

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 36 LYNWOOD PLACE, Special Exception to permit 6 parking spaces where 11 are required and lot coverage, side yard, parking space area and gross floor area variances to expand a nonconforming building for renovations to a religious center in an RH-2 zone (Owner: Chabad Student Center, Inc.; Applicant: Wayne S. Garrick, A.I.A., 10-127-V; 10-128-S).

REPORT: 1447-14

ADVICE: Variance: Approval
Special Exception: Approval

BACKGROUND

Wayne S. Garrick seeks a Variance to permit 36% lot coverage where 25% is permitted; to permit side yard of 2.5' where 10' is required; to permit parking space area of 152 sq. ft. where 180 sq.ft. is required; to permit gross floor area of 7,040 sq. ft. where 3,606.5 is permitted; to expand a nonconforming building. And Special Exception to permit 6 parking spaces where 11 is required. All for renovations to a religious center in a RH-2 zone.

Previous Zoning History:

00-06-S. Granted. Special Exception for a fraternity house; expired March 1, 2005.

At the public hearing on December 14, 2010 architect Wayne S. Garrick presented, explaining the project in detail. The plan was to renovate the building, including adding an enclosed rear stairwell, as a religious student center and organize the rear parking area. He noted the house is a religious use that is generally quiet during the week. Services are conducted on the weekends and there is a required Saturday night dinner.

Six people raised hands in favor. One person, the owner of 46 Lynwood Place, opposed. She was concerned of noise concerning the Saturday night religious dinners.

PLANNING CONSIDERATIONS

The submitted plans show a new enclosed stairway on the northeast side of the building will be constructed. This will provide new ingress/egress to the upper floors. Currently, egress from the upper floors is by way of a fire escape.

The parking area will be reorganized to have six parking spaces, one of them handicapped accessible. These new spaces measure 8'x18' (152 sq. ft.), less than the required 180 sq. ft. At the time of the site visit (late morning of 12/2/10); six cars were parked in the rear yard with one space empty. The current use of the parking area is haphazard and ill-defined. The proposal brings some order to the parking area.

The first floor plan shows a library, shul/lecture space, conference room, general office, restrooms and Rabbi's office. The second floor plan shows a dining area (maximum occupancy is said to be 88 persons), a kitchen and restrooms. The third floor shows two bedrooms, each with a bath, a storage room, additional restrooms and a lounge area. This area is to provide occasional overnight stays by guests. Ingress and egress to all floors is accomplished by the existing front stairway and the new rear stairway.

Regulatory Considerations

16(a)(1)c. Maximum building coverage: 25%. The building is currently existing nonconforming as to lot coverage. The planned addition of a stairwell at the rear of the building has a footprint of approximately 227 sq. ft. This only increases the lot coverage from 33% to 36%.

16(a)(1)e. Side Yard: 8', 10'. The existing building is set back 4' at its closest point. The new stairwell is placed close to the lot line due to the pre-existing nature of the structure and its disposition on the lot.

16(a)(1)f. Maximum Gross Floor Area: 1/2 of lot area. The existing building exceeds the maximum GFA. The new stairwell only minimally adds to the GFA.

29(b). All parking spaces shall have an area of at least 180 square feet. The proposed spaces measure 152 sq. ft. (18'x8'). Although the width is a little narrow it is no less wide than an on-street parking space. This lot is not a high traffic area and circulation is well controlled. Eight foot wide spaces work in this context.

67(d)(1). Structures failing to meet any requirement other than use...shall not be enlarged...if the result would be an increase in nonconformity. The structure is existing nonconforming. The applicant is adding only 227 sq. ft. of lot coverage. The addition represents only a minimal increase in the building's nonconformity.

Variance Considerations:

- Difficulty or Unreasonable Hardship: Assessor's information shows the building dates from 1900. It is pre-existing nonconforming as to size and disposition on the lot. This creates a hardship in carrying out the letter of the ordinance.
- Harmony with General Purpose and Intent of Ordinance: The general purpose of the ordinance in this instance is to control the size of buildings in relation to the lot, and to ensure adequate parking stalls. The Commission notes the new stairwell is minimal in size, and adds a needed means of egress. The slight parking stall reduction is warranted because the lot is well controlled with a very little traffic. The project represents the least variance necessary to improve the building.
- Public Health, Safety, and General Welfare: Providing a second means of egress and organizing the parking is in the public interest.

