



Department of Planning, Housing, & Community Development

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

STAFF REPORT

Date: January 25, 2016
Subject: 1-3 Mather Street; Area Variance
Applicant: Hershel Kahan
Tax ID #: 160.30-3-25
Case: 2016-03

A. SUMMARY:

The applicant seeks the following two (2) Area Variances as they pertain to the subdivision of an existing parcel in the C-1, Service Commercial District.

- 1 Mather Street requests a variance of 13'2" for total side yard setbacks as it provides 11'10" and 25' is required.
- 3 Mather Street requests a variance of 11'4" for total side yard setbacks as it provides 13'8" and 25' is required.

B. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

12 Edwards Street: In 2012, the Zoning Board of Appeals approved an area variance for minimum off-street parking. The applicant was required to provide four (4) spaces and could only provide two (2) in the R-3, Residential Multi-Unit Dwelling District.

28 Thorpe Street: In 2006, the Planning Commission approved the Series A Site Plan and Special Use Permit to demolish an existing residence and construct an off-street parking lot in the R-3, Residential Multi-Unit Dwelling District.

175 Chapin Street: In 2006, the Zoning Board of Appeals approved an area variance to convert a 4-unit dwelling to an 8-unit dwelling in an R-3, Multi-Unit Dwelling District.

4 Frank Street: In 2009, the Zoning Board of Appeal approved Area Variances for maximum accessory building size, minimum lot area, minimum side setbacks and minimum total side setbacks in the R-3, Residential Multi-Unit Dwelling 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. 1 Mather Street will meet approximately 44% of the setback requirement.
- b. 3 Mather Street will meet approximately 56% of the setback requirement.

3. Self-created Hardship

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

4. Undesirable Change

- a. The applicant has not proposed any additional construction or alterations to the exterior of the property.

H. ENCLOSURES

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