THE RESIDENCE TO THE WEST. THIS WILL ALLOW TWO VEHICLES TO BE PARKED AND GENERALLY NOT BE VISIBLE IN THE FRONT YARD OF THE RESIDENCE.

\*\*Do not copy if not used\*\*



## Property Description Report For: 11 Delevan St, Municipality of City of Auburn



<b>Total Acreage/Size:</b>	49.5 x 90	<b>Status:</b>	Active
<b>Land Assessment:</b>	2018 - \$8,000	<b>Roll Section:</b>	Taxable
<b>Full Market Value:</b>	2018 - \$55,000	<b>Swis:</b>	050100
<b>Equalization Rate:</b>	----	<b>Tax Map ID #:</b>	115.74-1-57
<b>Deed Book:</b>	1694	<b>Property Class:</b>	210 - 1 Family Res
<b>Grid East:</b>	820729	<b>Site:</b>	RES 1
		<b>In Ag. District:</b>	No
		<b>Site Property Class:</b>	210 - 1 Family Res
		<b>Zoning Code:</b>	R2
		<b>Neighborhood Code:</b>	00041
		<b>School District:</b>	Auburn
		<b>Total Assessment:</b>	2018 - \$55,000
		<b>Legal Property Desc:</b>	A A Derby 38 9 Delevan St
		<b>Deed Page:</b>	245
		<b>Grid North:</b>	1065005

### Area

<b>Living Area:</b>	1,944 sq. ft.	<b>First Story Area:</b>	972 sq. ft.
<b>Second Story Area:</b>	972 sq. ft.	<b>Half Story Area:</b>	0 sq. ft.
<b>Additional Story Area:</b>	0 sq. ft.	<b>3/4 Story Area:</b>	0 sq. ft.
<b>Finished Basement:</b>	0 sq. ft.	<b>Number of Stories:</b>	2

### Structure

<b>Building Style:</b>	Old style	<b>Bathrooms (Full - Half):</b>	1 - 0
<b>Bedrooms:</b>	3	<b>Kitchens:</b>	1
<b>Fireplaces:</b>	0	<b>Basement Type:</b>	Full
<b>Porch Type:</b>	Porch-up cov	<b>Porch Area:</b>	112.00
<b>Basement Garage Cap:</b>	0	<b>Attached Garage Cap:</b>	0.00 sq. ft.
<b>Overall Condition:</b>	Normal	<b>Overall Grade:</b>	Average
<b>Year Built:</b>	1900		

### Owners

The Bank of New York Mellon FKA The Bank of New York  
55 Beattie Pl Ste 100 55 Beattie Pl Ste 100  
Greenville SC 29601 Greenville SC 29601

### Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book and Page
1/18/2018	\$62,976	210 - 1 Family Res	Land & Building	Wolter, Richard	No	No	No	1694/245

7/15/2004	\$30,000	210 - 1 Family Res	Land & Building	Hoey Robert & Mildred	No	No	No	1178/134
4/26/1999	\$1	220 - 2 Family Res	Land & Building	Hoey, Mildred	No	No	No	1004/54

## Utilities

<b>Sewer Type:</b>	Comm/public	<b>Water Supply:</b>	Comm/public
<b>Utilities:</b>	Gas & elec	<b>Heat Type:</b>	Hot air
<b>Fuel Type:</b>	Natural Gas	<b>Central Air:</b>	No

## Improvements

<b>Structure</b>	<b>Size</b>	<b>Grade</b>	<b>Condition</b>	<b>Year</b>
Porch-up cov	112 sq ft	Average	Normal	1900
Gar-1.0 det	16 x 18	Average	Normal	1900
Porch-screen	112 sq ft	Average	Normal	1900
Porch-coverd	42 sq ft	Average	Normal	2000
Porch-coverd	0 x 0	Average	Normal	2000
Fence-stockd	8 x 130	Average	Normal	2000

Auburn Furniture Service, Inc.

