

City of Cortland
SPECIAL USE PERMIT APPLICATION

Information to be provided by Applicant:

Address of Proposed Special Use 31 River St Cortland NY

Applicant name Brian Wallace Phone 607 745-2992

Address of applicant 31 River St Cortland NY 13077

*Property owner, if other than applicant:

Name Brian Wallace Address 5965 W. Scott Rd Homer

(this section for office use only)		County Tax No: _____
Zoning District: _____		SEQR Action Type: <u>1 / 2 / UL</u>
GML referral	Y/N	Approval Date: _____
Flood District	Y/N	Approval Date: _____
Historic District	Y/N	Approval Date: _____
Variance Required	Y/N	Approval Date: _____
Site Plan Review Required	Y/N	Approval Date: _____
Conditions: _____		

**Only the property owner or persons holding a valid purchase offer may submit application. A copy of a valid purchase agreement must accompany this application, if applicable.*

Information to be included with application:

1. A certified survey map of parcel indicating setbacks of building on property and proposed dimensional changes if any.
2. Completed first page of the Environmental review form (SEQR)
3. Fee of \$150 to be submitted with application.
4. Complete description of proposed activity including parking, hours of operation, any physical changes to the property.

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The following is criteria will be considered in the board's decision on the special use variance application. Applicant may address these criteria in writing to be submitted with the completed application.

- a. That the lot area is sufficient, appropriate and adequate for the use and the reasonable anticipated operation and expansion thereof.

YGS

- b. That the proposed use will not prevent the orderly and reasonable use of adjacent properties.

YGS

- c. That the site is particularly suitable for the location of the proposed use in the community.

YGS

- d. That the characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, public park or other similar uses.

YGS

- e. That the access facilities are adequate for the estimated traffic from public streets or highways, so as to assure the public safety and to avoid traffic congestion, and further that the vehicular entrances and exits shall be clearly visible from the street and not be within fifty (50) feet

YGS

Applicant Signature

Brian Walker Date 8/4/22

The original application must be submitted, with the fee, to the City Clerk's Office. Lack of a completed application may cause delay in the process.

Applicant is requested to notify neighboring property owners of application for special use permit.

04/26/2021

Wallace Landscaping

Narrative Request for outdoor sales variance at 31 River St.
Cortland, NY

A request has been filed to allow outdoor sales in a General Industrial area on River Street in Cortland. The subject property is located at 31 River St. The business I intend to operate is a garden center/nursery in the common meaning.

It is zoned general industrial and is surrounded by a general regional business designation. In order for a special permit to be issued the subject property needs to meet the criteria in City of Cortland Code section 300-4.

"outdoor Sales" Includes uses which sell, rent or display merchandise or equipment predominantly outside of an enclosed building. Such uses do not include the storage of inoperative vehicles or equipment, or other materials typically associated with a junkyard or salvage yard. "

The City of Cortland codes does not define garden centers or nurseries that I have found, but provides some clarity in Section 300-2 common meanings- *"Except where specifically defined herein, all words used in this zoning chapter shall carry their customary meanings."*

I can find no definition for garden center or nursery so I will include the common meaning to describe the intended business operations.

