



# TOWN OF ULYSSES

## BOARD OF ZONING APPEALS

### Board of Zoning Appeals Resolution No. 2026-005

**A Resolution for One Area Variance for the Husted Single Detached Dwelling Unit Addition Located at 6018 Podunk Road, Town of Ulysses, Tax Parcel 21.-1-12.5**

**Whereas**, a request for one area variances was submitted to the Board of Zoning Appeals (BZA) by the Town of Ulysses on behalf of the property owner, Olga (Terri) Husted, for property located at 6018 Podunk Road, Town of Ulysses, Tax Parcel 21.-1-12.5; and

**Whereas**, the subject lot is zoned A/R Agricultural/Rural; and

**Whereas**, the requested area variance is related to a building permit application to construct an addition, as shown on page 4 of the variance application, to an existing single detached dwelling unit 15 feet from the west side lot line; and

**Whereas**, the area variance request is relief from the Code of the Town of Ulysses 212-29.G to reduce the minimum required side yard setback from 30 feet to 15 feet; and

**Whereas**, the requested variance is are a Type II action under the Code, Rules, and Regulations of the State of New York Title 6, Part 617 (SEQR), Section 5.c.16 “granting of individual setback and lot line variances and adjustments” and requires no further review; and

**Whereas**, the action required 239 review, and Tompkins County’s Department of Planning & Sustainability determined in their comment letter dated June 3, 2026, the proposal will not have a significant county-wide or inter-community impact; and

**Whereas**, notice of the public hearing was published in the Ithaca Journal, was posted on the Town’s Public Legal Notice Board, was posted on the Town’s webpage, was posted on the subject site; and was mailed to property owners within a 500-foot radius of the subject property; and

**Whereas**, the BZA did conduct a public hearing on June 17, 2026 where it reviewed a site plan prepared by the applicant and other application materials; and

**Whereas**, by considering the criteria listed in the Consolidated Laws of New York Chapter 62, Article 16, Section 267-B.3.b, the BZA reviewed the record and weighed the benefits to the applicant against the detriment to the health, safety and welfare of the neighborhood if the variance was granted; and

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
2. Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance.
3. Whether the requested area variance is substantial.
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. Whether the alleged difficulty was self-created.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS,**

Considering all of the statutory factors set forth above, the Board of Zoning Appeals finds the following:

1. The benefit to the applicant in the granting of the area variance to reduce the minimum required side yard setback from 30 feet to 15 feet for the proposed addition will outweigh the detriment to the health, safety and welfare of the neighborhood.
2. The granting of the area variance will not create an undesirable change in the character of the neighborhood and will not be a detriment to nearby properties. It will not be readily apparent from the road and there are no neighbors who object to the proposed plan and one adjacent neighbor who is supportive of the plan.
3. The benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue other than an area variance. Due to wetlands and a septic field adjacent to the house.
4. The requested area variance is substantial; however, the proposed addition does not extend further into the setback than the existing legally non-conforming structure.
5. The proposed area variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The proposed addition location keeps the new construction away from the existing wetland.
6. The alleged difficulty is self-created; however, it allows the existing homeowner to age in place.

For the reasons set forth above, and upon the evidence, law and facts, the BZA hereby does grant the area variance to reduce the side yard setback from 30 feet to 15 feet for the proposed addition to the existing single detached dwelling unit located at 6018 Podunk Road as described above, and as shown on the site plan noted above.

  
Board of Zoning Appeals Vice Chair

6/17/26  
Date

**Ayes:** Thompson, Hillman, Meador, Ferrari

**Nays:** None

**Absent:** Morreale

**Abstain:** None