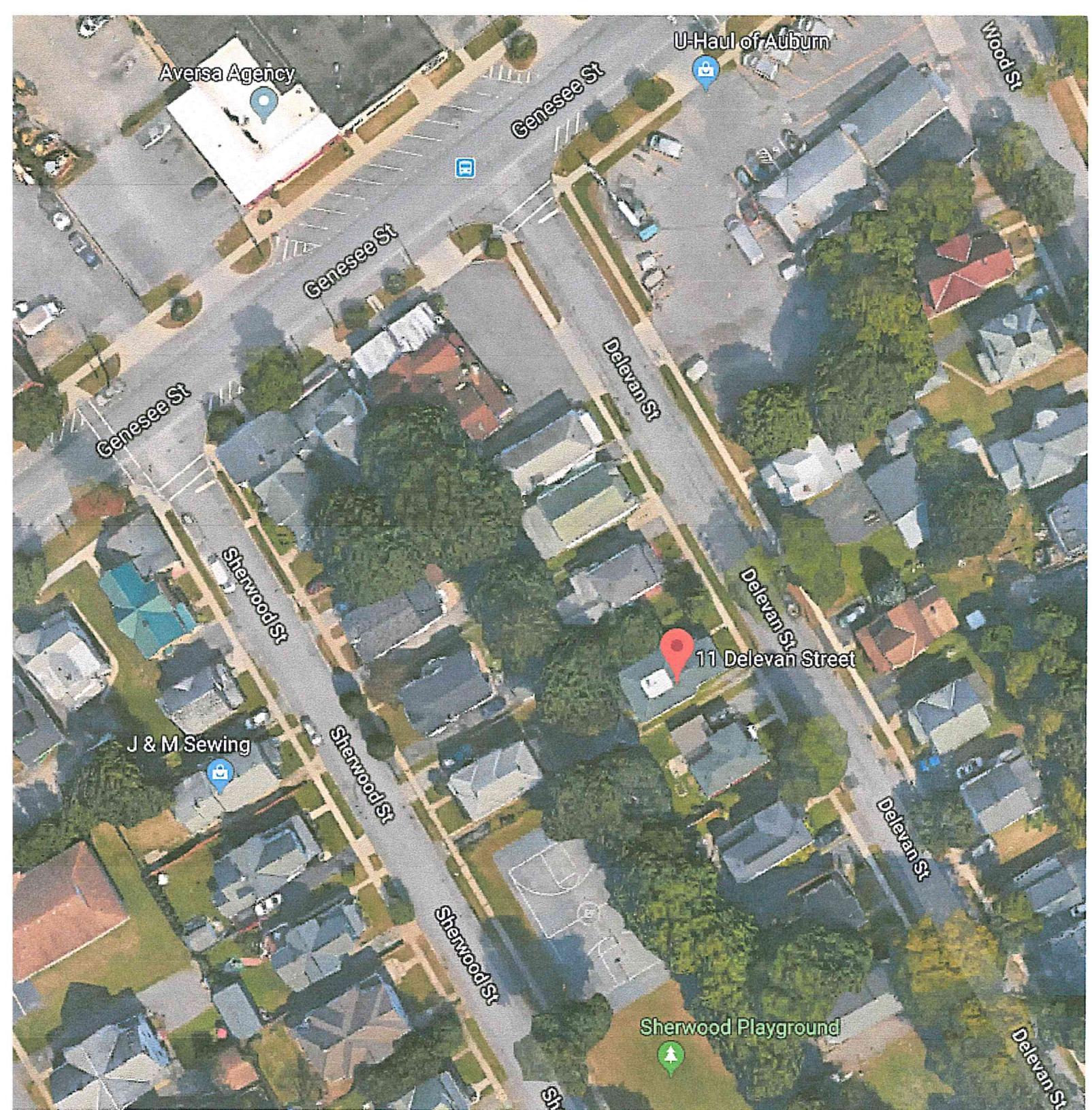
26 Osborne Street  
Auburn, NY 13021  
Ph [315] 253-8752  
Fax [315] 253-4995

# Estimate

Date	Estimate #
6/30/2018	1330

Name / Address
Mike Brown 11 Delevan St Auburn, NY 13021

Project			
Description	Qty	Cost	Total
Remodel property on 11 Delevan St. Work that consists of roof repair, replacement of windows, repair front porches, demo side entrances and rebuild with cement/block awnings overheads. Demo of back porches and rebuilding new entrances, interior work as discussed, new stove and refrigerator for both units, repair furnace and hot water tank if possible. Regrade driveway If furnace and hot water tank not salvageable then they would be extra		50,000.00	50,000.00
		0.00	0.00
Acceptance Signature			<b>Subtotal</b> \$50,000.00
			<b>Sales Tax (8.0%)</b> \$0.00
			<b>Total</b> \$50,000.00





# Single Family

11 Delevan Street, Auburn, New York 13021

## Monthly Income:

\$950.00

## NOI

\$5,958.00

## Monthly Expenses:

\$454 / \$705

## Total Cash Needed

\$85,500.00

## Monthly Cash Flow:

\$497 / \$245

## Cash on Cash ROI

7.0% / 7.8%

## Pro Forma Cap Rate:

9.93%

## Purchase Cap Rate

34.05%

## Purchase Price:

\$17,500.00

## Purchase Closing Costs:

\$3,000.00

## Estimated Repairs:

\$65,000.00

## Total Project Cost:

\$85,500.00

## After Repair Value:

\$60,000.00

## Estimated Rehab Time:

6 Months

## Time to Refinance:

6 Months

## Acquisition:

Down Payment: \$17,500.00

Loan Amount: \$0.00

Loan Points/Fees: \$0.00

Amortized Over: 0 years

Loan Interest Rate: 0.00%

Monthly P&I: \$0.00

Total Cash Needed At Purchase: \$85,500.00

## Refinance:

Loan Amount: \$48,000.00

Loan Fees: \$0.00

Amortized Over: 30 years

Loan Interest Rate: 4.80%

Monthly P&I: \$251.84

Total Cash Invested: \$37,500.00

## Income

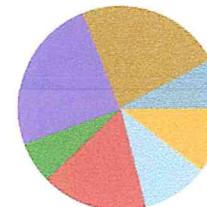
Rent Other



Rent	\$950.00
Other	\$0.00
<b>Total</b>	<b>\$950.00</b>

## Pre-Refinance Expenses

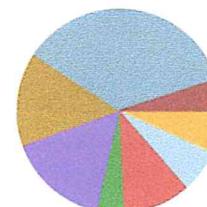
■ Vacancy ■ Repairs ■ CapEx ■ Garbage  
■ Insurance ■ Management ■ Property Taxes



Vacancy	\$47.50 (5%)
Repairs	\$47.50 (5%)
CapEx	\$76.00 (8%)
Garbage	\$30.00 (3%)
Insurance	\$112.00 (12%)
Management	\$104.50 (11%)
Property Taxes	\$36.00 (4%)
<b>Total</b>	<b>\$453.50 (48%)</b>

