

MAYOR JEFF LANIGAN
Mayor



26-017
MARK DOMENICO
Director

DEPARTMENT OF CODE ENFORCEMENT

ROME CITY HALL, 198 N. WASHINGTON STREET

ROME, NEW YORK 13440-5815

Telephone: (315) 339-7642 Fax: (315) 339-7638

www.romenewyork.com

Notice of Denial of a Building Permit

Date: 6/25/2026

1. Applicant

- a. Name: Robert Pearson
- b. Address: 503 William Street
- c. Telephone: 315-225-5736
- d. Interest in Premises: Owner
- e. Email

2. Property description

- a. Address: same
- b. Zone District: R2
- c. Current use of property: single family
- d. Zoning standing : conforming
- e. Tax id 242.025-1-29

3. Type of Action Requested- Area Variance

The applicant removed and existing shed (8'x10') due to structural failure and had replaced it with a larger (10'x10') and higher shed. The existing shed was within the 5' sideyard setback and is considered a lawful pre-existing non-conforming installation. The new shed has been placed in the approximate same location however there has been an increase to the prior non-compliance features in both the building footprint size and building height. (see photos)

Applicable Zoning Code Section

Rome Zoning Code Sec. 80-20.3. – Nonconforming structure

Sec. 80-20.3. - Nonconforming structure.

(a) Definition. A nonconforming structure is a principal or accessory structure that once conformed to zoning district regulations but because of subsequent amendments to the code no longer conforms to applicable dimensional standards. Certain nonconforming site elements are regulated separately by section 80-20.5 and nonconforming signs by section 80-20.6.

(b) Maintenance. Normal maintenance and incidental repair may be performed on any nonconforming structure. No repairs or reconstruction are permitted that would create any new nonconformity or increase the degree of the existing nonconformity.

(c) Structural alterations. No structural alterations are permitted on any nonconforming structure, except in the following situations:

- i. When the alteration is required by law or is necessary to restore the structure to a safe condition upon the order of any official charged with protecting public safety
- ii. When the alteration will eliminate the nonconformity.
- iii. When the alteration will not create any new nonconformity or increase the degree of any existing nonconformity. For example, if a structure is nonconforming in terms of the required front setback (i.e., does not meet the required minimum), the structure may add a rear addition if it meets all other district regulations.
- iv. When the alteration is as described in item e., below.

(d) Relocation. A nonconforming structure cannot be relocated, in whole or in part, to any other location on the same lot unless such relocation would make the structure conforming. A nonconforming structure may be relocated to another lot if the structure conforms to all regulations of the zoning district where it is relocated.

(e) Damage or destruction.

- i. In the event that a nonconforming structure is damaged or destroyed by the fault of the property owner or tenant, the structure, as restored or repaired, must be rebuilt to comply with all requirements of this code.
- ii. In the event that any nonconforming structure is damaged or destroyed by fire, structural failure, wind, explosion, or other natural cause, it may be repaired **or rebuilt to the same size and dimension as previously existed**, provided that a building permit is obtained within one year following the damage or destruction.

CITY OF ROME ZONING BOARD OF APPEALS

Area Variance Application

IN THE MATTER OF THE APPEAL, OF Robert Pearson, Appellant(s):
for an Area Variance pursuant to Article VIII, Section 56 (b) of the Code of Ordinances of the City of
Rome, Chapter 80 and Article 5-A, Section 81-b of the New York State General City Law

TO THE CITY OF ROME ZONING BOARD OF APPEALS:

SECTION I (SECTION I TO BE COMPLETED BY ZONING OFFICER AND REVIEWED BY APPLICANT):

- A. The appellant(s) hereby appeals to the Zoning Board of Appeals of the City of Rome, New York from a determination of the Zoning Officer who, on the 29 day of June, 2026 did deny the application of the Appellant, said application affecting property at 503 Williams St. in a R2 zoning district, in the City of Rome, and having been submitted to the Zoning Officer for the purpose of Area Variance

that such application was denied by the Zoning Officer insofar as it contained a proposed use not permitted or authorized and constituting a violation of Section _____, Schedule _____ of the Rome Code of Ordinances, Chapter 80.