Special Exception Considerations

- Nature of the Proposed Site: The lot has an irregular shape with the rear lot line at an angle. This fact limits the number of vehicles that the lot can accommodate.
- Resulting Traffic Patterns: The center is primarily occupied by three staff persons who are there Sunday – Friday. The shul/lecture space and dining facility will be used on Friday evening and Saturday services. Although the dining facility can hold 88 persons, which requires 11 parking spaces, those coming to the center on those days walk, in accordance with the practices of Orthodox Judaism. Therefore, the proposed six parking spaces are ample to serve the staff and visitors.
- Nature of the Surrounding Area: Lynwood Place is a short, dense, residential street about 500-ft. long with multi-unit buildings. It connects Elm Street with Edgewood Avenue. A few fraternal organizations are located here. The subject parcel used to be a fraternity, but was recently sold to Chabad Student Center, Inc., a religious organization. The new use is much less intrusive and burdensome to the neighbors.
- Proximity to Public Buildings: Christ Church Episcopal and Saint Thomas Moore are both located within a block.
- The Comprehensive Plan: The proposal conforms to the advice of the Comprehensive Plan.

Variance Findings:

16(a)(1)c. Maximum building coverage: 25%. The Commission notes the 3% increase in building coverage is very minimal and is needed to provide an additional means of egress.

16(a)(1)e. Side Yard: 8', 10'. The Commission notes the lot and building are existing nonconforming. The side yard variance is only necessary due to this fact.

16(a)(1)f. Maximum Gross Floor Area: 1/2 of lot area. The minimal Gross Floor Area increase is necessary to provide for a stairwell which greatly improves ingress and egress.

29(b). All parking spaces shall have an area of at least 180 square feet. Although the proposed size of the parking spaces is below that which is required, the lot is well controlled and is not a high traffic area because most of the users of the building will walk to it.

67(d)(1). Structures failing to meet any requirement other than use...shall not be enlarged...if the result would be an increase in nonconformity. This nonconforming building is being increased in size, not to provide more programmatic space, but to provide a second stairwell to all three floors.

Variance Advice:

Difficulty or Unreasonable Hardship: The Commission advises a hardship has been demonstrated due to the pre-existing nature of the lot and building.

Harmony with General Purpose and Intent of Ordinance: The planned stairwell harmonizes with the intent of the ordinance because the stairwell is the minimum necessary to provide adequate and safe ingress and egress from the building.

Public Health, Safety, and General Welfare: The public welfare is ensured because the addition provides an added measure of safety.

The Commission advises the request satisfies the Variance requirements of Section 63(c)(1) and recommends approval.

Special Exception Findings:

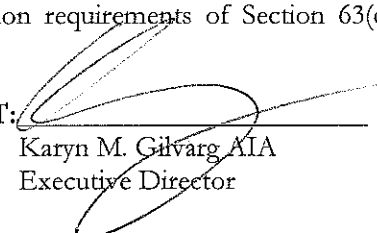
In accordance with the Special Exception criteria of Section 63(d)(3) the Department finds:

