

PLEASE TYPE OR PRINT (LEGIBLY)

For Office Use Only:	Application Number: V- <u>19 - 15</u>
Tax map Section: <u>071</u> Block: <u>-03</u> Lot: <u>18</u> Zoning District: <u>RA-1</u>	

1. Address of subject property: 127 East Glen Avenue; Syracuse, NY 13205
2. Year property was purchased by current owner: Since at least 11/21/1974 (the predecessor of the current owner)
3. Applicant/contact information:

a. Owner(s) (current titleholder):

Name(s): 4325 South Salina Street Realty Corporation

Mailing Address: c/o Terry Hogle Local 158 District 545 Manager; 5612 Business Avenue; Cicero, NY

Zip: 13039 Daytime phone number: 315-492-1752 home phone number: \_\_\_\_\_

E-mail (alternate contact for additional information request): thogle@iuoe158.org

b. Contract purchaser(s) , Lessee , or Co-applicant  (if applicable)

**\*note: Copy of contract to purchase must be included with application if this contract purchaser or lessee applies.**

Name(s): Road to Emmaus Ministry of Syracuse, Inc., c/o Sheila Austin, RN, Director

Mailing Address: P.O. Box 15224; Syracuse, NY

Zip: 13215 Home phone number: \_\_\_\_\_ Day Phone: 315-256-1982

E-mail (alternate contact for additional information request): saustin@emmausministry.org

c. Representative: Attorney , Architect , Contractor , Other

**(Only if involved in this application)**

Name(s): Michael R. Daum, Esq., Blitman & King LLP Additional Attorney Kurt M. Stroman, Esq.

Mailing Address: Franklin Center; Suite 300; 443 N. Franklin Street; Syracuse, NY 695 W. Genesee St.

Zip: 13204-5412 Telephone number: 315-671-3222 Syracuse, NY 13204

315-569-9887

4. Current use of property: (i.e., 1 family, 2 family, grocery store, etc.): Office Building

Proposed use and occupancy of property: Office Building / Charitable / Food Preparation and Distribution

Current number of onsite (off-street) parking spaces: 8

Proposed number of onsite (off-street) parking spaces: 8 (subject to architectural rendering)

Days and hours of operation (for any business uses): See attached

Explain in detail what (if any) new additions or construction is proposed on the site: Architect/Eng

**Reason for request:**

The courts have distinguished between use variances (for uses which are not permitted) and area variance (for excess lot coverage, additions into required yards, etc.). Be aware that *the standards of proof for a use variance are much more demanding* than for an area variance and that *the burden is on the applicant* to provide such proof in arguing their case. (See Standard of Proof requirements on required submittal page.)

Use additional sheets of paper to present proof if necessary. See attached

[Empty lined area for providing proof or additional information]

The following affirmation must be signed and dated by the CURRENT PROPERTY OWNER or the owner's LEGAL representative (attorney, power of attorney, partner in the business, etc.).

**DECLARATION**

I understand that false statements made herein are **punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York**. I declare that, subject to the penalties of perjury, any statements made on this application and any attachments are the truth and to the best of my knowledge correct.

I also understand that any false statements and/or attachments presented knowingly in connection with this application **will make consideration of this application null and void**.

**CURRENT PROPERTY OWNER SIGNATURE**

As listed on the City of Syracuse Tax Assessment Roll. If not listed as the owner on the current rolls, please include a proof of ownership, for example, a copy of the deed. Attorney's signing on behalf of the owner must include a one page letter describing the legal representative arrangement. Architects, engineers, contractors, tenants, etc. cannot sign on behalf of the property owner. If property owner is a Corporation or an Organization, then the person signing must provide verification they are a member of such, and can sign on the owners' behalf.

 3-14-19  
CURRENT PROPERTY OWNER SIGNATURE DATE

Theron H. Hoyle Trustee  
Please legibly PRINT SIGNATURE NAME and TITLE

SYRACUSE BOARD OF ZONING APPEALS  
CITY HALL COMMONS, ROOM 101  
201 EAST WASHINGTON STREET  
SYRACUSE, NY 13202  
(315) 448-8640

**Board of Zoning Appeals application Procedures**

Variance applications involve public hearings with the Board of Zoning Appeals. A variance application will not be considered complete on the applicant's part until all required submittals have been received and have been through a preliminary review by Zoning Office staff (and possibly other departments), including an evaluation of the application under the New York State Environmental Quality Review Act (SEQR).

Once an application has been determined to be ready for a public hearing with the Board of Zoning Appeals, it will be scheduled for the **next available** hearing date (allowing the necessary time from for the Board's authorization, newspaper publication, mailing schedules, etc.). A "Public Notice" regarding the hearing date will then be mailed to the applicant (and representative, if any), approximately ten (10) days prior to the hearing date.

The public notice is also published in the Syracuse Post Standard newspaper ten (10) days prior to the hearing date. Public notices are also sent to property owners contiguous to any property subject to a public hearing, and to other city departments and neighborhood organizations.

The application, and its contents, will then be open for inspection at the Syracuse Office of Zoning Administration during regular office hours.

Unless otherwise notified, all meetings at which public hearings are to be held will begin at 1:00 p.m. in the Common Council Chambers on the third floor of City Hall.

The applicant or his or her representative **must attend** the public hearing to explain the case request to the Board of Zoning Appeals. (The rules of the Board of Zoning Appeals **do not permit postponements** due to the absences of applicants or their representatives.) A variance decision is not final until a written resolution is adopted by the Board of Zoning Appeals and filed with the secretary to the Board. Depending upon the situation, the resolution may possibly not be adopted until a later meeting. A copy of the resolution will be mailed to the applicant.

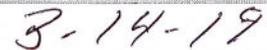
Depending upon the type and complexity of the application, additional necessary reviews, and the hearing schedule, the entire variance application process from the submission of the application to the release of the resolution may take approximately two months.

*Please sign that you have read and understand the above information and return this page with the application.*

Signed:



Date:



This application may be mailed or delivered in person to the Syracuse Office of Zoning Administration, located in Room 101 at City Hall Commons, 201 East Washington Street, Syracuse, NY 13202-1426. If you wish to discuss the application with a member of our staff, please call ahead for an appointment (448-8640).

### DENIAL OF PERMIT

REFERENCE ADDRESS 127 GLEN AVE E.