- B. Area Variance Standard: Appellant recognizes that, pursuant to Article 5-A of the General City Law, §81-b(4), the Zoning Board of Appeals shall take into consideration the benefit to the appellant if the Area Variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Zoning Board of Appeals shall also consider:

- (i) 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;
- (ii) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (iii) whether the requested area variance is substantial;
- (iv) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (v) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

The Appellant recognizes that the Zoning Board of Appeals, in the granting of Area Variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community by such conditions as it may deem reasonable under the circumstances.

SECTION II (SECTION II TO BE COMPLETED BY APPELLANT(S)---attach additional sheets and/or addendums as necessary)

* It may be in your best interest to seek the assistance of an attorney in filling out this Section.

**Explanatory Note(s) are for the sole purpose of helping you, as Appellant, understand the requirements necessary to obtain the Variance and shall not have any significance to your application or any denial thereof. These Notes are not intended as legal advice, nor are they to be relied on as the current state of the law.

A Having fully reviewed the above requirements for the granting of an Area Variance, I hereby request such Area Variance in order to supersede the determination of the Zoning Officer denying my application for the following reasons (complete each paragraph below):

Note: In making application to the Zoning Board of Appeals for an Area Variance, the Zoning Board of Appeals must take into consideration the benefit of the Area Variance to the Appellant and weigh it against the detriment to the community. In weighing said factors, the Zoning Board of Appeals must consider the five factors enumerated above. The Appellant requests the variance and presents information to substantiate the variance; however, it is the job of the Zoning Board to implement the test.

(i) 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;

NO - THERE WILL NOT BE A CHANGE TO THE NEIGHBORHOOD
THE NEW SHED IS REPLACING MY OLD SHED
THAT THE ROOF CAVED IN THIS PAST WINTER
THE OLD SHED 8X10
THE NEW SHED 10X10

(ii) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;

NO

(iii) whether the requested area variance is substantial;

NO

NO

(iv) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

NO

IMPACT

(v) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

NO it was not self created

The new shed is replacing the old shed

The old shed size was 8 by 10

The new shed is 10 x 10

B. I hereby attest that no previous appeal has been made for the Area Variance requested herein.

Sworn to before me this 29 Day of June, 2024.

Dawn Crever

Notary Public

DAWN M. CREVER
Notary Public, State of New York
Qualified in Oneida County
Reg. No. 01CR6439853
Commission Expires 8/29/2026

Mr. [Signature]
Appellant

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information		
NEW SHED REPLACING OLD SHED		
Name of Action or Project:		
BACK YARD, DRIVEWAY		
Project Location (describe, and attach a location map):		
REPLACING OLD SHED 8x10 THAT CAVED WITH NEW 10x10 SHED		
Brief Description of Proposed Action:		
REPLACING OLD SHED 8x10 THAT CAVED THIS PAST WINTER WITH NEW 10x10 SHED		
Name of Applicant or Sponsor:		Telephone: 315-235-5736
ROBERT F. PEARSON JR		E-Mail:
Address:		
503 WILLIAM STREET		
City/PO:	State:	Zip Code:
ROME	NY	13440
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☒ ☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO YES
If Yes, list agency(s) name and permit or approval:		☒ ☐
3.a. Total acreage of the site of the proposed action? _____ acres		
b. Total acreage to be physically disturbed? _____ acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres		
4. Check all land uses that occur on, adjoining and near the proposed action.		
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban)		
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____		
☐ Parkland		

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☐	N/A ☒
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
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 ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
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 ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☒	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☒	YES ☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☒	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☐	☐	
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 ☐	
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: _____	☒	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ 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 ☐	
16. Is the project site located in the 100 year flood plain?	NO ☒	YES ☐	
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? ☒ NO ☐ YES	NO ☒	YES ☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	☒ NO ☐ YES		

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 ☐
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 ☐
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 ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Robert F. Pearson Jr.</u> Date: <u>6/29/26</u> Signature: <u>[Signature]</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.

