



# Department of Planning, Housing, & Community Development

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

## STAFF REPORT

Date: January 25, 2016  
Subject: 26 Burr Ave; Area Variance  
Applicant: Joachim Harris  
Tax ID #: 161.45-4-37  
Case: 2015-27

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### A. SUMMARY:

The applicants seeks an Area Variance to permit three (3) sheds when one is allowed.

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

Currently, a single-family home, three sheds, a garage and the original house reside on the lot.

### B. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

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.

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 applicant proposes that he move Shed #3 to the backyard behind the boat shed, so that it will not be visible from the property frontage.

### 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.
- b. The applicant has provided photos of the inside of his property to show the amount of available storage space.

### 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.