WARD NO. \_\_\_\_\_

OWNER 4325 S SALUDA ST REALTY CORP

OWNER'S ADDRESS 44 HAWK LN

GLENMONT

TELEPHONE 315-492-1752

APPLICATION FOR PERMIT TO:

erect ( )      convert (x)      maintain ( )      operate ( )

Convert to Community Outreach Center

DENIED UNDER ARTICLE (s) \_\_\_\_\_

\_\_\_\_\_ of the zoning ordinance for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- PLANS ATTACHED, APPROVED BY \_\_\_\_\_ LOCATION OF REFERENCE ADDRESS:  
ON \_\_\_\_\_ ASSESSOR'S ATLAS
- SURVEY ATTACHED BOOK (S) NO. \_\_\_\_\_
- ZONING REVIEWED BY \_\_\_\_\_ PLATE (S) NO. \_\_\_\_\_
- PARCEL (S) NO. \_\_\_\_\_

DATE MARCH 18, 2019 SIGNATURE [Signature]



	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	X		
b. Consistent with the adopted comprehensive plan?			X
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
			X
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	X		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	X		
b. Are public transportation service(s) available at or near the site of the proposed action?			X
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			X
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
			X
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES] If No, describe method for providing potable water: _____	NO	YES	
			X
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____	NO	YES	
			X
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	X		
b. Is the proposed action located in an archeological sensitive area?			X
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	X		
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			X
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	X		
16. Is the project site located in the 100 year flood plain?	NO	YES	
	X		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____	NO	YES	
	X		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	X	
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Theron H. Hogle</u>		Date: <u>3-14-19</u>
Signature: <u>Theron H. Hogle</u>		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

## Use Variance Application – Standards of Proof

Jointly Made by 4325 South Salina Street Realty Corporation (“IUOE 158”) and Road to Emmaus Ministry of Syracuse, Inc.

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### Standards of Proof:

#### Unnecessary Hardship/Lack of Reasonable Return

The applicants respectfully submit that failing to modify the existing variance would create an unnecessary hardship to the current property owner, IUOE 158, and to the prospective owner, Emmaus that is inconsistent with the general purpose and intent of the Zoning Rules and Regulations of the City of Syracuse.

The current landowner, IUOE 158, cannot yield a reasonable return if the current property is used only for a purpose which is allowed in under the current zoning.

Since the current zoning is A-1 Residential, the permitted uses of the existing structure are significantly limited by the zoning ordinance. The non-residential uses permitted under the zoning law are limited and significantly impact the group of prospective buyers. The current masonry office building would have to be modified extensively or more likely demolished to make way for construction of a residential structure on the premises. The cost of demolishing the structure alone, estimated at Thirty Five Thousand and 00/100 US Dollars (\$35,000.00) (see attached quotation), would negate any reasonable return on the property. Modification of the existing structure to conform with current zoning regulations for residential use would be financially onerous if not impossible, estimated at approximately One Hundred and Seventy One Thousand and 00/100 US Dollars (\$171,000.00) for construction of a modest 2,000 square foot home at a commercially reasonable cost of \$95 per square foot (see attached quotation).

The IUOE 158 has attempted to seek interested buyers in the past to no avail. This included seeking out potential buyers informally and engaging a realtor (Realty U.S.A.) that listed and marketed the property for approximately one year without any success. At one point, IUOE 158 entered into a contract with a potential buyer but the deal fell through as the buyer was unable to secure financing. IUOE 158 has received no other formal offers to purchase the property since that time despite continued desire to sell. The property is in good condition and has economic utility, but only in its current form.

With no interested buyers, IUOE 158 was made aware of the interest by Emmaus and commenced discussions regarding a donation, as Emmaus is a 501(c)(3) that is serving the neighborhood and always in need of financial support and donations. After learning that the lease at Emmaus' current location was nearing expiration, the parties began to discuss the specifics of a donation in earnest. The donation provides IUOE 158 with a vehicle for disposition of the property while saving the unduly excessive expense required for conversion of the building to residential use in conformity with the current zoning.

Requiring a return to residential use at this stage would be prohibitively burdensome to the current owner and financially impossible. Such a requirement would likely result in the property remaining vacant with little chance at being sold or otherwise utilized.

Additionally, failing to modify the existing use variance will subject Emmaus to make the difficult decision it will soon face to either extend its current lease at significant additional expense or seek alternative locations from which to provide its ministry. Either scenario will likely place a financial burden upon a small 501(c)(3) that seeks to use the generous donations made by its benefactors for its ministry rather than for operating expenses like lease payments. Relocation will be expensive and could remove the ministry from the neighborhood, subjecting the local population to financial hardship as well if the services are no longer readily available.

Modification of the existing use variance will facilitate a donation of the property from IUOE 158 to Emmaus.

#### Exceptional, Unique and Extraordinary Circumstances Affecting the Subject Property

The plight of IUOE 158 as it relates to 127 East Glen Ave is due to unique circumstances of the owner and the current zoning, not the general conditions in the neighborhood.

The neighborhood is zoned A-1 residential and but for the property in question there is no debate that the zoning in the area is appropriate and should not be changed. This property is unique in that it has been continuously operated by the current owner as a commercial structure in this residential neighborhood for the last 44 years. The applicants are merely requesting that the Zoning Board of Appeals continue the existing variance with a modification narrowly tailored to allow Emmaus to continue to provide its much needed cadre of services to its neighbors in need.

Given the history of the site as an office building and union hall, the Board of Zoning Appeals determined long ago that the nonconforming nature of this use was unique to this structure and not applicable to the balance of the neighborhood. The same is true today. Located on a largely residential street in a mixed use neighborhood, the residents of this area have lived with and accepted the non-conforming nature of this property for a long time. Many of the other properties in this area are in conformity with the current zoning and are residential in nature, both in the architectural design and construction as well as the current use.

Given that the building still has usefulness to Emmaus in its current form, requiring a modification or demolition of the same would require exceptional expense and present an extraordinary burden to IUOE 158. Improving and maintaining the structure is the best way to ensure that this unique property will not be abandoned or become a blight on the neighborhood.

#### No Alteration of the Essential Character of the Neighborhood

Allowing a modification of the existing use variance to allow Emmaus to continue to perform its ministry in the neighborhood would have no deleterious or detrimental effect on the public interest or the property or improvements in the district, nor would it alter the essential character of the neighborhood in any way. Additionally, modification of the existing use variance will not impair the purposes of the Zoning Rules and Regulations of the City of Syracuse.

Emmaus is currently operating in the neighborhood and is doing so at a location that is immediately adjacent to the subject property. Many of the residents of the immediate area rely upon the services provided by Emmaus and will continue to do so at this location. Emmaus has been a good neighbor and has served the community well. By granting the variance and allowing Emmaus to operate from this

location, the Zoning Board of Appeals will play an active role in ensuring that Emmaus remains a critical element in the vitality of this neighborhood by preventing a relocation of Emmaus following the conclusion of its current lease term.

The subject property has been used as an office and as a union meeting hall for 44 years continuously. The proposed use by Emmaus will likely be similar in terms of hours of operation, traffic and use. Emmaus is proposing only minor exterior improvements that will enhance the existing structure. There is no plan to expand or modify the exterior of the current building other than the construction of a handicap ramp, new signage and windows. It is of little use to the neighborhood to have a vacant building that cannot otherwise not be disposed of or modified without a prohibitively burdensome expense being incurred by the current owner.

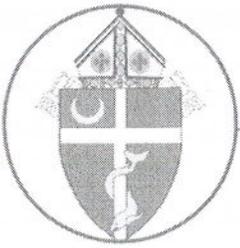
After having resided in the neighborhood for many years the applicants contend that losing Emmaus would have the most detrimental effect on the neighborhood.

