



Town of DeWitt

(315)446-3910 ext. 3

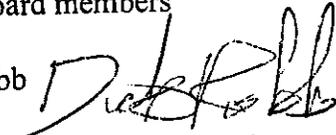
Edward M. Michalenko, Ph. D, Supervisor

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Development & Operations
Richard T. Robb, AICP
Commissioner

5400 Butternut Drive
East Syracuse, NY
13057

To: Edward M. Michalenko, PhD, Supervisor
Town Board members

From: Dick Robb 

RE: Residential Areas Vehicle Storage and Overlay District – Proposal No. 1

Date: November 19, 2009

This letter report was issued several weeks ago to the Planning Board. It is provided for your information with minor revisions to keep you apprised of the petition currently under review.

Background

Local Law # 7 (Residential Vehicle Overlay District) was adopted in October 2008 following long discussions, administrative debate, one attempt to enact vehicle storage limitations, and extensive review by the Town's Comprehensive Planning and Zoning Update Committees.

The law was crafted to meet the needs of a majority of Town residents¹ while defining a procedure for neighborhood exemption from its provisions. The law introduced resident choice through a petition and hearing process that neighbors may initiate. The Town Board may then exclude a petitioning neighborhood from the provisions of the law upon the recommendations of the Department of Development & Operations and Planning Board. It is a unique law in that a zoning district featuring less restrictive rules can be defined by petition of residents.

This proposal represents the first (of three submitted to the department) petition to meet the minimum requirements of the Law. In particular, fifty or more signatures from owner-occupying residents of "single family dwellings in a contiguous area" are required as the minimum number for a qualifying petition.

Petition No. 1

Residents in the Dunrovin area of Franklin Park submitted a 109 signature petition asking that their neighborhood be exempt from Local Law # 7. The petition meets the requirements for review and recommendation by the Department of Development & Operations. Consequently, this letter report represents the Department's recommendation to the Planning Board.

The petitioned area incorporates 18 blocks and 293 single family homes. Excluded from the analysis are 19 lots with 15 two-family dwelling units along Wells Drive. These properties were not counted in the review as the law specifies that petitioners shall be owners of single family dwellings. (See attached area zoning, petition map, petitioner statistics by block and recommended exclusion area map.)

The petitioned area constitutes a generally homogenous neighborhood with contiguous blocks. Lot and home sizes are generally similar and the homes are of similar age ranging from 30 to 50 years old. In addition, zoning (Residential-2) encompasses all of Dunrovin as well as Franklin Park in specifying ¼ acre lots as the minimum size.

The range of support for the proposed overlay varies widely among blocks. As shown in the accompanying block statistics, the percentage of homes for which an owner signed the petition ranges from 11% to 100% with an overall average support of 37%.

Recommendation

It is recommended that the following blocks be placed in the overlay "excluded area":

- | | |
|----------|--------------------------------|
| - 36- 04 | - 37- 06 |
| - 36- 12 | - 37- 07 |
| - 37- 01 | - 37- 08 (includes block 39-4) |
| - 37- 02 | - 37- 09 (includes block 39-5) |
| - 37- 03 | - 39- 01 |
| - 37- 04 | - 39- 02 |
| - 37- 05 | |

The entirety of blocks 37-3, 6 and 9 along Wells Drive are included in the recommendation to maintain conformance with the law relative to the criteria requiring full blocks. (See Recommended Exclusion Area Map.) Exclusion area blocks are contiguous and contain a minimum of 27% support for the exclusion while the remaining 12 blocks have 33% support or greater. It is this Department's opinion that the area defined herein best meets the criteria of Local Law # 7.

Next Steps

The next steps established in Local Law # 7 are as follows:

