

**TOWN OF HENDERSON  
Zoning Board of Appeals  
Notice of Public Hearings  
Wednesday, February 19, 2025  
at 6:00PM  
12105 Town Barn Rd  
Henderson, NY 13650**

**Request of DG Henderson LLC**

Located at 8328 NYS Rte 3

On Parcel #106.13-1-24

In Business

Boarding Property Owned by Peter Price and MR Burdick Enterprises  
LLC

For request of a variance increase of allowable lot area coverage on a  
proposed subdivision.

**And any other business that might come in front of the Board**

**The above-described application(s) are open to inspection at the office of the Town Clerk during regular business hours. Any interested person may appear at the hearings and be heard. Written communications concerning these matters may also be filed with the Zoning Board of Appeals before or at the hearing, or be sent to 12105 Town Barn Road, Henderson, NY 13650. Anyone wishing to confirm this meeting may call the Town Clerk at 938-5542, Ext 21 between the hours of 3-4PM on the day of the hearing.**

**By Order of the Zoning Board of Appeals:**

**Chairman, Jerry Tackley, members Robert Aliasso, Julie West, Colman McGann and Joan Treadwell Woods alternate Dean Witmer**

**Wendy Flagg, ZBA Clerk  
Filling in for Mary Cornell**

Application to the Town of Henderson Zoning Board of Appeals

Appeal # \_\_\_\_\_ Date: \_\_\_\_\_

To the ZBA of the Town of Henderson, NY .I, Scott Davison, sole manager of DG Henderson LLC  
at 1777 Sun Peak Dr., STE A, Park City, UT 84098

HEREBY APPEAL TO THE ZONING BOARD OF APPEALS THE DECISION OF THE ENFORCEMENT OFFICER ON  
THE APPICATION FOR ZONING PERMIT # \_\_\_\_\_, DATED \_\_\_\_\_  
WHEREBY THE ENFORCEMENT OFFICER DID ( ) GRANT ( ) DENY THE AFOREMENTIONED PERMIT  
TO subdivide parcel 106.13-1-24 from 4.11 acres to 2 parcels, one comprising 1.93 acres and  
another comprising 2.18 acres

The relief sought approve the subdivision as requested above

1. Provisions of the Zoning Law appealed. Article \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Type of appeal: (  ) area variance ( ) use variance ( ) interpretation

2. Location of property: 911 # \_\_\_\_\_ tax # 106.13-1-24

Applicant's signature and date  1-9-2025

-----Office use only-----

Application and \$ \_\_\_\_\_ fee received on \_\_\_\_\_ Hearing date \_\_\_\_\_ Advertised date \_\_\_\_\_

DECISIONS OF THE ZBA

The requested variance was ( ) denied ( ) granted for the following reasons: \_\_\_\_\_

Although not exactly the relief sought a variance was granted for \_\_\_\_\_  
with the following reasons: \_\_\_\_\_

Signature of Chairperson and date \_\_\_\_\_

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Town of Henderson ZBA Members:

On Tuesday February 4, 2025 DG Henderson LLC represented by Scott Davison, inquired about a subdivision for parcel # 106.13-1-24 a 4.11 acre parcel. They wish to divide the parcel into two lots one being vacant property comprising of 2.18 acres and the other 1.93 acres which has the current location for DG Markets. Although both meet the requirements to be conforming lots the parcel, 1.93 acres, having the DG Markets on it would be considered an overage in lot coverage area.

Mr. Davison requested to be denied by the Planning Board for the actual subdivision at the meeting so he could be sent to the Zoning Board of Appeals to request a lot coverage area variance for the proposed lot. Please refer to the enclosed email dated January 9, 2025 from Mr. Davison showing the actual percentages the lot would be over and the request for the variance overage.

Planning Board Clerk

A handwritten signature in black ink, appearing to read "Wendy Flagg". The signature is written in a cursive, flowing style with a long horizontal stroke extending to the right.