#### Self-Creation of Hardship

The history of 127 East Glen Avenue shows that the City of Syracuse Zoning Board of Appeals has supported a use variance for the subject property for the past 44 years. In the last 44 years the non-conforming use of the property has not had a detrimental effect on the neighborhood but has rather had a long history of harmony in this largely residential neighborhood.

The current application being jointly submitted by IUOE 158 and Emmaus seeks to modify the current variance for a new owner and occupant. In this respect the hardship is not self-created. The parties have agreed that that the donation of the property is subject to the modification of the current use variance to allow for Emmaus to carry on its business at this location. If the parties are not successful in receiving the support of the Zoning Board of Appeals, the donation to Emmaus will simply not occur and no additional hardship will come to the parties.

While the grant of the original use variance by the Zoning Board of Appeals in 1974 allowed for the construction of a commercial structure on this premises, it is assumed that no one at that time could have predicted the difficulty in selling or otherwise transferring the property 44 years later.



ROMAN CATHOLIC DIOCESE OF SYRACUSE  
FACILITIES/CONSTRUCTION MANAGER

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March 14, 2019

Emmaus Ministry  
4335 South Salina Street  
Syracuse, NY 13205

Re: 127 East Glen Ave.

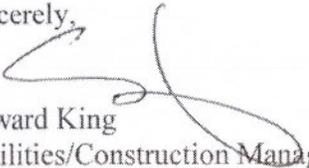
Dear Ms. Austin,

Please accept this letter based on my 30 plus years of experience in the Construction/Facilities field. After visiting the 127 East Glen Ave. structure, it is my opinion that this building could be demolished for approximately \$35,000.

It is also my opinion a moderate 2,000 square foot house could be built on this property for approximately \$190,000.

Please do not hesitate to contact me with any questions.

Sincerely,

  
Edward King  
Facilities/Construction Manager

Use Variance Application – Detailed Letter Explaining the Details of the Proposal /Reason for Request  
Jointly Made by 4325 South Salina Street Realty Corporation (“IUOE 158”) and Road to Emmaus Ministry  
of Syracuse, Inc.

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March 13, 2019

**VIA HAND DELIVERY**

City of Syracuse Zoning Board of Appeals  
c/o Heather Lamendola, Zoning Administrator  
City Hall Commons  
201 E Washington St  
Syracuse, NY 13202

Re: Letter of Explanation for Proposed Application – Proposed Use of 127 East Glen Avenue

Dear Members of the Syracuse Board of Zoning Appeals,

The purpose of this correspondence is to supplement our Application for a Use Variance for the proposed future use of 127 East Glen Avenue, Syracuse, NY 13205.

Before we describe in detail the proposed future use of 127 East Glen Avenue by Road to Emmaus Ministry of Syracuse, Inc., we feel it is incumbent on us as co-applicants to explain the history that has led us to the submission of this joint application.

4325 South Salina Street Realty Corporation (hereinafter “Realty Corporation”), a single purpose entity formed by and under the control of the International Union of Operating Engineers Local 158, as successor of Operating Engineers Local 545, (hereinafter, collectively, “IOUE 158”) has owned 127 East Glen Avenue since at least 1968<sup>1</sup>. The current building located at 127 East Glen Avenue is 40’x60’, 1.5 story masonry structure that was constructed by and has been occupied by the IOUE 158 since its construction in 1974 as an office and union hall/meeting site. The subject property is located in a Residential District, Class A-1 Zone, but IUOE 158 received a variance from the City of Syracuse Zoning Board of Appeals on November 21, 1974 to construct the building. Further, on August 19, 1999 the City of Syracuse Zoning Board of Appeals modified the use variance once again to allow for the creation of parking lot to accommodate eight parking spaces for use in connection with the office building. IUOE no longer uses the facility located at 127 East Glen Avenue after purchasing and moving to a different office

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<sup>1</sup> In 2011, the initial owner of the property, Operating Engineers Local 545, was merged with other local unions to form IUOE 158. IUOE 158 retained control of the Realty Corporation, which was previously established for the benefit of and under the control of Local 545.

space to conduct its Syracuse operations. Without any remaining need for the property, IUOE 158 has for several years now been unsuccessful in finding a buyer willing to purchase the same.

Road to Emmaus Ministry of Syracuse Inc., is a local 501(c)(3) entity (hereinafter "Emmaus"), that was inspired in its creation by the teachings of the Roman Catholic Diocese of Syracuse is currently providing ministry, assistance and services to residents in the neighborhood surrounding 127 East Glen Avenue. This ministry includes, but is not limited to the following, prayer groups and religious education, AA meetings, clothing distribution, food distribution, meal distribution, showers, and haircuts. Emmaus is currently operating it's ministry from a property that is immediately adjacent to the subject property and located at 4335 South Salina Street.

Road to Emmaus Ministry of Syracuse, Inc. desires to own its own facility so that it can better control its operational expenses and so that is not subject to the whim of a landlord or the attendant rent increases built into their current lease agreement. After several years of maintaining the property and several unsuccessful attempts to sell the subject property, IOUE 158 was made aware of Emmaus' desire to own its own facility and now seeks to make a donation of the subject property to Emmaus. The donation from IUOE 158 will allow Emmaus to continue to provide much needed services to the poor and impoverished residents of the South Side of Syracuse without the threat of having to relocate in an effort to find better lease terms. The donation will also allow IUOE 158 to free itself of the burden of owning and maintaining a property that is no longer used and that it has been unable to sell despite its previous attempts.

Both parties have been advised that the IUOE 158 currently is operating under one or several use variances that have permitted their use of the building as an office and gathering hall. As a result, both parties to this Application recognize that any donation and/or acceptance of the same is contingent upon receiving approval from the City of Syracuse Zoning Board of Appeals to allow Emmaus to perform its ministry at 127 East Glen Avenue. Recognizing that the Zoning Board of Appeals has granted a use variance at this location since 1974, IUOE 158 and Emmaus are requesting that the existing variance simply be modified to include to use contemplated herein.

As a result, IUOE 158 and Emmaus hereby join in this application to the City of Syracuse Zoning Board of Appeals for the purpose of seeking a modification of the existing Use Variance affecting the property located at 127 East Glen Avenue for the purpose of effectuating a donation of the property from IOUE 158 to Emmaus.

Specifically, IUOE 158 and Emmaus are seeking a modification of the Use Variance previously granted by the City of Syracuse Zoning Board of Appeals on November 21, 1974 and later modified on September 9, 1999, providing a variance from Part B, Section I, Article 1, and Part C, Section III, Articles 1 and 2 of the Zoning Rules and Regulations of the City of Syracuse.