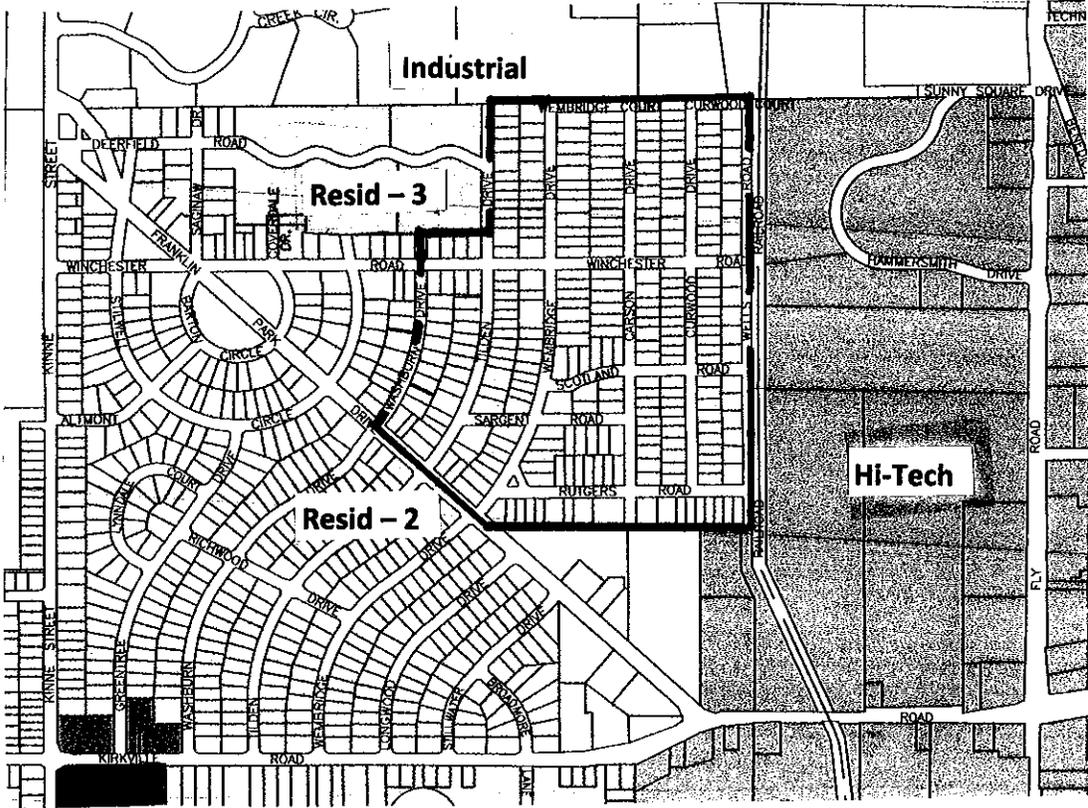
- Planning Board holds informational hearing and recommends an "excluded area" to Town Board.
- A petition is conducted of single-family residences in the "excluded area".
- If 51% or more of owners sign the same, then the Town Board may hold a public hearing and approve, modify or disapprove the "excluded area" overlay district.

Encl.

VI Legislative findings in the law indicate that the Town Board found that the majority of the public supports the proposition that residential neighborhoods should not be encumbered by the outdoor visual burden of oversized vehicles being stored at residences. The Town initiated a survey in the winter of 2009 to document resident preferences with regard to the storage of recreational and commercial vehicles. Survey results showed that 75% of residents town-wide "agreed" or "strongly agreed" that it is reasonable for the Town to ask residents to store recreational and commercial vehicles inside, or if outside, in a place not visible to neighbors. In the East Syracuse zip code area, 69% of residents responded in the same manner. Residents Views on Town of DeWitt's Local Law No. 7 of 2008, Maxwell School of Citizenship and Public Affairs, Syracuse University, April 2009.

Town of DeWitt Zoning Map for

Residential Areas Vehicle Storage Overlay District – Proposal No. 1



TOWN OF DEWITT
 RESIDENTIAL AREA VEHICLE STORAGE
 OVERLAY DISTRICT - PROPOSAL NO. 1
 (refer to Petitioners' Map)

Block No.	No. of Single Family Homeowners Signing	% of Single Family Homes/Block
36-3	1	12
-4	9	36
-10	2	12
-11	7	25
-12	10	43
37-1	10	38
-2	15	55
-3	4	33
-4	5	26
-5	9	50
-6	4	40
-7	5	100
-8	7	35
-9	4	40
39-1	4	36
-2	10	58
-3	3	33
-6	1	11
Totals	109	—

Source: Town of DeWitt Department of Development & Operations, November 2009
 Note: Overall percentages 37% or 109 signers of 293 homes.