## Post-Refinance Expenses

■ Vacancy ■ Repairs ■ CapEx ■ Garbage  
■ Insurance ■ Management ■ P&I ■ Property Taxes



Vacancy	\$47.50 (5%)
Repairs	\$47.50 (5%)
CapEx	\$76.00 (8%)
Garbage	\$30.00 (3%)
Insurance	\$112.00 (12%)
Management	\$104.50 (11%)
P&I	\$251.84 (27%)
Property Taxes	\$36.00 (4%)
<b>Total</b>	<b>\$705.34 (74%)</b>

## Financial Projections

Total Initial Equity:	\$60,000.00
Gross Rent Multiplier:	1.54
Income-Expense Ratio (2% Rule):	1.11%
ARV based on Cap Rate:	-

### 50% Rule Cash Flow Estimates Pre-Refinance

Total Monthly Income:	\$950
x50% for Expenses:	\$475
Monthly Payment/Interest Payment:	\$0
<b>Total Monthly Cashflow using 50% Rule:</b>	<b>\$475</b>

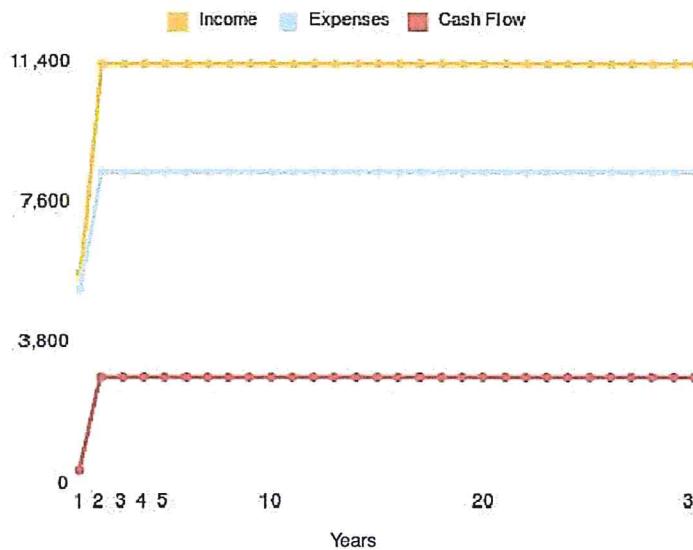
### 50% Rule Cash Flow Estimates Post-Refinance

Total Monthly Income:	\$950
x50% for Expenses:	\$475
Monthly Payment/Interest Payment:	\$252
<b>Total Monthly Cashflow using 50% Rule:</b>	<b>\$223</b>