To make a determination as to the proposed future use of the site Emmaus offers the attached spreadsheet detailing the typical hours of operation, the types of ministry being performed, the number of volunteers and the number of guests that are proposed to be using the facility at any given time. It is important to note that food will be prepared on site and distributed but not sold. Typical meals consist of the following: For breakfast, French toast, pancakes, eggs, sausage, cereal, yogurt, and/or pastries; For lunch, sandwiches, grilled cheese, hotdogs, and/or soup; and for dinner, ziti, chicken and biscuits,

chili, and/or vegetables. Guests can eat at the facility or take food with them. Additionally, Emmaus routinely distributes sandwiches, toiletries, and socks to guests.

Per the drawings prepared by Daniel Manning – Architect PLLC in connection with this application you will find a proposed site plan with detailed parking calculations, proposed exterior improvements with elevations and proposed signage and a detailed sketch showing the proposed significant interior renovations that are proposed for 127 East Glen Avenue.

We respectfully submit this application for your review with confidence and hope that you will approve the same and allow Emmaus Ministry of Syracuse, Inc. to continue to provide much needed ministry and services our neighbors in need.

If you have any questions, please do not hesitate to contact our attorney(s) Michael R. Daum at (315) 671-3222 or [mrdaum@bklawyers.com](mailto:mrdaum@bklawyers.com) or Kurt M. Stroman at 315-569-9887 or [kmstroman@camexgroup.com](mailto:kmstroman@camexgroup.com).

Sincerely,



Terry Hogle, IUOE, Local 158



Sheila Austin, Road to Emmaus Ministry of Syracuse, Inc.

Use Variance Application – Days and Hours of Operation

Jointly Made by 4325 South Salina Street Realty Corporation (“IUOE 158”) and Road to Emmaus Ministry of Syracuse, Inc.

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Time	Event	Quantity-People
<b>MONDAY</b>		
8:00 AM - 1:00 PM	Food Pantry / Sorting Donations / Food Prep	5-6 Volunteers
6:00 PM	AA Meeting	4-12 Participants
<b>TUESDAY</b>		
8:30 AM - 10:30 AM	Hot Breakfast	6-8 Volunteers 60-80 Guests
<b>WEDNESDAY</b>		
7:00 AM - 8:30 AM	Hot Breakfast	5 Volunteers 35-40 Guests
<u>Every Wednesday</u>	Showers - Scheduled Times	
<u>3rd Wednesday Each Month</u>		
10:00 AM - 12:00 NN	Haircuts	
<u>3rd and 4th Wednesday Each Month</u>		
8:30 AM - 12:00 NN	Food Pantry Grocery Bag Distribution	35-40 Pick Ups
<b>THURSDAY</b>		
8:30 AM - 10:30 AM	Hot Breakfast	6-8 Volunteers 60-80 Guests
5:00 PM - 6:15 PM	Dinner Meal	10-12 Volunteers (Church, Service Groups) 35-40 Guests
<b>SCHOOL OFF DAYS</b>		
	Children's Activities	3-4 Volunteers
<b>THANSGIVING, CHRISTMAS, EASTER</b>		
		6-8 Volunteers 35-40 Guests

Use Variance Application – Construction Plans

Jointly Made by 4325 South Salina Street Realty Corporation (“IUOE 158”) and Road to Emmaus Ministry of Syracuse, Inc.

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See attached architectural drawings prepared by Daniel Manning – Architect PLLC showing the details of the proposed interior and exterior improvements to 127 East Glen Ave.

**PROJECT:**

INTERIOR RENOVATIONS FOR:

***EMMAUS MINISTRY***

127 EAST GLEN AVE,  
SYRACUSE, NY 13205

**PROJECT TEAM:**

OWNER:

EMMAUS MINISTRY OF SYRACUSE, INC.  
P.O. BOX 15224  
SYRACUSE, NY 13215

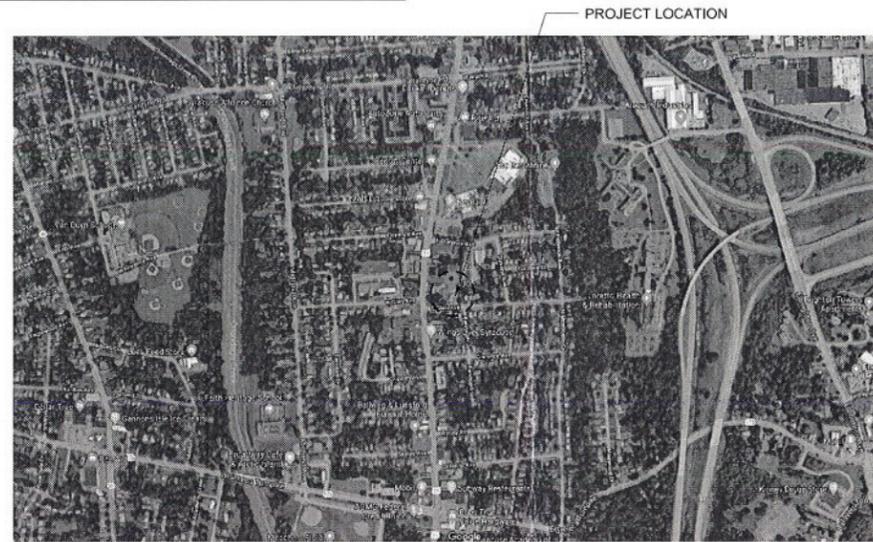
ARCHITECT:



**DANIEL MANNING-ARCHITECT PLLC**

The Syracuse Business Center  
225 Wilkinson Street - Suite 106 - Syracuse, NY 13204  
www.danielmanning-architect.com  
315.424.0141

**LOCATION MAP:**



**DRAWING ISSUE LOG:**

DRAWING LIST ZONING	
Sheet Number	Sheet Name
G1.0	COVERSHEET
G1.1	CODE SUMMARY / EGRESS PLAN
SK-1	CONCEPT LAYOUT
A1.0	FLOOR PLANS
A2.0	ELEVATIONS

ZONING SUBMISSION: 3/12/2019

PROJECT:  
INTERIOR RENOVATIONS FOR:  
**EMMAUS MINISTRY**  
127 EAST GLEN AVE, SYRACUSE, NY 13205

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PROJECT NORTH

Revision	
No	Date

DATE	SCALE
03/12/19	
DRAWN BY	JOB No.
AMR	19003

DRAWING DESCRIPTION:  
**COVERSHEET**

SHEET NUMBER  
**G1.0**

## GENERAL CODE STUDY

### APPLICABLE CODES:

(IBC) INTERNATIONAL BUILDING CODE, 2015 ED.  
 (IEBC) INTERNATIONAL EXISTING BUILDING CODE, 2015 ED.  
 NEW YORK STATE UNIFORM CODE SUPPLEMENTARY, 2016 ED.

### BUILDING SUMMARY:

TYPE OF CONSTRUCTION IN AREA OF WORK: TYPE IIB  
 OCCUPANCIES WITHIN THE AREA OF WORK: ASSEMBLY (A-3), MERCENTILE (M)

### PROPOSED WORK SUMMARY:

RENOVATE 2459 S.F. OF FIRST FLOOR INTO GROUP A-3 & B  
 SPACES INCLUDE: DINING/HOSPITALITY AREAS, KITCHEN, ACCESSIBLE BATHROOMS, LAUNDRY, & BUSINESS OFFICE.