Town of DeWitt Residential Areas Vehicle Storage Overlay District Proposal - No. 1

Dept. of Development & Operations
November 2009

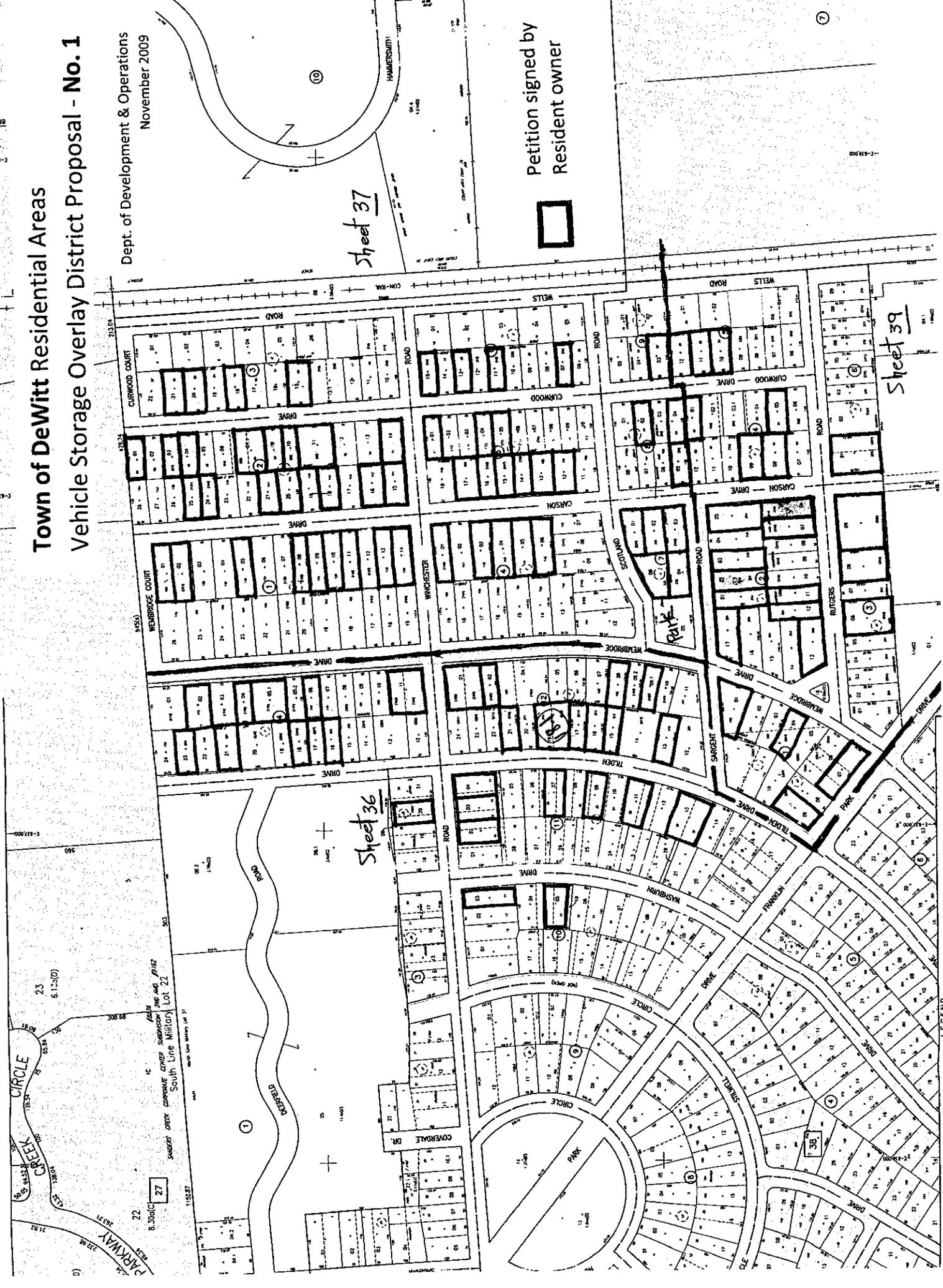
Sheet 37

Petition signed by
Resident owner



Sheet 36

Sheet 39



Town of DeWitt Recommended Exclusion Areas Map

Residential Areas Vehicle Storage Overlay District – Proposal No. 1



Sheet 36

Sheet 37

Sheet 39