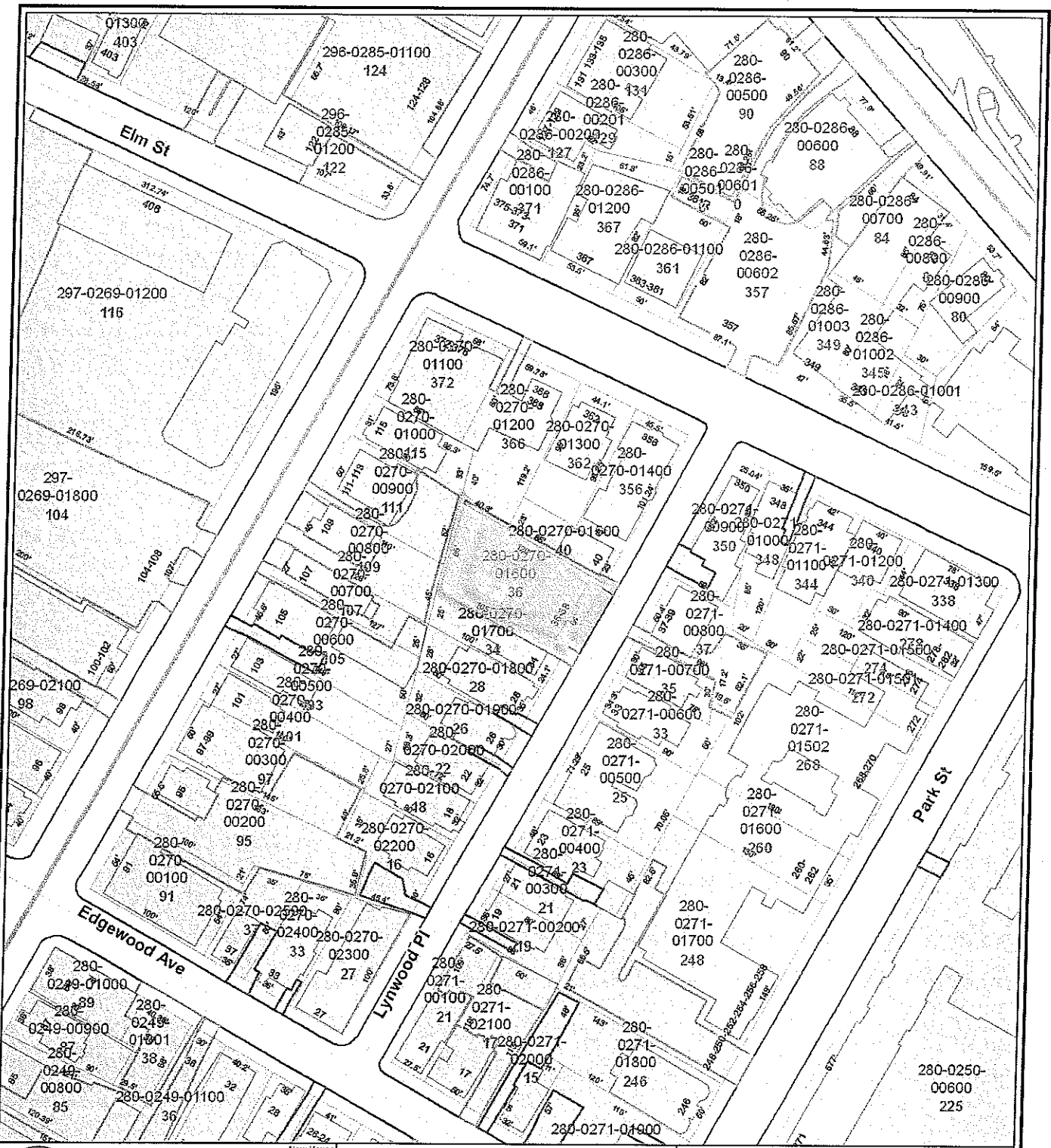
- Nature of the Proposed Site: The irregular shape of the lot limits the number of vehicles that can be accommodated.
- Resulting Traffic Patterns: Although Lynwood Place is a heavily developed street the nature of the proposed activity is one that won't cause an undue traffic burden.
- Nature of the Surrounding Area: Parking on Lynwood Place comes at a premium, but the nature of this proposal is one wherein most persons are going to walk to it.
- Proximity to Public Buildings: Another religious use is located about 275 away. These two uses compliment each other.
- The Comprehensive Plan: The proposal conforms to the advice of the Comprehensive Plan.

Special Exception Advice:

The Commission advises the request satisfies the Special Exception requirements of Section 63(d) and recommends approval.

ADOPTED: December 15, 2010
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg AIA
Executive Director



City of New Haven, Connecticut
John DeStefano Jr., Mayor



36 Lynwood Pl.

Produced by the
Office of Information Technology
Geographic Data Viewer

- Waterway**
- Lake - Pond
 - River
 - Shoreline
 - Stream
 - Wetland
- Parcel**
- City Boundary Line
- Schools**
- Administration
 - Food Service
 - Private School
 - Public School
- Police Station**
- PD Headquarters
 - Substation
- Health Centers**
- Hospital
 - Library

- Railroad**
- Railroad Track
 - Abandoned Railroad Track
 - Airport Runway
 - Parcel Line_2005
- Parks**
- Park
 - Triangle
 - Golf Course
 - Land Trust Preserves
 - Airport boundary
 - Shoreline

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Scale: 1" = 100 ft

Created: December 2, 2010