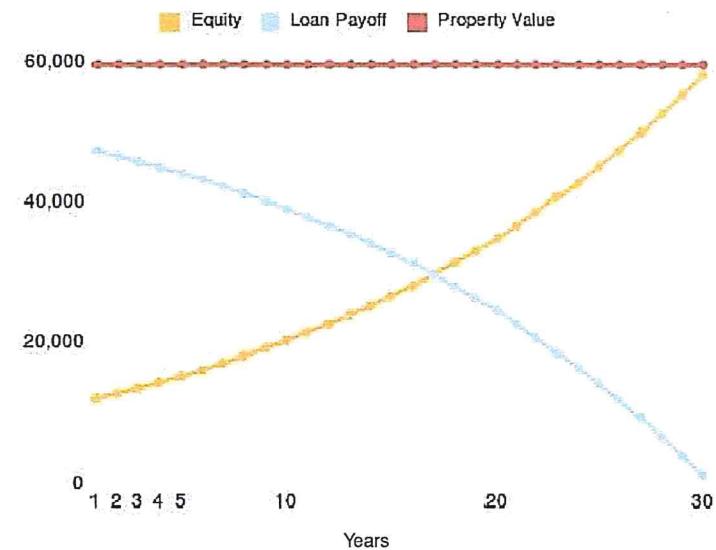
## Analysis Over Time

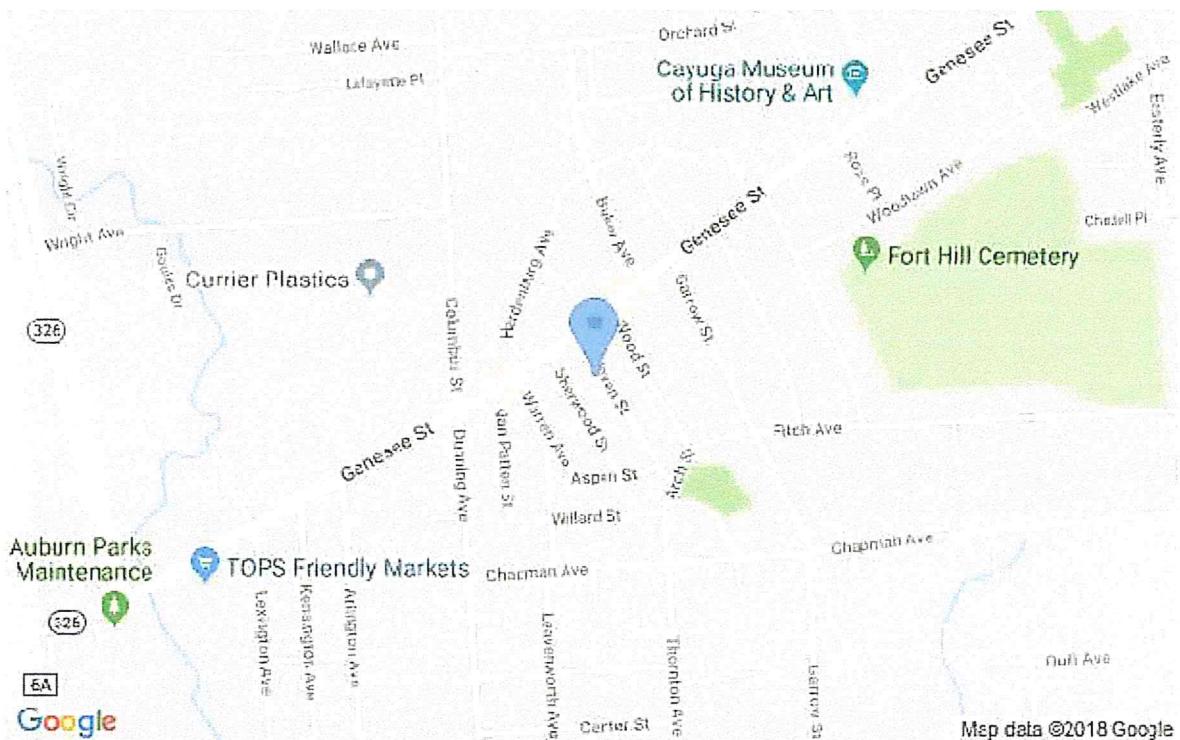
	Year 1	Year 2	Year 3	Year 4	Year 10	Year 20	Year 30
Total Annual Income	\$5,700	\$11,400	\$11,400	\$11,400	\$11,400	\$11,400	\$11,400
Total Annual Expenses	\$5,300	\$8,464	\$8,464	\$8,464	\$8,464	\$8,464	\$8,464
Total Annual Cashflow	\$400	\$2,936	\$2,936	\$2,936	\$2,936	\$2,936	\$2,936
Cash on Cash ROI	1.07%	7.83%	7.83%	7.83%	7.83%	7.83%	7.83%
Property Value	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
Equity	\$12,363	\$13,115	\$13,903	\$14,731	\$20,622	\$35,113	\$58,510
Loan Balance	\$47,637	\$46,885	\$46,097	\$45,269	\$39,378	\$24,887	\$1,490
Total Profit if Sold	-\$24,737	-\$21,050	-\$17,325	-\$13,561	\$9,945	\$53,796	\$106,552
Annualized Total Return	-66%	-34%	-19%	-11%	2%	5%	5%

### Income, Expenses and Cash Flow (in \$)



### Loan Balance, Value and Equity (in \$)





Calculations based on a 31-day month. The calculators found on BiggerPockets are designed to be used for informational and educational purposes only, and when used alone, do not constitute investment advice. BiggerPockets recommends that you seek the advice of a real estate professional before making any type of investment. The results presented may not reflect the actual return of your own investments. BiggerPockets is not responsible for the consequences of any decisions or actions taken in reliance upon or as a result of the information provided by these tools. Furthermore, BiggerPockets is not responsible for any human or mechanical errors or omissions.

# Delevan Street

11 Delevan Street, Auburn, New York 13021

## Monthly Income:

\$1,600.00

## NOI

\$10,800.00

## Monthly Expenses:

\$700 / \$968

## Total Cash Needed

\$40,500.00

## Monthly Cash Flow:

\$900 / \$632

## Pro Forma Cap Rate:

15.43%

## Cash on Cash ROI

26.7% / Inf%

## Purchase Cap Rate

61.71%

## Purchase Price:

**\$17,500.00**

## Purchase Closing Costs:

\$1,000.00

## Estimated Repairs:

\$22,000.00

## Total Project Cost:

\$40,500.00

## After Repair Value:

\$70,000.00

## Estimated Rehab Time:

3 Months

## Time to Refinance:

6 Months

## Acquisition:

Down Payment: \$17,500.00

Loan Amount: \$0.00

Loan Points/Fees: \$0.00

Amortized Over: 0 years

Loan Interest Rate: 0.00%

Monthly P&I: \$0.00

Total Cash Needed At Purchase: \$40,500.00

## Refinance:

Loan Amount: \$56,240.00

Loan Fees: \$2,000.00

Amortized Over: 30 years

Loan Interest Rate: 4.00%

Monthly P&I: \$268.50

Total Cash Invested: \$0.00

## Income

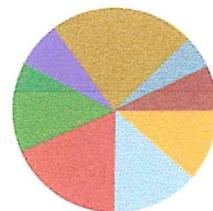
Rent Other



Rent	\$1,600.00
Other	\$0.00
<b>Total</b>	<b>\$1,600.00</b>

## Pre-Refinance Expenses

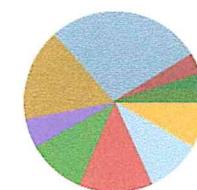
■ Vacancy ■ Repairs ■ CapEx ■ Water & Sewer  
 ■ Garbage ■ Management ■ P&I ■ Property Taxes ■ Misc



Vacancy	\$80.00 (5%)
Repairs	\$96.00 (6%)
CapEx	\$128.00 (8%)
Water & Sewer	\$100.00 (6%)
Garbage	\$50.00 (3%)
Management	\$160.00 (10%)
Property Taxes	\$36.00 (2%)
Misc	\$50.00 (3%)
<b>Total</b>	<b>\$700.00 (44%)</b>