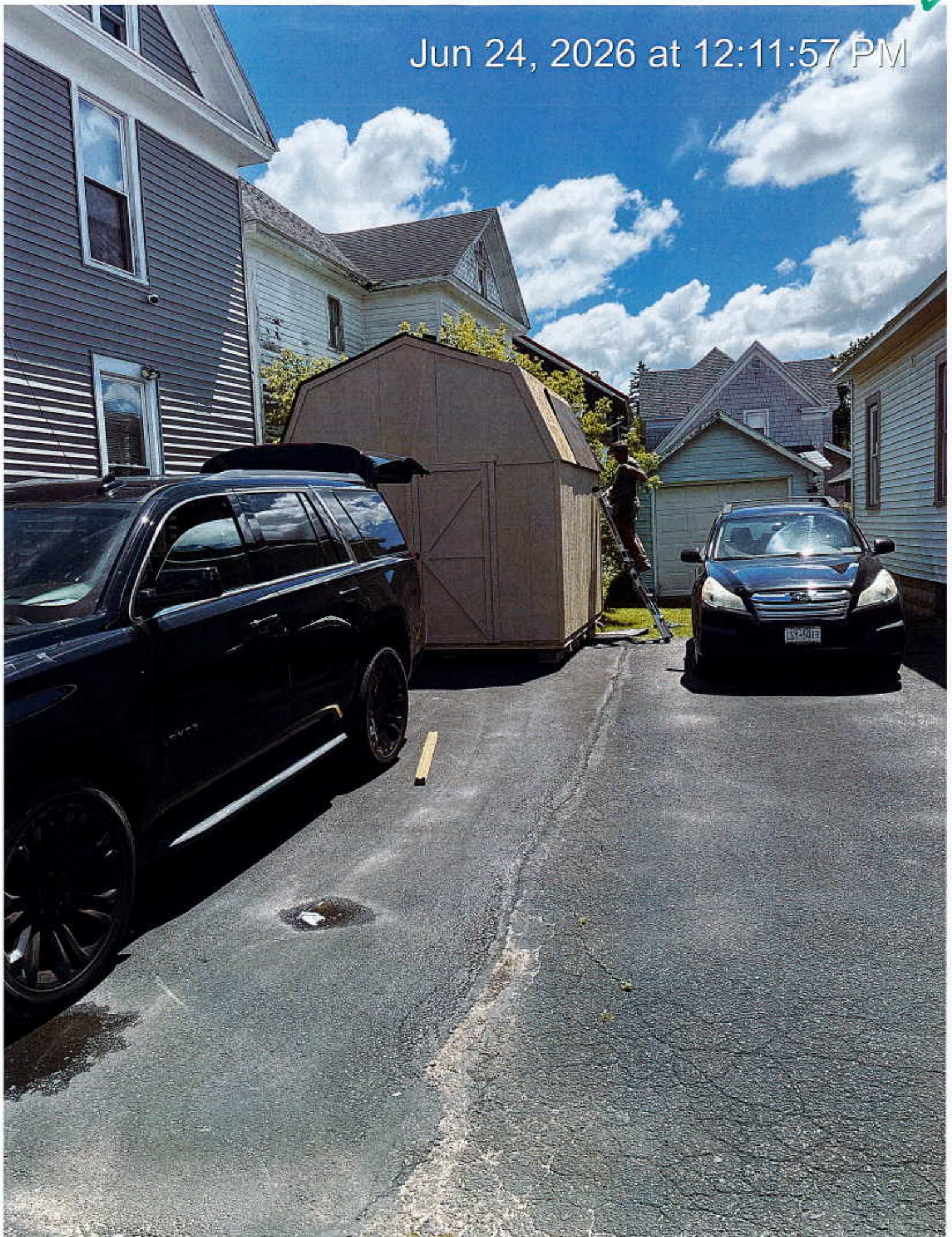
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, 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)	