Wendy Flagg

**From:** Scott Davison <sdavison@sevilledev.com>  
**Sent:** Thursday, January 9, 2025 4:07 PM  
**To:** enforcementofficer townofhendersonny.org  
**Subject:** Subdivision of Dollar General parcel  
**Attachments:** 2024-07-23 DG Henderson-Subdivision Sketch.pdf

Eric,

Thank you for your time this afternoon discussing our pending request to subdivide the 4.11 acre parcel where we developed the Dollar General store. I've attached a drawing that shows the proposed subdivision.

Here are the numbers:

- Original "Parent" Parcel: 4.11 acres
- Proposed Subdivision:
  - Dollar General
    - Acreage 1.93 acres (84,070 sf)
    - Lot Coverage Area 0.90 acres (39,230 sf)
    - Lot Coverage % 46.7%
  - New Parcel 2.18 acres (94,960 sf)

If I am reading the town's zoning ordinance correctly, the normal maximum lot coverage is 30%. We will be asking for a variance to allow the Dollar General lot to be 46.7% coverage.

Please confirm that you have received this email and are able to print out the attached drawing showing the proposed subdivision.

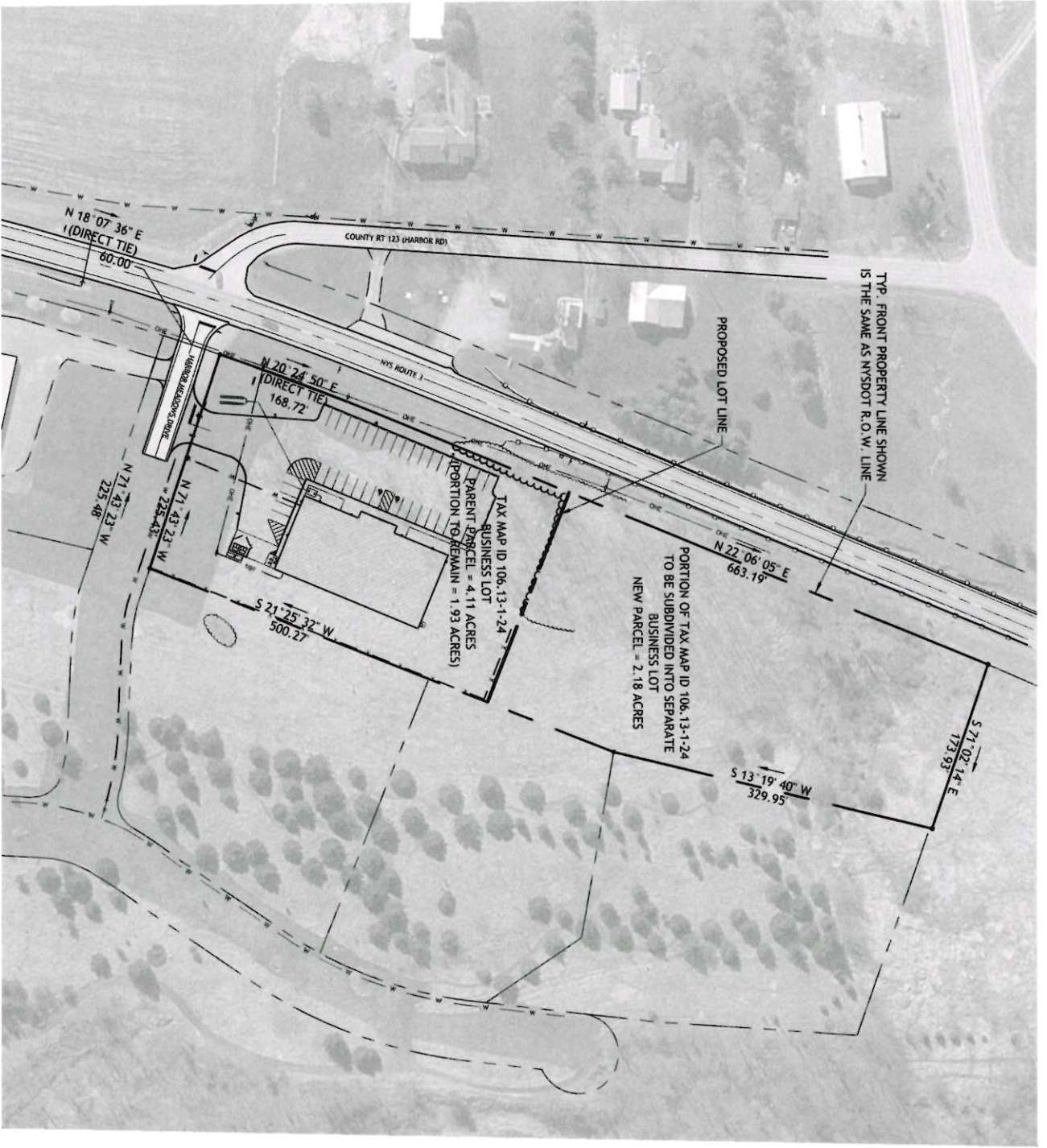
Thank you.

