



# Town of DeWitt

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Development & Operations  
Richard T. Robb, AICP  
Commissioner

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To: Michael J. Lazar, Chairman  
Planning Board members  
Jamie Lynn Sutphen, Attorney

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

From: Dick Robb 

RE: **Residential Areas Vehicle Storage and Overlay District – Proposal No. 2**

Date: February 8, 2010

## **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.

This local law is intended to meet the needs of a majority of Town residents 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 after receiving recommendations from 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 second (of four 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. 2**

Residents in the Franklin Park neighborhood south of Franklin Park Drive submitted a 53 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 five (5) blocks and 118 single family homes. See attached area zoning map, petitioner statistics by block, petitioners map, and recommended exclusion area map.

The petitioned area constitutes a 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 the petitioned area as well as the entire Franklin Park neighborhood in specifying ¼ acre lots as the minimum size.

The range of support for the proposed overlay varies among blocks. As shown in the accompanying table of petitioners by block, the percentage of homes for which an owner signed the petition ranges from 17% to 75% with an overall support of 45%.

### **Recommendation**

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

- |          |          |
|----------|----------|
| - 38- 07 | - 38- 09 |
| - 38- 08 | - 38- 10 |

It is also recommended for purposes of public participation and simplification that Petitions No. 1 (Nov. 2009) and No. 2 be combined and reviewed together. This will be convenient for residents wishing to participate in the review process.

Block 38-06 has been eliminated from this recommendation due to the low (17%) support ratio. (See Recommended Exclusion Area Map.) Exclusion area blocks are contiguous and contain a minimum of 34% support. It is the Department’s opinion that the area defined herein best meets the criteria of Local Law # 7 and may aid the second stage petitioning step noted below.

### **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.

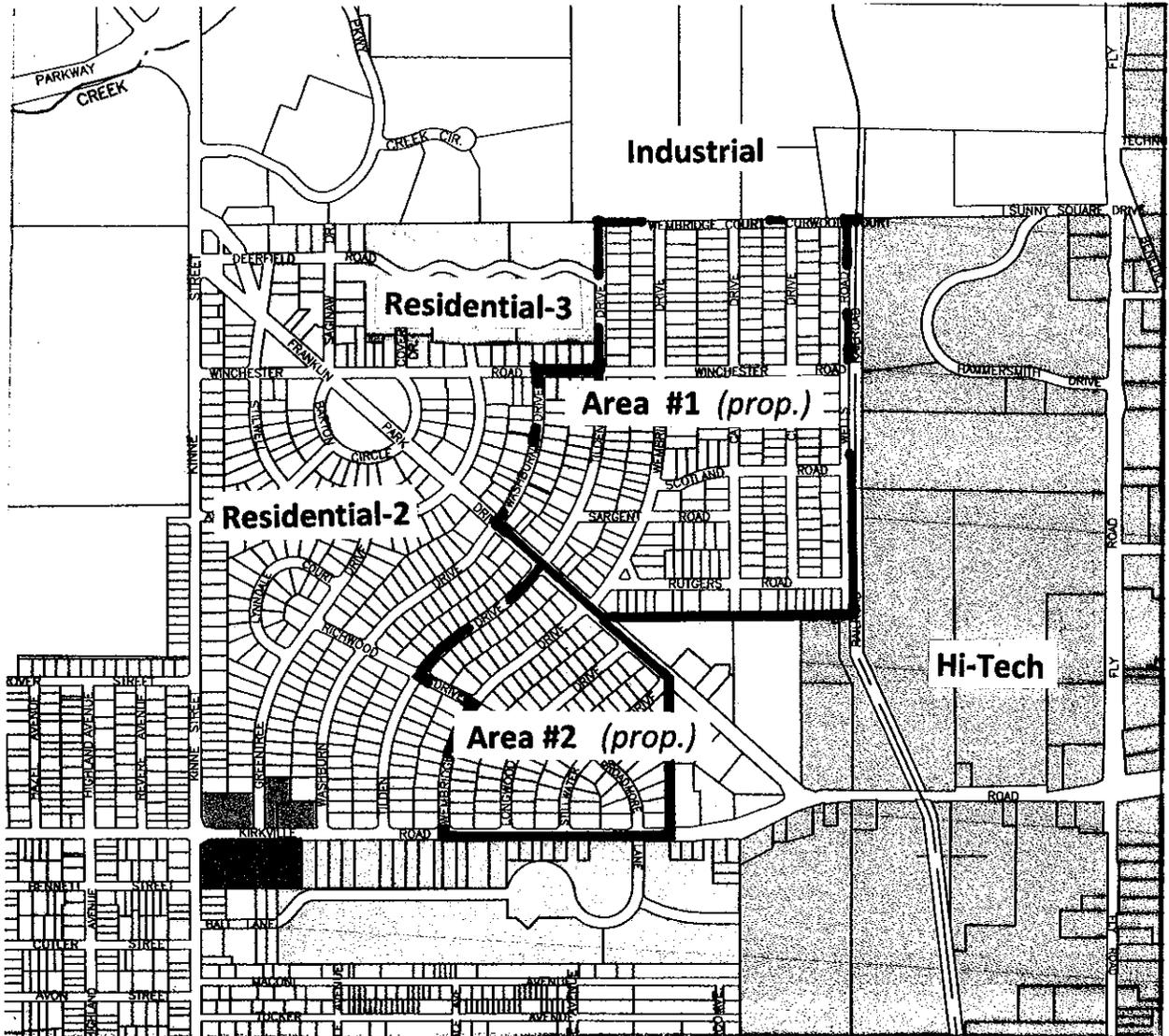
Encl:      Town of DeWitt Zoning Map  
              Table of Petitioners By Block  
              Proposal No. 2 – Petitioners Map  
              Recommended Exclusion Area Map