## Post-Refinance Expenses

■ Vacancy ■ Repairs ■ CapEx ■ Water & Sewer  
 ■ Garbage ■ Management ■ P&I ■ Property Taxes  
 ■ Misc



Vacancy	\$80.00 (5%)
Repairs	\$96.00 (6%)
CapEx	\$128.00 (8%)
Water & Sewer	\$100.00 (6%)
Garbage	\$50.00 (3%)
Management	\$160.00 (10%)
P&I	\$268.50 (17%)
Property Taxes	\$36.00 (2%)
Misc	\$50.00 (3%)
<b>Total</b>	<b>\$968.50 (61%)</b>

## Financial Projections

Total Initial Equity:	\$70,000.00
Gross Rent Multiplier:	0.91
Income-Expense Ratio (2% Rule):	3.95%
ARV based on Cap Rate:	-

### 50% Rule Cash Flow Estimates Pre-Refinance

Total Monthly Income:	\$1,600
x50% for Expenses:	\$800
Monthly Payment/Interest Payment:	\$0
<b>Total Monthly Cashflow using 50% Rule:</b>	<b>\$800</b>

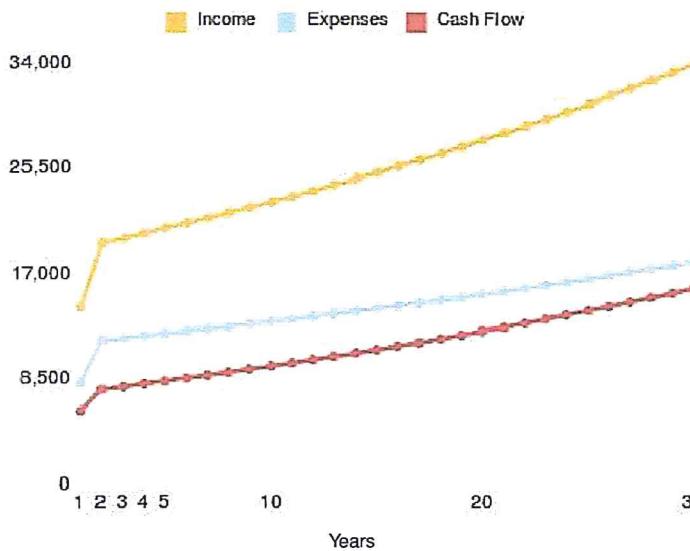
### 50% Rule Cash Flow Estimates Post-Refinance

Total Monthly Income:	\$1,600
x50% for Expenses:	\$800
Monthly Payment/Interest Payment:	\$268
<b>Total Monthly Cashflow using 50% Rule:</b>	<b>\$532</b>

