

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **21-78-V; 21-78-S. 21 Harrington Avenue** (MBLU: 056 0943 01501). Variances to permit 3,339.6sf per dwelling unit where 3,500sf is required. Special exception for parking where 1 parking space is required for an additional dwelling unit.
Owner/Applicant Elien Olmos. Zone: RM-1

REPORT: **1593-09**

ADVICE: **Special Exception: Approve**

PRINCIPAL APPLICABLE REGULATIONS

In accordance with Section 63(d)(6) of the Zoning Ordinance, **“In the following types of special exception cases, which involve more than conventional questions of use and may have a significant impact on surrounding areas and a substantial relationship to the comprehensive plan of the city, the Board of Zoning Appeals shall, following its hearing, refer the case including all exhibits to the City Plan Commission, which shall submit an advisory report, on such factors as it may deem relevant, to the Board within 30 days after receiving all records and documents in the case. This report of the City Plan Commission shall be taken into account in the decision of the Board.”**

Accordingly, Section 63(d)(6)(f) of the zoning ordinance requires the Planning Commission’s recommendation regarding **“Adjustments for parking and loading requirements: Section 29(i) of the Zoning Ordinance”**

BACKGROUND

The applicant seeks to convert a two-family home into a three-family home. Accordingly, the applicant seeks a special exception for parking as part of the request.

In accordance with Article IV, Section 29(i) of the Zoning Ordinance, **“The Board of Zoning Appeals shall have the power to lessen the requirements of this ordinance as to the number of parking spaces required and/or increase the maximum allowable walking distance to such parking spaces, but only upon a finding that either particular circumstance or mitigative measures qualify such action. Particular circumstance may include, but not be limited to availability of public parking, proximity to public transit or significant levels of pedestrian access. Mitigative measures may include, but not be limited to van and/or car pooling, public parking validation programs, flexible work schedules or other transportation demand management measures.”**

In accordance with Article IV, Section 29(i) of the City’s Zoning Ordinance, **“All deviations from normal requirements by means of this paragraph shall be considered as special exceptions under subsection 63(d) of this ordinance.”** Consequently, the applicant seeks a special exception.

Accordingly, the Board of Zoning Appeals must take into consideration the Planning Commission’s advisory report as part of the Board of Zoning Appeals decision. The Board of Zoning Appeals seeks guidance as to:

- Whether the special exception for off-street parking will have a significant impact on the surrounding area; and
- Whether the request for special exception is aligned with City’s Comprehensive Plan.

THE BOARD OF ZONING APPEALS SEPTEMBER 22, 2021 PUBLIC HEARING

The applicant stated that the conversion from 2-family dwelling to 3-family requires 1 additional off-street parking space and the applicant seeks a special exception to deviate from the requirement. The applicant stated that he did a similar conversion and required a special exception in February 2021. The applicant stated that the basement is a “walk-out” or “at-grade” basement apartment. Currently, there is a three-car garage on the site. There is room along one side of the house for the additional parking space; however, it just complies with 9’x18’ parking space dimensional requirement. Therefore, the applicant finds it more desirable to seek the special exception.

- No members of the public spoke in favor or in opposition of this application.

PLANNING CONSIDERATIONS:

Special Exception Considerations

1. Parking.

The City’s Comprehensive Plan states, **“Allow parking reductions and shared parking options within new/infill developments proposed in high-density [low-middle density] areas of the city.”**

- The applicant is requesting a special exception to allow 1 off-street parking space, where two are required. 1 off-street parking spaces

The Board of Zoning Appeals seeks guidance regarding the following:

- The City’s Comprehensive Plan states, **“Facilitate increased public transit use in the city through increased densities, reduced parking requirements, and integrated pedestrian and bicycle network, wherever appropriate.”**
- The resulting traffic patterns and adequacy of proposed off-street parking and loading are appropriate. (Section 63(d)(6)(b) of the Zoning Ordinance)
- The nature of the surrounding area is appropriate and the extent to which the proposed use or feature might impair parking regarding its present and future development is minimal. (Section 63(d)(6)(c) of the Zoning Ordinance)
- The Transportation, Traffic and Parking states, “No transportation issue anticipated from a reduction in off-street parking from 1 space to 0.”
- Staff has found that the surrounding streets can accommodate the parking demand, there is public transit (CT Transit bus) within walking distance, and there is sidewalk on west side of Harrington Street.

FINDINGS AND RECOMMENDATIONS

Based on considerations discussed above, the Commission views the Special Exception is essentially in harmony with the general purpose and intent of the ordinance, the City’s Comprehensive Plan and that the public health, safety, and general welfare will be served based on the location of this site and the surrounding infrastructure to support the granting of the special exception. Accordingly, the Commission recommends approval.

ADOPTED: October 6, 2021

Leslie Radcliffe
Chair

ATTEST: _____

Aicha Woods
Aicha Woods
Executive Director, City Plan Department