

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 3 North Bank Street, Variance to permit front yard of 10' where 25' is required and rear yard of 6' where 25' is required; Special Exception to permit front yard parking to construct a garage in an RS-2 zone [Owner/Applicant: Keith Macdowall BZA, 10-06-V, 10-18-S].

REPORT: 1438-16

ADVICE: Approval

BACKGROUND:

Mr. Keith Macdowall seeks Variances to permit front yard of 10' where 25' is required and rear yard of 6' where 25' is required and a Special Exception to permit front yard parking to construct a garage in an RS-2 zone at 3 North Bank Street, in the East Rock Neighborhood. Previously the Board opened the hearing on the variance (BZA 10-06-V) to consider the subject garage.

During the March 9th Board of Zoning Appeals (BZA) public hearing the matter was presented by the applicant's agent who noted the lot is too narrow and the proposed front yard parking is contained within the garage. No one opposed or spoke in favor of the application.

PLANNING CONSIDERATIONS

The subject property pre-dates current zoning given a 40' lot width where 50' is required. In addition the subject site is a corner lot within the RS-2 zone where a 25' front yard setback is required along both adjoining street fronts. Staff notes the subject address is also within the Coastal Area Management zone; however, the planned garage is exempt from a Coastal Site Plan Review as noted in Section 55.f.1 of the New Haven Zoning Ordinance (NHZO).

As a result, the applicant may choose a rear lot line and side yard boundary when considering construction of an accessory structure. Mr. Macdowall plans to construct a 2-bay garage at the rear of his property (North East corner) accessed from Foster Street. Review of the submitted hand drawn site plan shows the proposed garage sited 6' from each rear and side yard lot lines. The garage is a 30' x 24' structure served by a 20' wide driveway and curb cut. In order to accommodate the planned garage, the applicant seeks a 10' front yard setback from Foster Street. Staff notes the proposed front yard setback will match his house offset from Foster Street. Review the prevailing front yard setback along the subject street block (bounded by North Bank Street and Mitchell Drive) shows inconstant setbacks. The hardship related to the land is the actual narrow lot width that was established prior to 1963 and the dual corner lot front yard designation.

In addition Section 29 C requires that a Special Exception for front yard parking is necessary whether said parking spaces are enclosed or not. In this instance, the proposed parking spaces will be within the front yard setback of Foster Street albeit enclosed within the planned garage. There is no other alternative on hand to comply with the parking requirement given the unique lot configuration. In addition, the Transportation, Traffic and Parking Advisory report simply notes no transportation issues anticipated.

ADVICE:

Because the proposed front yard parking is a technical situation as the subject spaces will be enclosed within the garage, and as the proposed setbacks are a minor variations of the RM-2 zone, and moreover, as the parking would not appear as front yard parking, the Commission recommends approval.

ADOPTED: March 17, 2010
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg A.I.A.
Executive Director