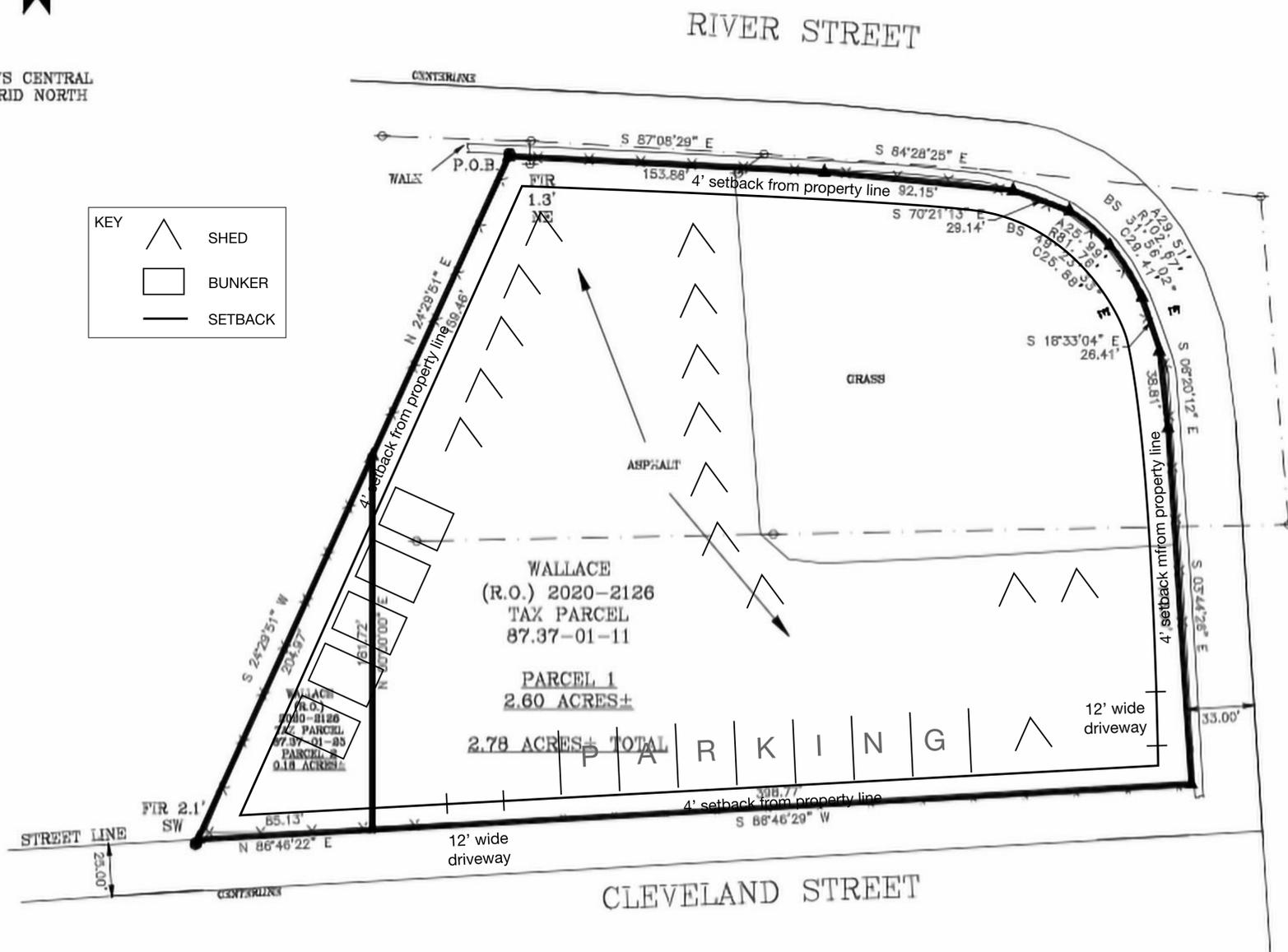
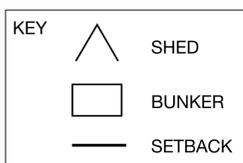
Garden Center/nursery means a retail business whose principal activity is the selling of plants, flowers, shrubbery, containerized trees, bulbs, mulches, soils, and other horticultural and floricultural products that are maintained, but not propagated, on the site, but specifically does not permit the sale of medical marijuana. The sale of other nursery accessories, including but not limited to potting soil, hardware, hoes, rakes, shovels, sheds, birdbaths, lawn ornaments, pavers, backyard patio setups and other garden tools ,supplies, and services, and other items needed for a customer or its agent to plant, landscape or otherwise achieve lawn and yard beauty, and quiet enjoyment of their property.

I will keep typical garden center /nursery hours according to the 4 seasons, spring and summer will be longer days, fall and winter may be much shorter or closed for the season.

I will have equipment on the premise to maintain inventory, and property and safely load purchased items into vehicles. I will not be having junk cars or a salvage operation.



NYS CENTRAL
GRID NORTH



- FOUND IRON ROD
- SET IRON ROD
- ▲ ANGLE POINT
- ⊕ UTILITY POLE
- x — x — x — x — FENCE

NOTES:

- 1.) "NO COLLIER" APPEARANCE ON THIS MAP AND THE CERTIFICATION COPY IS SET OUT HEREON OR THE FIELD ARE UNLAWFUL AND VOID. CERTIFICATES ARE NOT TRANSFERABLE TO ANY OTHER PERSON, JOB, PROJECT, OR TO SUBSEQUENT OWNERS, FOR CONVEYANCE AND/OR MORTGAGE PURPOSES OCCURRING WITHIN ONE YEAR OF THE LATEST CERTIFICATION DATE ONLY.
- 2.) I HEREBY CERTIFY THAT THIS MAP IS AN ACCURATE DELINEATION OF AN ACTUAL SURVEY MADE UNDER MY DIRECT RESPONSIBLE SUPERVISION AND IS SUBJECT TO ANY STATEMENTS OF FACT THAT AN ACCURATE AND UP TO DATE ABSTRACT OF TITLE MAY REVEAL. UNAUTHORIZED ADDITION TO OR ALTERATION OF A SURVEY MAP BEARING THE SEAL OF A LICENSED LAND SURVEYOR IS A VIOLATION OF SECTION 7206, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

SURVEY OF LANDS OF
BRIAN WALLACE
 DEED: 2020-2126
 TAX PARCELS : 87.37-01-11.00 & 87.37-01-25
 #31 RIVER ST.
 CITY OF CORTLAND, COUNTY OF CORTLAND, NEW YORK STATE
 DATE: 11/30/2020 JOB NO: 20-080 SCALE: 1" = 50'

Denkenberger Surveying, P.C.
 Land Surveyors
 P.O. Box 5008
 Cortland, N.Y. 13045 Phone 607-756-5168

JAMES J. DENKENBERGER
 P.L.S. #50397