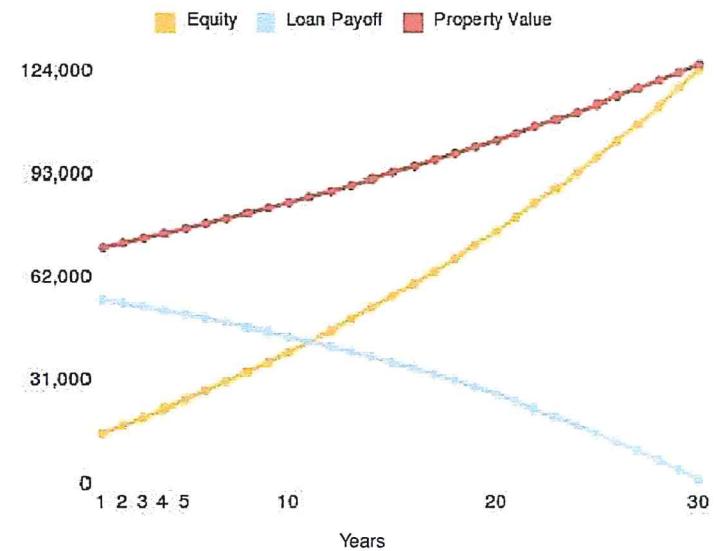
## Analysis Over Time

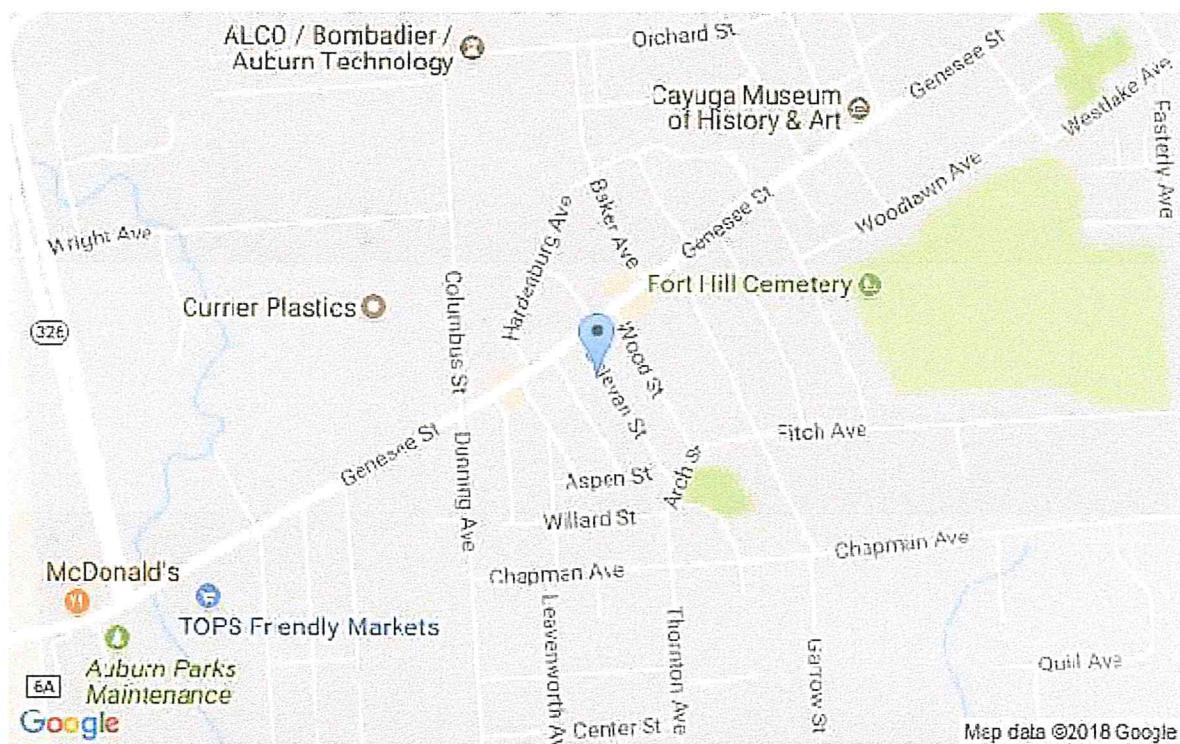
Annual Growth Assumptions	2% Expenses		2% Income		2% Property Value		
	Year 1	Year 2	Year 3	Year 4	Year 10	Year 20	Year 30
Total Annual Income	\$14,400	\$19,584	\$19,976	\$20,375	\$22,946	\$27,971	\$34,096
Total Annual Expenses	\$8,319	\$11,790	\$11,961	\$12,136	\$13,261	\$15,459	\$18,139
Total Annual Cashflow	\$6,081	\$7,794	\$8,014	\$8,239	\$9,685	\$12,512	\$15,957
Cash on Cash ROI	Inf%	Inf%	Inf%	Inf%	Inf%	Inf%	Inf%
Property Value	\$71,400	\$72,828	\$74,285	\$75,770	\$85,330	\$104,016	\$126,795
Equity	\$15,650	\$18,089	\$20,597	\$23,177	\$40,305	\$76,429	\$125,203
Loan Balance	\$55,750	\$54,739	\$53,688	\$52,593	\$45,025	\$27,588	\$1,592
Total Profit if Sold	\$20,303	\$30,507	\$41,000	\$51,790	\$123,139	\$270,823	\$462,646
Annualized Total Return	Inf%	Inf%	Inf%	Inf%	Inf%	Inf%	Inf%

