



Town of DeWitt

315-446-3910 ext. 3

Edward M. Michalenko, Ph. D, Supervisor

FAX (315)449-0620

Development & Operations
Richard T. Robb
Commissioner

5400 Butternut Drive
East Syracuse, NY 13057

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

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

From: Dick Robb *Dick*

RE: **Residential Areas Vehicle Storage and Overlay District**
Petition Nos. 3 and 6 - Franklin Park neighborhood

Date: July 6, 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\1 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 review is for two recent (April 1 and April 22, 2010) petitions filed with the Department for the Franklin Park area. Together the petitions meet the 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.

Two separate petitions were reviewed earlier (Petition Nos. 1 and 2) for nearby blocks of Franklin Park. A public information hearing was held on March 31, 2010 for the subject area.

Petition Nos. 3 and 6

Residents in the westerly blocks of the Franklin Park neighborhood submitted signatures asking that their neighborhood be exempt from Local Law # 7. The petitions meet 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 twelve blocks and 221 single family homes. See attached table of Petitioner by Block and Consolidated Petitioners 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, the Residential-2 (single-family) zoning 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 11% to 100% with an overall support rate of 39%.

Recommendation

It is recommended that the entire Franklin Park neighborhood including four non-petitioning blocks be placed in the overlay exemption area. (See Recommended Exemption Area Map). This will facilitate a comprehensive review of the area and provide all residents with an opportunity to participate in informal and formal public meetings on this subject.

Next Steps

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

- Planning Board may accept or modify this proposal. Following an informational hearing a recommendation is given to the Town Board.
- The Town Board directs an informal ballot be conducted of single-family residences in the exemption 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: Table of Petitioners By Block – Petition Nos. 3 and 6
Table of Consolidated Petitioners – Petition Nos. 1, 2, 3 and 6
Recommended Exemption Area – Franklin Park Map (see separate link to map)

\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
 RESIDENTIAL AREA VEHICLE STORAGE PROPOSAL
OVERLAY DISTRICT – FRANKLIN PARK
Including Petitions No. 3 (April 1, 2010) and No. 6 (April 22, 2010)
 (Petitioners By Block)

<u>TM Sheet- Block No.</u>	<u># of Signing Homeowners</u>	<u># S. Family Homes in Block</u>	<u>% of S. Family Homes per Block</u>
36-01	5	5	100%
36-02	3	8	38
36-03	8	21	38
36-05	9	13	69
36-06	9	23	39
36-07	7	13	54
36-08	2	19	11
38-01	6	14	42
38-02	27	58	46
38-03	1	9	11
38-04	3	11	27
38-13	7	27	26
TOTAL	87	221	39%

Source: Town of DeWitt Department of Development & Operations, June 25, 2010.

RV.Petition.3 & 6.stats.06 25 2010

TOWN OF DEWITT
 RESIDENTIAL AREA VEHICLE STORAGE PROPOSAL
CONSOLIDATED OVERLAY DISTRICT – FRANKLIN PARK
 (Petitioners By Block)

<u>TM Sheet- Block No.</u>	<u>No. – Signing Homeowners</u>	<u>No. - S. Family Homes in Block</u>	<u>% of S. Family Homes per Block</u>
36-01	5	5	100%
36-02	3	8	38
36-03	8	21	38
36-04	11	25	44
36-05	9	13	69
36-06	9	23	39
36-07	7	13	54
36-08	2	19	11
36-10	5	17	29
36-11	13	28	46
36-12	11	23	48
37-01	12	26	46
37-02	18	27	66
37-03	4	12	33
37-04	5	19	26
37-05	9	18	50
37-06	4	10	40
37-07	5	5	100
37-08	7	20	35
37-09	4	10	40
38-01	6	14	42
38-02	27	58	46
38-03	1	9	11
38-04	3	11	27
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
38-13	7	27	26
39-01	4	11	36
39-02	10	17	58
39-03	3	9	33
39-06	1	9	11
TOTAL	266	625	43%

Source: Town of DeWitt Department of Development & Operations, June 2010.
 Note: This data consolidates Petitions No. 1, 2, 3 and 6 for the Franklin Park and Dunrovin neighborhoods.