RENOVATE 2261 S.F. OF LOWER LEVEL INTO GROUP M, S-2, & B  
 SPACES INCLUDE: CLOTHING THRIFT STORE, FOOD PANTRY, ACCESSIBLE BATHROOM, & BUSINESS OFFICE.

### INTERNATIONAL EXISTING BUILDING CODE:

CHAPTER 10 - CHANGE OF OCCUPANCY

### INTERNATIONAL BUILDING CODE:

CHAPTER 5 - BUILDING HEIGHTS AND AREAS  
 TABLE 508.4 REQUIRED SEPERATION OF OCCUPANCIES (HOURS)  
 GROUPS A TO B, S-2, M = 2 HOUR FIRE SEPERATION

### CHAPTER 9 - FIRE PROTECTION SYSTEMS:

SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS:  
 EXISTING BUILDING AREAS OR NON-SPRINKLERED THROUGHOUT

GROUP A-2: SPRINKLERS NOT REQUIRED PER SECTION 903.2.1.2 FOR GROUP A-2

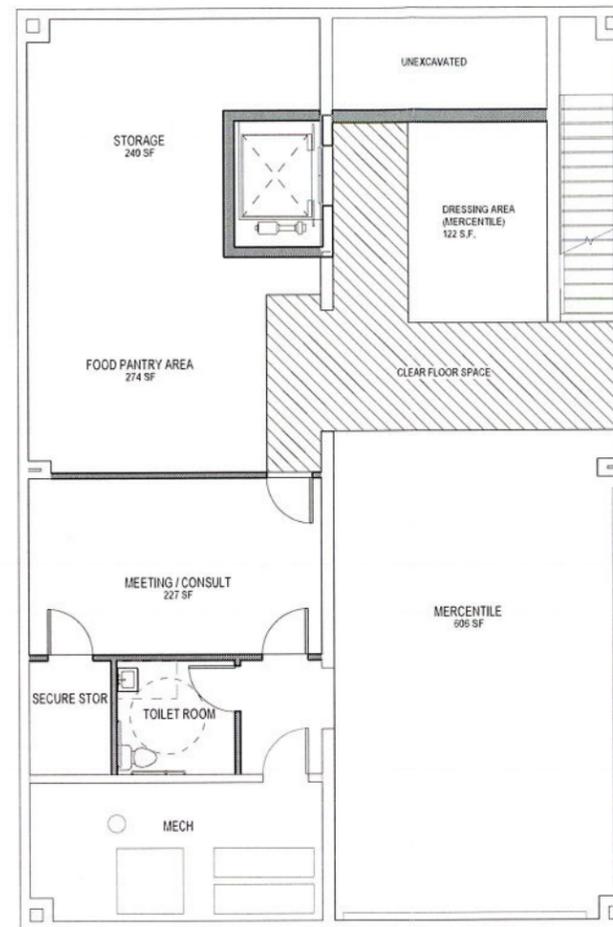
### SECTION 907 - FIRE ALARM AND DETECTION SYSTEMS:

AN APPROVED FIRE ALARM SYSTEM INSTALLED WITH THE PROVISIONS OF THIS CODE & HFPA 72

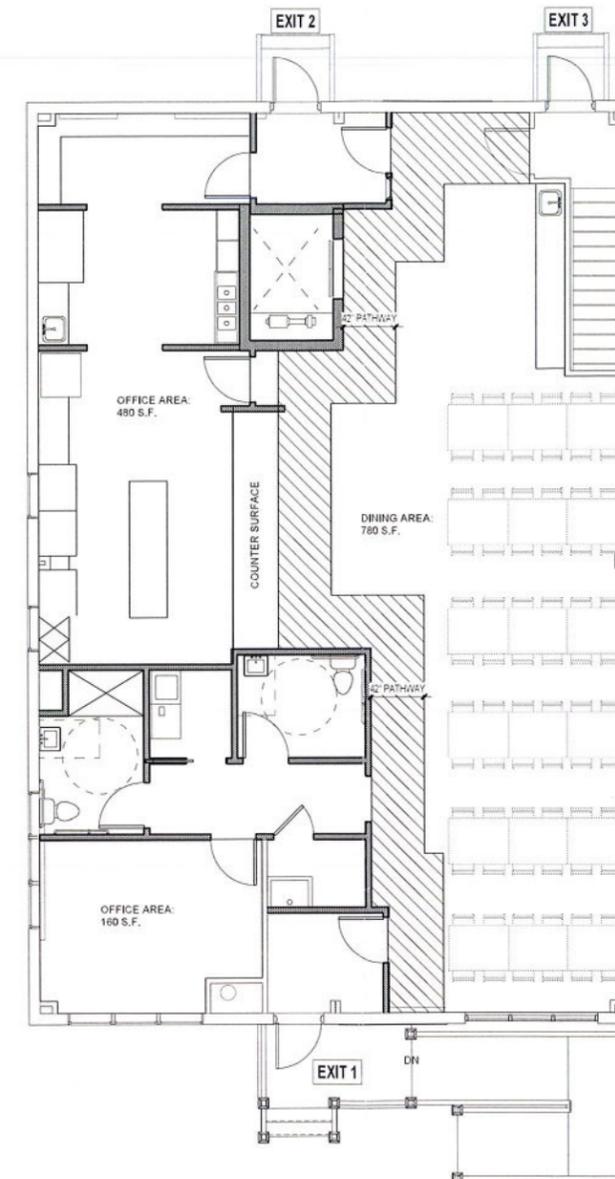
### CHAPTER 10 - MEANS OF EGRESS

OCCUPANT LOAD (1004.1.2):	ASSEMBLY GROUP A-2:	780 / 15 GROSS = 52
	ASSEMBLY (KITCHEN):	480 / 2 GROSS = 2
	MERCENTILE GROUP M:	728 / 60 GROSS = 12
	BUSINESS GROUP B:	700 / 100 GROSS = 7
	<b>TOTAL OCCUPANTS:</b>	<b>73 OCCUPANTS</b>

COMMON PATH OF TRAVEL: 75 FEET - GROUP A-2 NON-SPRINKLER  
 NUMBER OF EXITS: 2 REQUIRED - 3 PROVIDED



**2 FINISHED BASEMENT PLAN**  
 SCALE: 3/16" = 1'-0"



**1 FIRST FLOOR PLAN**  
 SCALE: 3/16" = 1'-0"

### PARKING CALCULATIONS:

#### PER PART C SECTION III:

OFFICE AREA  
 BASEMENT FLOOR AREA (OFFICE): 1,469 S.F.  
 FIRST FLOOR AREA (OFFICE): 640 S.F.  
 TOTAL OFFICE AREA: 2,109 S.F.

RESTAURANT(SOUP KITCHEN) AREA  
 TOTAL AREA: 780 S.F.

