



Department of Planning, Housing, & Community Development

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

STAFF REPORT

Date: January 25, 2016
Subject: 16-16.5 Cedar Street; Area Variance
Applicant: Lauren Rhea
Tax ID #: 160.38-1-27
Case: 2016-02

A. SUMMARY:

The applicants seeks multiple Area Variances in order to properly subdivide the property. The subject parcel is a 8,250 sq. ft. lot in the R-2, Residential One and Two Unit Dwelling District.

	Lot 1	Lot 2
Lot Area (sq ft)	1,253.7	2,538
Lot Width	30'	20'
Side Setback	5'	3.2'
Total Setback	12'	9.2'

B. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

2 Cedar Street: In 1986, the Zoning Board of Appeals approved an Area Variance to construct a two-car garage in the R-2, Residential Multi-Unit Dwelling District.

35 Cedar Street: In 1986, the Zoning Board of Appeals granted an Area Variance for minimum lot width in the R-2, Residential One and Two Unit District.

40 Clarke Street: In 1991, the Zoning Board of Appeals conditionally granted Use and Area Variances to demolish the existing building and construct a parking lot in the R-2, Residential One and Two Unit Dwelling District. The conditions included: combining all the separate tax parcels into one parcel, submitting a drainage plan to the planning staff for approval, and prohibiting vehicular entrance and/or exit on Clarke Street.

33 College Street: In 2004, the Zoning Board of Appeals approved an Area Variance to convert an existing single-family residence to a two-family home in an R-1, Residential Single-Unit District.

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 board must decide if there are reasonable alternatives.

2. Substantial Request

- a. The current lot meets the minimum required lot width in the R-2 District of fifty (50) feet. The applicant proposes to create two (2) parcels whose widths are thirty (30) and twenty (20) feet.
- b. Both setback variance requests exceed 50% of the required setback.
- c. Lot 2 would be 57% of the required area for a lot in the R-2 District.

3. Self-created Hardship

- a. The ZBA must determine the nature of the hardship.

4. Undesirable Change

- a. The board must determine how this will impact the character of the neighborhood as it is in the present, but also in the future.
- b. For example, please, consider future vehicular access issues to proposed Lot 1 if/when the present or future property owner of Lot 2 no longer wishes to maintain the easement.
- c. Additionally, consider the proximity of the building on Lot 1 to the proposed subdivision line.

H. ENCLOSURES

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