### Income, Expenses and Cash Flow (in \$)

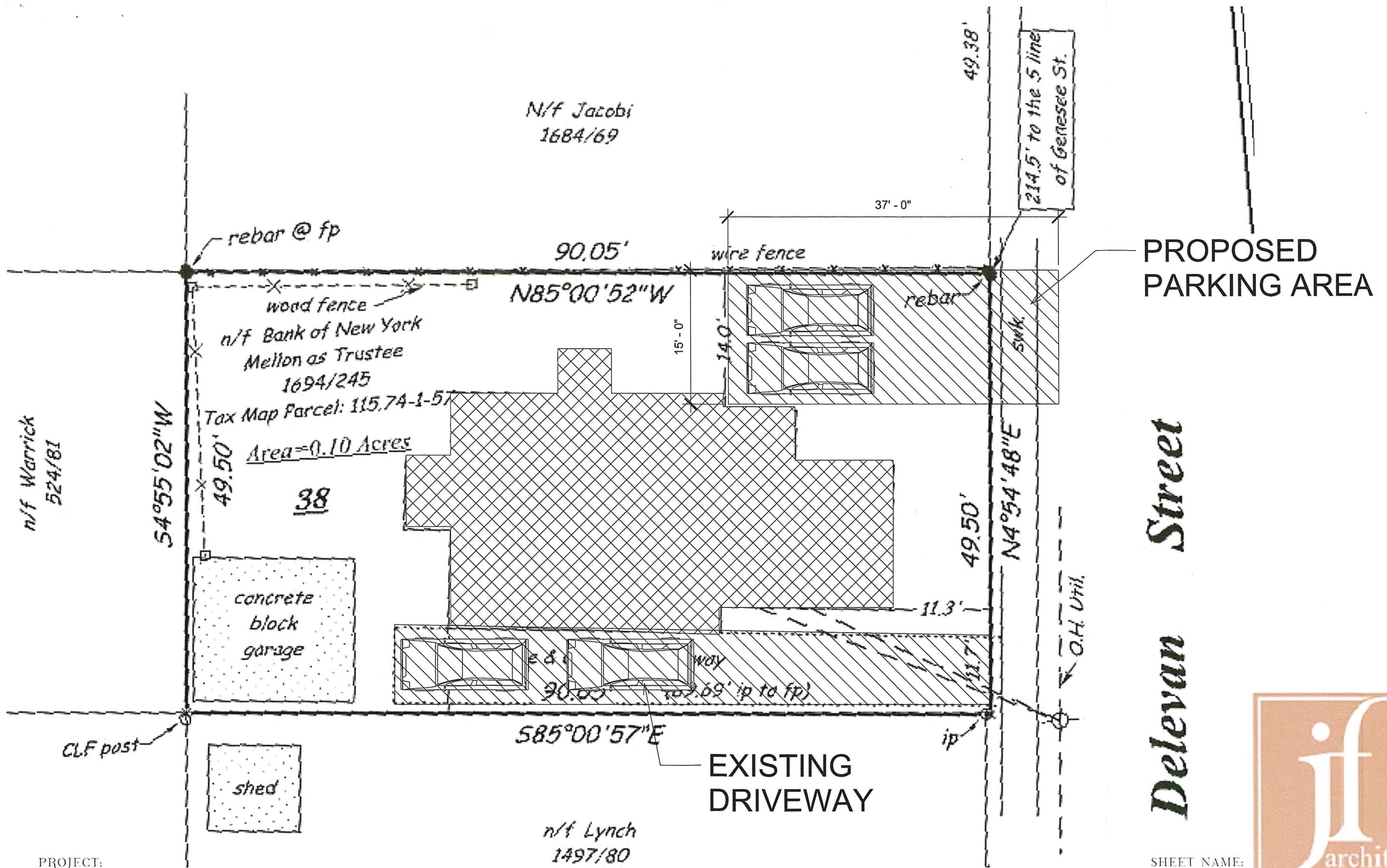


### Loan Balance, Value and Equity (in \$)





Calculations based on a 31-day month. The calculators found on BiggerPockets are designed to be used for informational and educational purposes only, and when used alone, do not constitute investment advice. BiggerPockets recommends that you seek the advice of a real estate professional before making any type of investment. The results presented may not reflect the actual return of your own investments. BiggerPockets is not responsible for the consequences of any decisions or actions taken in reliance upon or as a result of the information provided by these tools. Furthermore, BiggerPockets is not responsible for any human or mechanical errors or omissions.



A&M TRUST

DATE: 7/19/2018 9:45:31 AM

11 DELEVAN STREET, AUBURN, NY



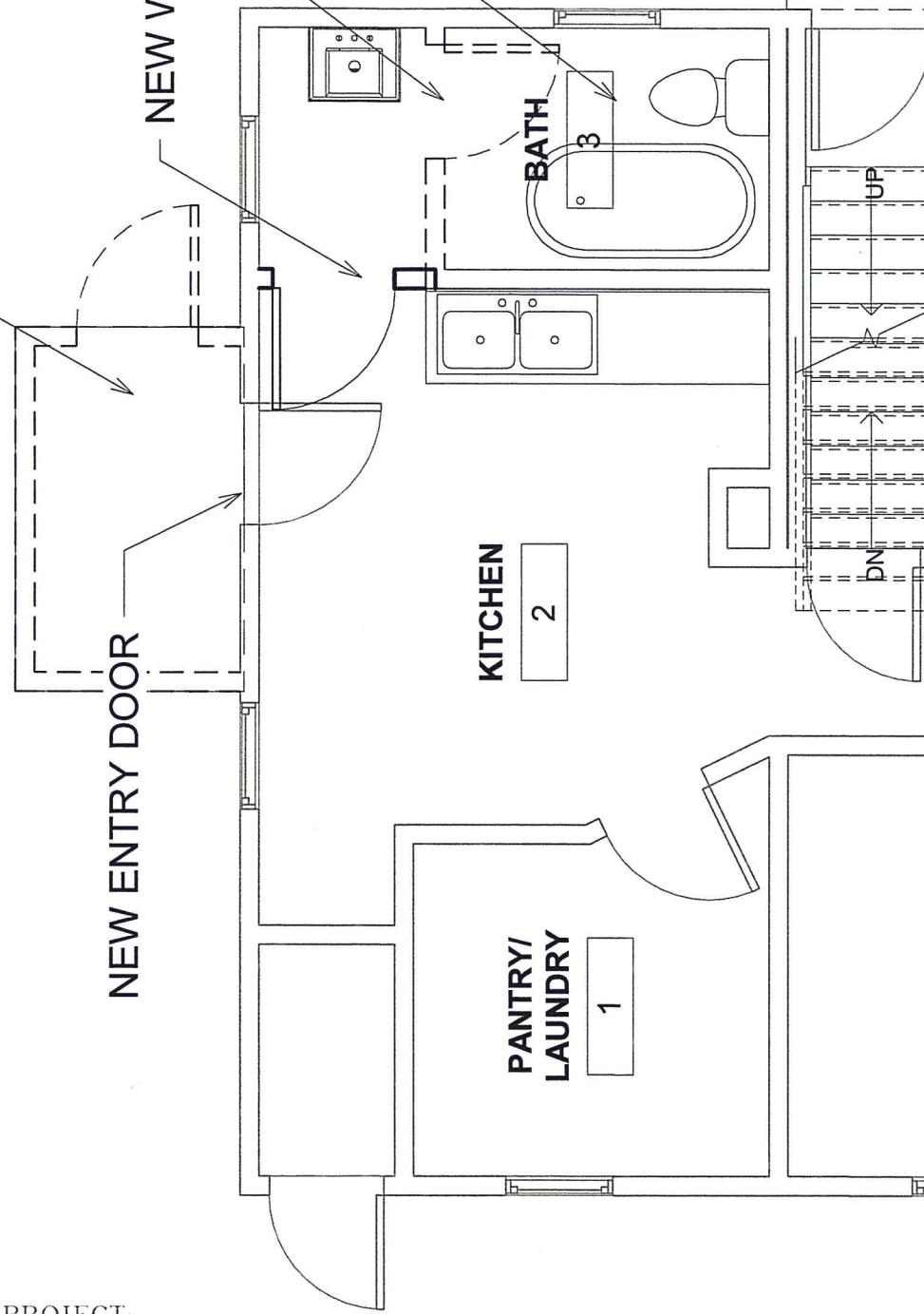
Jill Fudo, Architect  
 2693 E. Brulus St.  
 P.O. Box 1241  
 Weedsport, NY 13166  
 315.834.3093

