

ATTACHMENT NO. 1

AMENDED VARIANCE APPLICATION 765 FAIRCHILD PLACE - PROPOSED RESIDENTIAL REDEVELOPMENT PROJECT

I. Introduction:

The Applicant is seeking the following area variances from the Zoning Board of Appeals (“ZBA”) based on the updated Site Plan dated July 7, 2016 for the residential project prepared by Carmina Wood Morris DPC. A full size copy of the updated Site Plan is attached to this Amended Variance Application. The changes to the Site Plan include a reduction in the number of units from 30 to 29, the addition of a two (2) single story accessory garage buildings with 8 garage spaces each and an increase in the number of parking spaces from 44 spaces to 46 spaces. A reduced size copy of the updated Site Plan is also provided at Attachment No. “2” and an 11” x 17” elevation plan for the proposed detached accessory garages is provided at Attachment No. “3”.

The Applicant previously received area variances from the ZBA for the proposed residential project. The six variances that were previously granted by the Zoning Board of Appeals that remain in effect are listed below and the only variance previously granted that is being changed is an increase in the building lot coverage based on the addition of the detached accessory garages:

1. Front Yard Principal Building Setback Variance:

- A front yard setback variance was granted by the ZBA to allow the front yard building setback of the 6-unit townhome building on Fairchild Place to be 20 ft. and to allow the front yard building setback of the 24-unit building on Onondaga Street to be 15 ft.
- Zoning Code Section: Pursuant to Section 8 Zoning Schedule of the Village Zoning Code (“Zoning Code”) for property zoned R-3, Apartment and Townhouse Developments, the required front building setback is required 40 ft.

2. Side Yard Principal Building Setback Variance:

- A side yard setback variance was granted by the ZBA to allow the 6-unit townhome building to be 25 ft. and to allow the side yard setback of the 24-unit building to be 24.95 ft.¹
- Zoning Code Section: Pursuant to the Section 8 Zoning Schedule for property zoned R-3, Apartment and Townhouse Developments, the required side building setback is 40 ft.

¹ The side yard setback of the 3-story building on Onondaga Street has increased from 24.95 ft. to 30.28 ft.

3. Number of Parking Spaces:

- A variance was granted by the ZBA to allow 44 off-street parking spaces as opposed to 60 parking spaces as required.²
- Zoning Code Section: Pursuant, to Section 12, Parking Requirements, (6)(g), two parking spaces are requested per dwelling unit. Based on this requirement, a minimum of 60 on-site parking spaces would be required.

4. Number of Principal Buildings Per Lot:

- A variance was granted by the ZBA to allow the redevelopment of the Project Site to include two principal buildings.
- Zoning Code Section: Pursuant to Section 10B(1) of the Zoning Code, a maximum of one principal building is permitted per lot.

5. Building Lot Coverage:

- A variance was granted by the ZBA to allow the building lot coverage to be 35%.³
- Zoning Code Section: Pursuant to the Section 8 Zoning Schedule for property zoned R-3, Apartment and Townhouse Developments, the maximum building lot coverage percentage is 30%.

6. Number of Residential Units:

- A variance was granted by the ZBA to allow 30 residential units as depicted on the current Site Plan.⁴
- Zoning Code Section: Pursuant to Section 10R(5)(b)(i) of the Zoning Code, the allowable density for apartments and townhouse is 16 dwelling units per acre. Since the Project Site consists of 1.55 acres, the allowable density is 24 units (1.55 x 16 = 24.8).

II. Description of Requested Area Variances for Residential Redevelopment Project Based on Updated Site Plan:

² Pursuant to the updated Site Plan, the number of parking spaces has been increased from 44 to 46 spaces.

³ The Applicant is seeking an amendment of this variance as described in **Part II** below.

⁴ The number of residential units has been reduced from 30 units to 29 units.

The area variances that are being requested based on the project layout depicted on the updated Site Plan prepared by Carmina Wood Morris DPC dated July 7, 2017 are as follows:

1. Building Lot Coverage: An area variance was previously granted by the ZBA to allow the building lot coverage to be 35%. The Applicant is requesting an area variance to allow building lot coverage of 38.1% based on the addition of detached single-story garages as depicted on the updated Site Plan. Pursuant to the Section 8 Zoning Schedule for property zoned R-3, Apartment and Townhouse Developments, the maximum building lot coverage percentage is 30%.

2. Accessory Use in the Front Yard on Fairchild Place: A variance is being requested to allow the proposed accessory single-story detached garages to be located in the front yard on the Fairchild Place side of the Project Site. Pursuant to Section 10C(3) of the Zoning Code, accessory structures are not allowed in the front yard.

3. Accessory Building Height (Detached Garages): A variance is being requested to allow the height of the proposed accessory single-story detached garages to have a height of 18 ft. Pursuant to the Section 8 Zoning Schedule for property zoned R-3, Apartment and Townhouse Developments, the maximum building height for accessory structures is 15 ft.

4. Accessory Building Side Yard Setback (Detached Garages): A variance is being requested to allow the side yard setback of the proposed accessory single-story detached garages to be 4.08 ft. Pursuant to the Section 8 Zoning Schedule for property zoned R-3, Apartment and Townhouse Developments, the required side yard setback for accessory structures is 15 ft.