



Department of Planning, Housing, & Community Development

Mayor, Richard C. David
Director, Dr. Juliet Berling

STAFF REPORT

Date: February 24, 2016
Subject: 146 Crestmont Rd; Area Variance
Applicant: David Lott
Tax ID #: 143.84-1-46
Case: 2016-05

A. SUMMARY:

The applicant seeks an Area Variance for a detached garage addition that increases the square footage to 960 sq. ft. where only 676 sq. ft. is allowed and to have a 2.5 ft. side setback where 5 ft. is required in an R-2, Residential One & Two Unit Dwelling District.

The subject site is located on the west side of the City of Binghamton where Crestmont Road meets Main Street. A single-family home and a detached garage are currently located on the 8,580 sq. ft. lot. Land uses in the vicinity consist primarily of residential single and two unit dwellings. Many commercial uses are also nearby because of the property being in the proximity of Main Street's C-1 Service Commercial District.

B. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

123 Crestmont Road: An area variance to convert a former bicycle shop to a one-bedroom apartment.

125 Schubert Street: An area variance of maximum lot coverage was granted to Paul Fischer in 1990 to allow the construction of an addition to a two-family residence.

132 Schubert Street:

- In 1988, a use variance was granted to Andrew Walker to allow the conversion of an existing building to a three-family residence.
- Two area variances were granted to Milton Mooers in 1985 to allow a double-faced projecting sign.

51 Grand Boulevard: Dr. Jerome Farrell II was denied use and area variances in 1995 to allow the conversion of a single family home to a dentist office.

57 Grand Boulevard: In 1992, the Zoning Board of Appeals denied a request by George Fitzpatrick to convert a building to an apartment and business office.

69 Grand Boulevard: A request by Gene Seymour in 1977 for two variances to construct a garage was denied in part and approved in part.

C. ENVIRONMENTAL IMPACT

The applicant's proposal is a SEQR Type II Action.

No further environmental review is required.

F. STAFF COMMENTS

1. Reasonable Alternative

- a. The addition to the garage is already built and this appears to be best location on the property to build an addition to a garage.

2. Substantial Request

- a. The largest side setback variance requested is 2.6' and the garage is 284 sq. ft. over the allowed size. The lot is 8,850 sq. ft. in size.

3. Self-created Hardship

- a. The ZBA must determine if there is a self-created hardship.

4. Undesirable Change

- a. Many properties in the area appear to have legal non-conforming sheds or garages that do not meet the setback requirements. Many properties also have large garages.

H. ENCLOSURES

Enclosed are copies of the site plan, the application and site photos.