REMOVE PORCH IN ITS ENTIRETY

NEW ENTRY DOOR

REMOVE EX WALL & DOOR

REWORK BATHROOM.  
NEW FIXTURES  
IN NEW LOCATIONS



PROJECT:

A&M TRUST

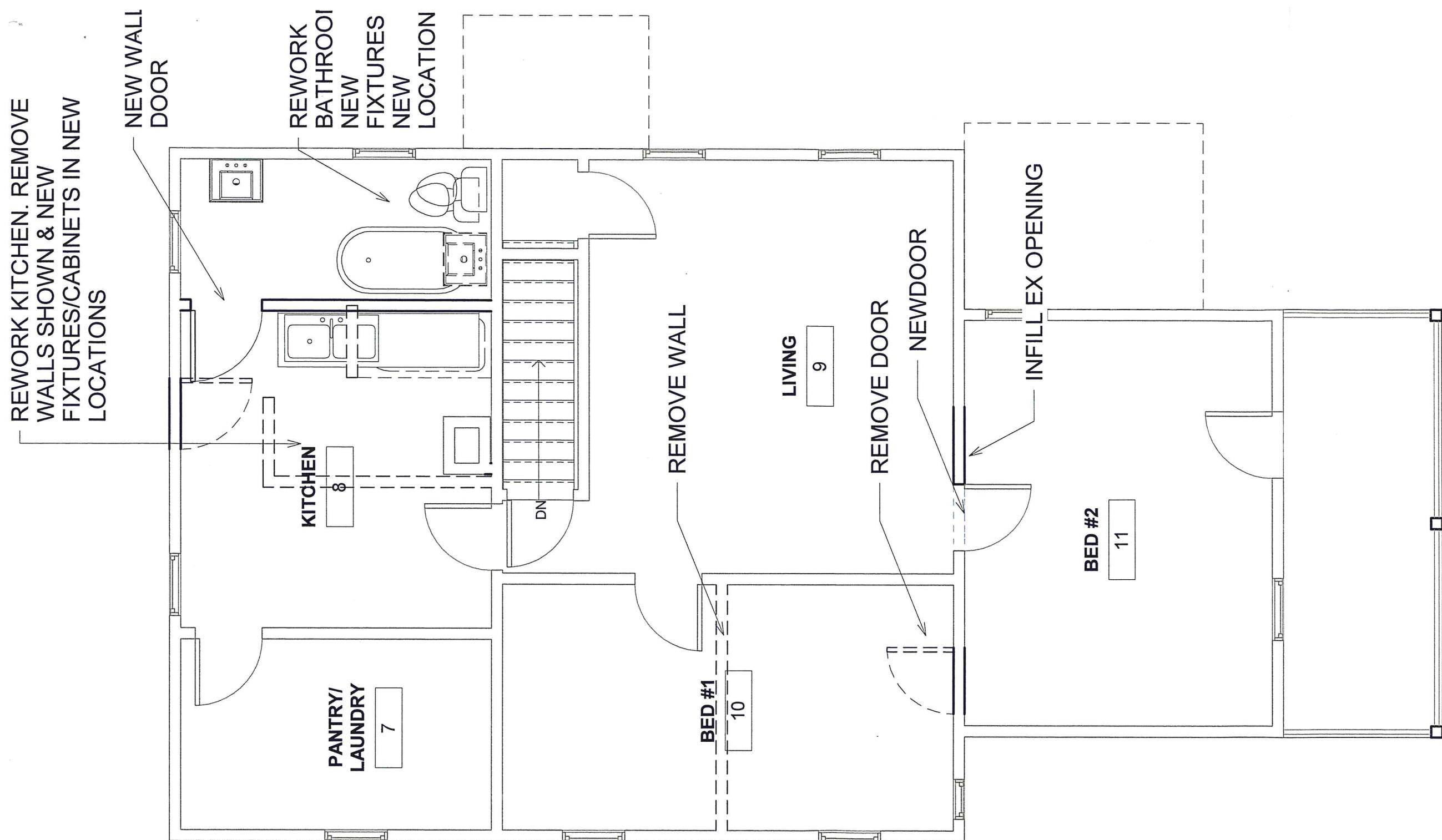
DATE: 9/4/2018 1:22:31 PM

SHEET NAME:

PRELIMINARY - FIRST  
FLOOR



Jill Fudo, Architect  
2693 E. Brulius St.  
P.O. Box 1241  
Weedsport, NY 13166  
315.834.3093



PROJECT:

A&M TRUST

DATE: 9/4/2018 1:22:32 PM

SHEET NAME:

PRELIMINARY -  
SECOND FLOOR PLAN



Jill Fudo, Architect  
2693 E. Brulut St.  
P.O. Box 1241  
Weedsport, NY 13166  
315.834.3093