



Department of Planning, Housing, & Community Development

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

STAFF REPORT

Date: December 11, 2015
Subject: 26 Burr Ave; Area Variance
Applicant: Joachim Harris
Tax ID #: 161.45-4-37
Case: 2015-27

A. SUMMARY:

The applicants seeks two (2) variances.

1. An Area Variance to permit three (3) sheds when one is allowed.
2. An Area Variance for a 20' wide shed where 16' is the maximum dimension allowed.

The subject site is a 25,350 sq. ft. lot, located in the R-1, Residential One-Unit Dwelling District on parcel.

B. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

Precedent:

18 Grand Blvd - In November of 2015, an Area Variance was granted to construct a shed with a length of 20', where 16' is the maximum allowed in the R-2, Residential One & Two Unit Dwelling District.

27 Riverside St – In 2011, an Area Variance was granted for maximum number of accessory structures in the R-2, Residential One & Two Unit Dwelling District.

Location:

26 The Circuit St – In 2008, an Area Variance was granted for a garage greater than 676 sq ft and an Area Variance for an accessory structure larger than the primary structure in the R-1, Residential Single-Unit Dwelling District.

253 Conklin Ave – In 2003, an Expansion of a Non-Conforming Use to construct a 15' by 40' addition to an existing building in an OD-1/R-5, Strip Commercial/Residential High Density district was approved.

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. Only one shed is allowed in the City of Binghamton.

3. Self-created Hardship

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

4. Undesirable Change

- a. The total area of the sheds that are visible from the property frontage is 260 sq. ft.
- b. The sheds have been in place for approximately 10 years.

H. ENCLOSURES

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