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¶1 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. 2



TOWN OF DEWITT  
**PETITIONERS BY BLOCK**  
 RESIDENTIAL AREA VEHICLE STORAGE  
 OVERLAY DISTRICT – PETITION NO. 2

<u>Block No.</u>	<u>No. of S. Family Homeowners</u>	<u>No. of S. Family Homes in Block</u>	<u>% of S. Family Homes per Block</u>
38-06	4	23	17%
38-07	14	41	34%
38-08	22	33	67%
38-09	9	12	75%
38-10	4	9	44%
<b>TOTAL</b>	<b>53</b>	<b>118</b>	<b>45%</b>

Source: Town of DeWitt Department of Development & Operations, January 2010.

# Town of DeWitt Residential Areas Vehicle Storage Overlay District Proposal - No. 2 PETITIONERS MAP

Dept. of Development & Operations  
February 2010

Petition signed by  
Resident owner



**SECTION MAP 38**  
**TOWN OF DEWITT**

SCALE: 1" = 100'

FOR TABBING PURPOSES ONLY

**LEGEND**

1	PROPERTY PARCEL LINE	24	ADJACENT PARCEL
2	ORIGINAL OF THE LANE	25	DEED BOUND NUMBER
3	ADJACENT STREET LINE	26	DEED BOUND NUMBER
4	ADJACENT STREET LINE	27	PROPERTY CORNER SYMBOL
5	ADJACENT STREET LINE	28	PROPERTY CORNER SYMBOL
6	ADJACENT STREET LINE	29	PROPERTY CORNER SYMBOL
7	ADJACENT STREET LINE	30	PROPERTY CORNER SYMBOL
8	ADJACENT STREET LINE	31	PROPERTY CORNER SYMBOL
9	ADJACENT STREET LINE	32	PROPERTY CORNER SYMBOL
10	ADJACENT STREET LINE	33	PROPERTY CORNER SYMBOL
11	ADJACENT STREET LINE	34	PROPERTY CORNER SYMBOL
12	ADJACENT STREET LINE	35	PROPERTY CORNER SYMBOL
13	ADJACENT STREET LINE	36	PROPERTY CORNER SYMBOL
14	ADJACENT STREET LINE	37	PROPERTY CORNER SYMBOL
15	ADJACENT STREET LINE	38	PROPERTY CORNER SYMBOL
16	ADJACENT STREET LINE	39	PROPERTY CORNER SYMBOL
17	ADJACENT STREET LINE	40	PROPERTY CORNER SYMBOL
18	ADJACENT STREET LINE	41	PROPERTY CORNER SYMBOL
19	ADJACENT STREET LINE	42	PROPERTY CORNER SYMBOL
20	ADJACENT STREET LINE	43	PROPERTY CORNER SYMBOL
21	ADJACENT STREET LINE	44	PROPERTY CORNER SYMBOL
22	ADJACENT STREET LINE	45	PROPERTY CORNER SYMBOL
23	ADJACENT STREET LINE	46	PROPERTY CORNER SYMBOL
24	ADJACENT STREET LINE	47	PROPERTY CORNER SYMBOL
25	ADJACENT STREET LINE	48	PROPERTY CORNER SYMBOL
26	ADJACENT STREET LINE	49	PROPERTY CORNER SYMBOL
27	ADJACENT STREET LINE	50	PROPERTY CORNER SYMBOL

**SPECIAL DISTRICT INFORMATION**

NAME	ADDRESS	PHONE	EMAIL

# Town of DeWitt Recommended Exclusion Area Map

## Residential Areas Vehicle Storage Overlay District – Proposal No. 2