PARKING FOR OFFICE AREAS: 2,109 / 500 S.F. = 4 PARKING SPACES  
 PARKING FOR OFFICE AREAS: 780 / 200 S.F. = 4 PARKING SPACES  
 TOTAL PARKING SPACES NEEDED: 8 PARKING SPACES

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### PROJECT NORTH

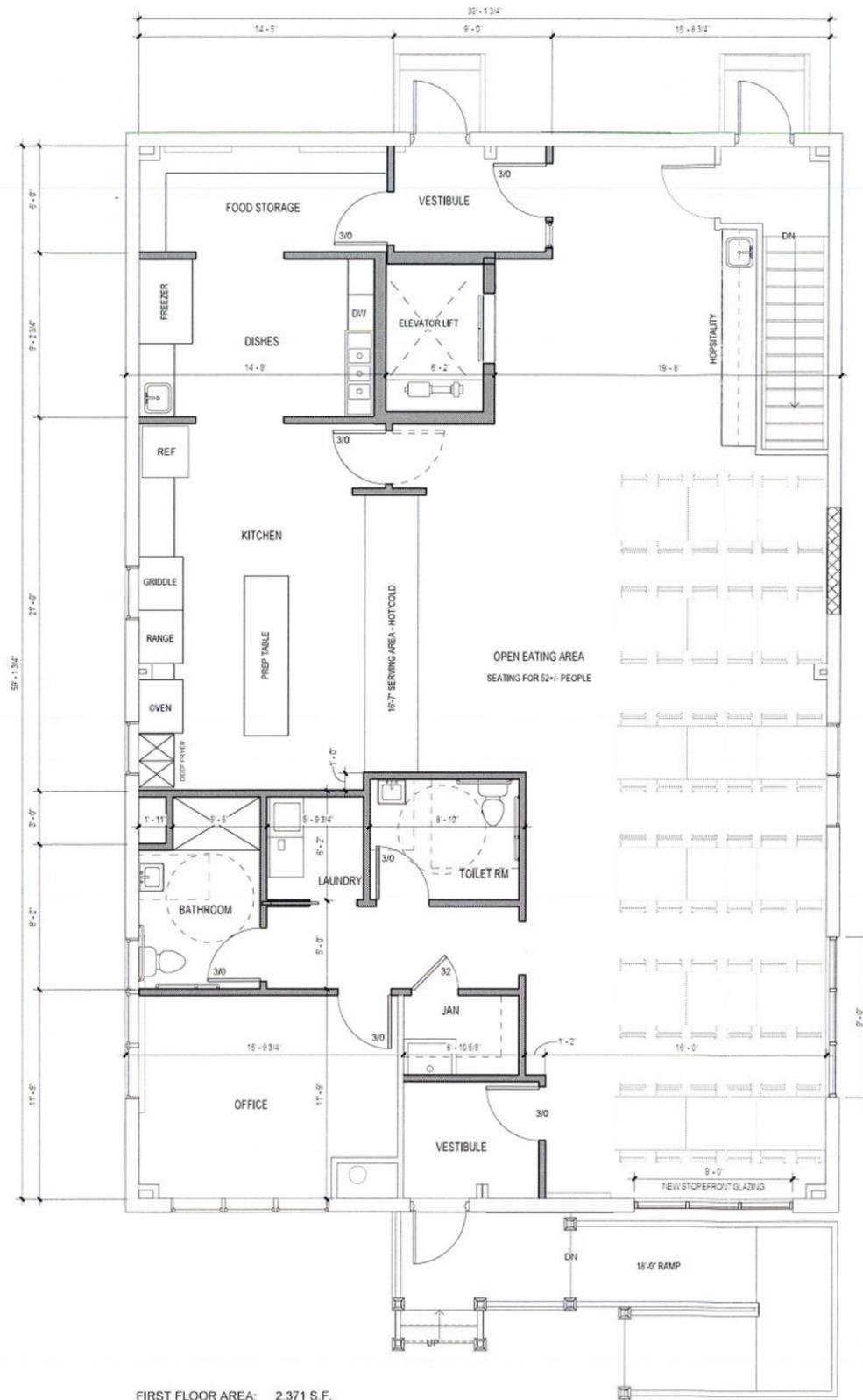
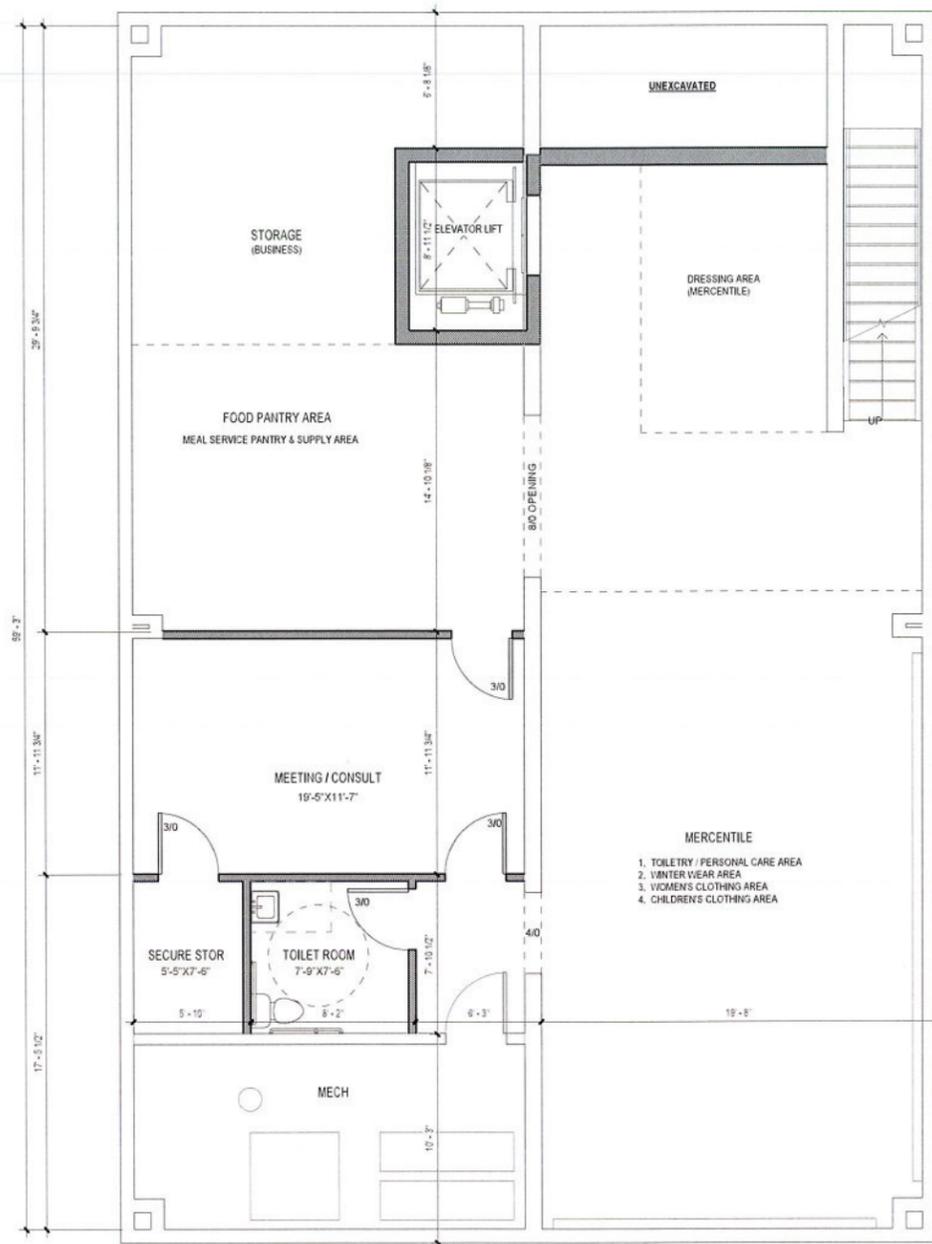
Revision	
No	Date