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Jun 24, 2026 at 12:11:57 PM



Jun 24, 2026 at 12:12:20 PM



Jun 24, 2026 at 12:11:50 PM





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Rome, New York

Google Street View

Nov 2022

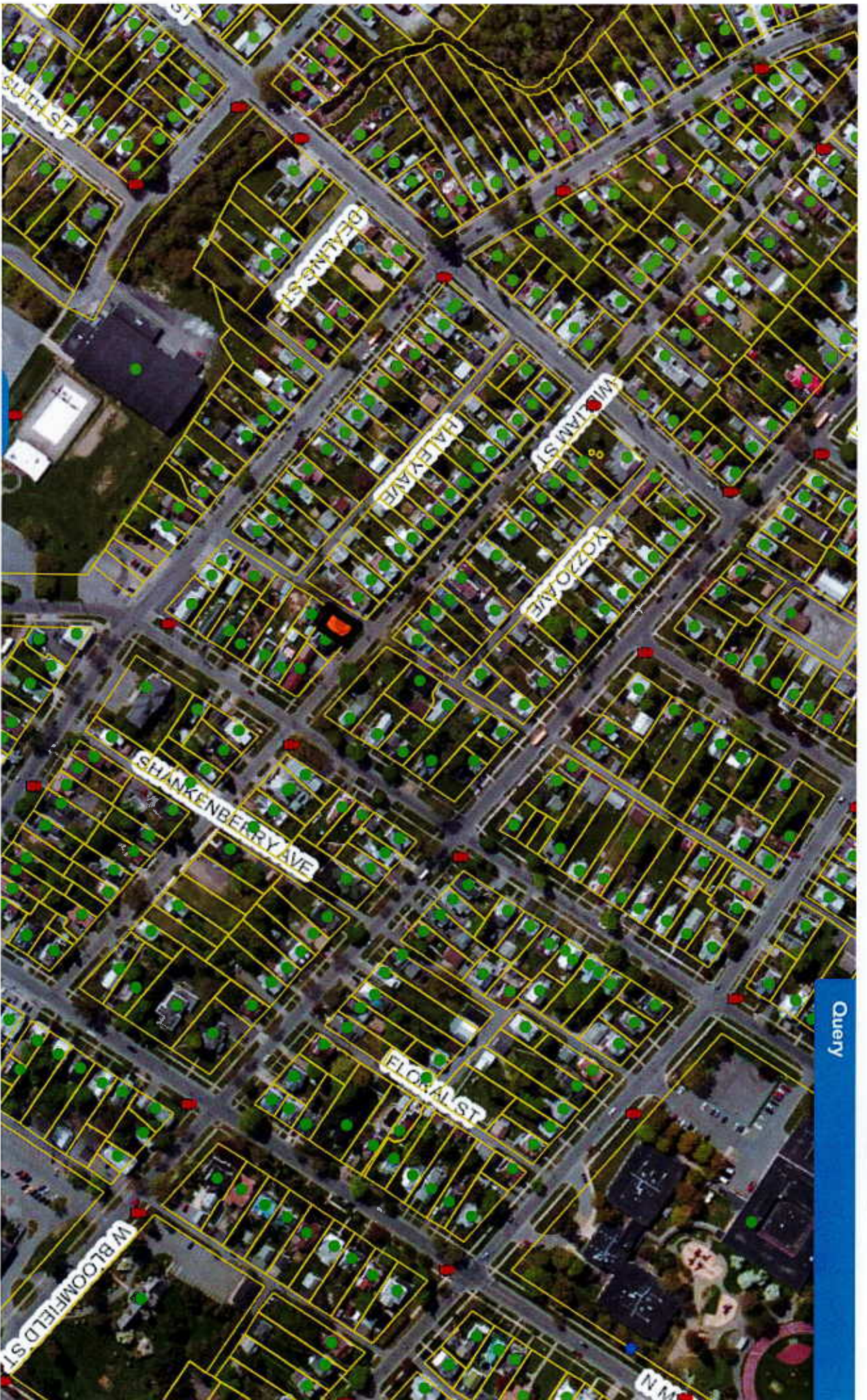
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