Scott

**seville**  
development, llc

Scott Davison  
President

1777 Sun Peak Dr., Suite A  
Park City, UT 84098  
435.214.5131  
sdavison@sevilledev.com



TYP. FRONT PROPERTY LINE SHOWN IS THE SAME AS NYS DOT R.O.W. LINE

PROPOSED LOT LINE

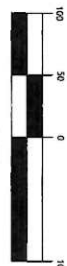
PORTION OF TAX MAP ID 106.13-1-24 TO BE SUBDIVIDED INTO SEPARATE BUSINESS LOT NEW PARCEL = 2.18 ACRES

TAX MAP ID 106.13-1-24 BUSINESS LOT PARENT PARCEL = 4.11 ACRES PORTION TO REMAIN = 1.93 ACRES

# SUBDIVISION SKETCH PLAN


SCALE: 1" = 100'

GRAPHIC SCALE



(IN FEET)  
1 inch = 100 ft.

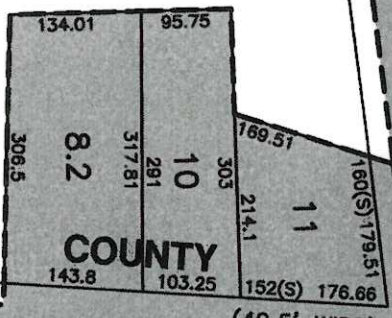


	PROJECT TITLE <b>SEVILLE DEVELOPMENT, LLC</b> <b>HARBOR MEADOWS DRIVE</b>
	NYS ROUTE 1, TOWN OF HENDERSON, JEFFERSON COUNTY, NY
DRAWING TITLE <b>SKETCH SUBDIVISION PLAN</b>	DRAWING NO. <b>C300</b>
DESIGNER CHECKED BY DATE PROJECT NO.	DATE PROJECT NO.

ATER DISTRICT NO. 2

4  
22.00A

COUNTY  
ROUTE 123  
(49.5' WIDE)  
HARBOR RD



SECTION 106.05

(2A)  
34.22  
2.28A

ROAD

152

(7.2A(C))

ROUTE

389.4

159.02

871.79

NY STATE  
SCENIC

HARBOR 380.75

8.1  
2.1A(C)  
2.56A

ROUTE  
(VARIES)

HIGHWAY 3

DANLEY

COUNTY  
ROUTE  
(49.5' WIDE)

ASPINWALL  
CORNERS

(49.5' WIDE)

887.44

12  
5.79A

3

847.19

(B)  
24  
4.47A

110.25

666.71

(A)  
25  
3.33A

204.91

15  
7  
175

102.4

152

62.67

ROAD

26  
21.79A

STC

INT LIMI  
BOUND  
ANON T  
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ENIT