DATE	SCALE
3/12/19	As indicated
DRAWN BY	JOB No.
AMR	19003

DRAWING DESCRIPTION  
**CODE SUMMARY / EGRESS PLAN**

SHEET NUMBER  
**G1.1**





FIRST FLOOR AREA: 2,371 S.F.  
BASEMENT AREA: 2,192 S.F.

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1000 East 10th Street  
Syracuse, NY 13204  
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315.474.3141

IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A REGISTERED PROFESSIONAL ARCHITECT, TO PREPARE, REPRODUCE, COPY, ALTER, REPRODUCE, OR TRANSMIT ANY ARCHITECTURAL DRAWING OR PLAN, OR TO REPRODUCE OR TRANSMIT ANY ARCHITECTURAL DRAWING OR PLAN, WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. A DESCRIPTION OF THE ALTERNATIVE DISPUTE RESOLUTION PROCEDURE IS AVAILABLE UPON REQUEST.



PROJECT NORTH

Revision	
No	Date

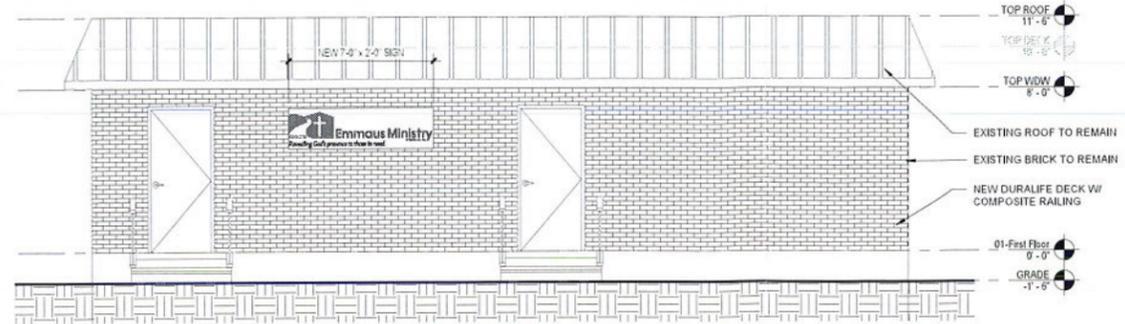
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DRAWN BY AMR	JOB No. 19003

DRAWING DESCRIPTION  
FLOOR PLANS

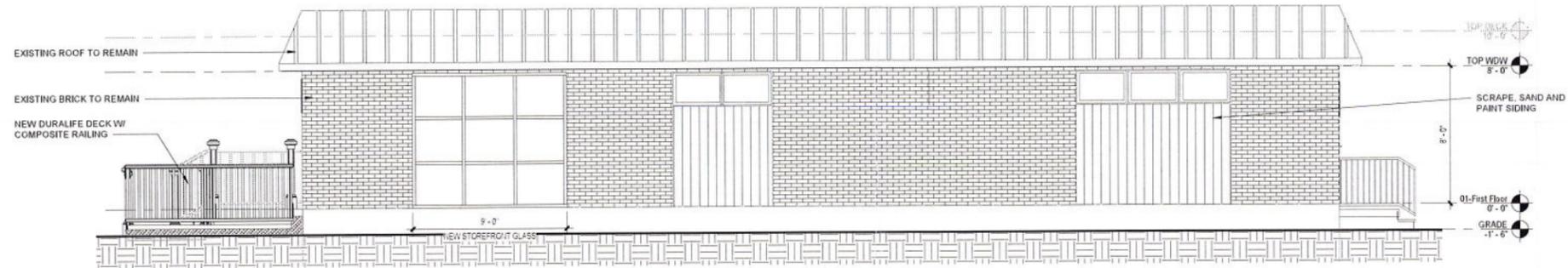
SHEET NUMBER  
**A1.0**



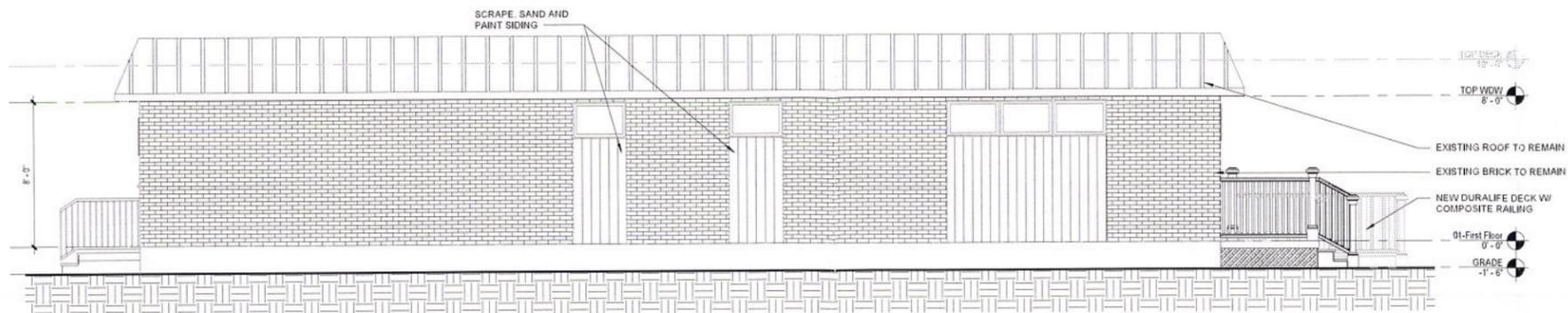
**5 SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"



**2 NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"



**1 EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



**3 WEST ELEVATION**  
SCALE: 1/4" = 1'-0"

PROJECT:  
INTERIOR RENOVATIONS FOR:  
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PROJECT NORTH

Revision	
No	Date

DATE 3/12/19	SCALE 1/4" = 1'-0"
DRAWN BY AMR	JOB No. 19003

DRAWING DESCRIPTION  
ELEVATIONS

SHEET NUMBER  
**A2.0**

R/O  
CHRIST EVANGELICAL CHURCH OF GOD

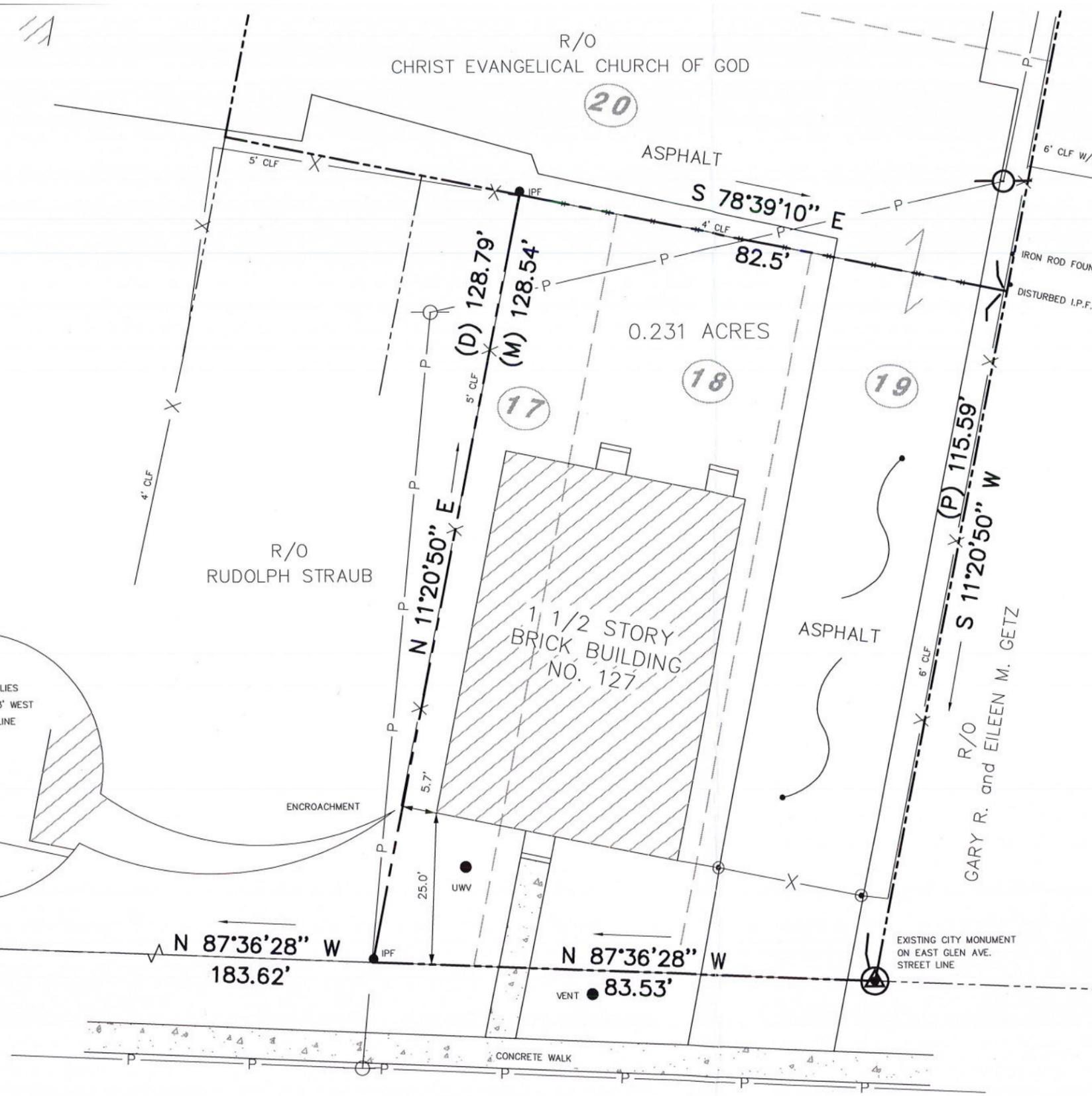


WARREN RAMIE SURVEYING  
6437 COLLAMER ROAD  
EAST SYRACUSE, NEW YORK 13057  
PH: 315 458-8979 FAX: 315 458-8978



PART OF FARM LOT 108  
CITY OF SYRACUSE  
ONONDAGA COUNTY  
STATE OF NEW YORK

BOUNDARY LOCATION SURVEY  
OF  
127 EAST GLEN AVENUE, SYRACUSE  
FOR  
4325 S. SALINA REALTY CORP R/O



ONLY COPIES OF THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S SEAL AND SIGNATURE IN RED SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE. IT IS THE LANDOWNER'S RESPONSIBILITY TO CONTACT U.F.P.O. AT 811 BEFORE ANY EXCAVATION OCCURS FOR LOCATION VERIFICATION.

THE CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSONS FOR WHOM THE SURVEY IS PREPARED, AND ON HIS/HER BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY, AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

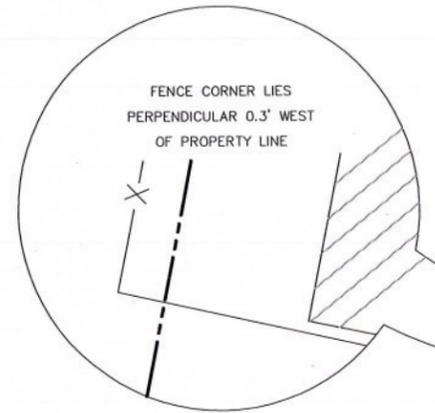
SURVEY COMPLETED WITHOUT BENEFIT OF ABSTRACT OF TITLE.

UNAUTHORIZED ALTERATION OR ADDITION TO A BOUNDARY SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

THE SETTING OF PROPERTY CORNER MARKERS IS NOT INCLUDED IN A BOUNDARY LOCATION SURVEY UNLESS THEY ARE SPECIFICALLY REQUESTED. A REASONABLE ADDITIONAL FEE WILL BE CHARGED FOR ADDITIONAL WORK.

THE UNDERSIGNED SURVEYOR HEREBY CERTIFIES THAT THIS MAP IS MADE FROM AN ACTUAL SURVEY OF THE PROPERTY SHOWN HEREON COMPLETED NOVEMBER 3, 2015.

*Heather Dawn Warren*  
NOVEMBER 3, 2015  
LICENSED LAND SURVEYOR  
No. 50279



**EAST GLEN AVENUE**  
R/W 66'

REFERENCE:  
- SURVEY MAP BY MODI ENGINEERING AND LAND SURVEYING, PC  
DATED JULY 28, 1999, PROJECT 99.16.

DATE	11/03/2015	SCALE	1" = 20'
DESIGNED BY	HDW		
DRAWN BY	HDW		
TAX MAP NO.:	071.-03-18.1		
SHEET	1	OF	1
JOB NO.	15082		

*Current site of Emmatus  
4335 S. Salina*



Google Maps 127 E Glen Ave



Image capture: May 2014 © 2019 Google

Syracuse, New York



Street View - May 2014