

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **14-18 HAZEL STREET.** Special Exception to permit 0 off-street parking spaces where 1 is required for an additional dwelling unit in an existing structure. Zone: RM-2. (20-19-S) (Owner: Hazel Street Apt. LLC. Applicant: Christopher O'Connor.)
REPORT: **1568-07**
ADVICE: **Special Exception: Approve**

PRINCIPAL APPLICABLE REGULATIONS

Section 63 (d) - The Board of Zoning Appeals may grant a *Special Exception* if the proposed use is in accord with the public convenience and welfare, and may attach conditions and safeguards deemed necessary to protect the neighborhood.

Section 63. (d)(6) - 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.

f) Adjustment of parking and loading requirements: §29.C; §29.H.2; §29.I; §45.A.6.b; §45.A.7.

Section 14(a)(1)(g):

Minimum parking: One parking space per dwelling unit (except that only one parking space shall be required for each two elderly housing units) located either on the same lot as the principal building or within 300 feet walking distance of an outside entrance to the dwelling unit to which such parking space is assigned, and conforming to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.

BACKGROUND

The applicant is seeking a Special Exception to permit 0 off-street parking spaces where 1 is required for an additional dwelling unit in an existing 18 dwelling structure.

APRIL 14 PUBLIC HEARING

The applicant stated that the “super apartment” has been occupied for close to 100 years. During the most recent LCI inspection it was noticed that the subject lot has been operating as 19 units even though the Certificate of Occupancy lists 18 dwelling units. This application is a largely a legal formality but the parking requirements for the additional required off-street parking space cannot be met.

No members of the public spoke either in support or opposition of this application.

PLANNING CONSIDERATIONS:

Special Exception Considerations

Section 63(d) of the New Haven Zoning Ordinance review in relation to the applicable criteria of this section results in the following comments:

Nature of the Proposed Site: The site is 8,781sf with an existing 13,065sf structure with no parking allotted on the subject lot. The footprint of the structure is not changing, as the additional dwelling unit already exists, this is a legal formality.

Resulting Traffic Patterns: Staff does not feel that the granting of this proposal will result in any adverse effects to the current and/or future traffic patterns. The applicant also noted that presently most of the tenants do not own a vehicle.

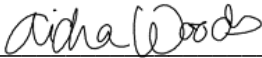
Nature of the Surrounding Area: The neighboring properties along Winchester Avenue, Hazel Street, Starr Street, and Newhall Street are lower density residential with the exception of a church located on the corner of Hazel Street and Newhall Street. There is off-street parking provided for the properties on the opposite side of Hazel Street, but the majority of the surrounding properties rely on on-street parking.

The structure has been utilized as 19 dwelling units with the 19th being occupied by a “super”. The super apartment has been occupied since 1928 and went unnoticed by multiple departments in the city until recently. The occupancy of the legal 18 dwelling units is a legal non-conformity and given the amount of time the 19th super apartment has been occupied no adverse effects are anticipated.

FINDINGS AND RECOMMENDATIONS

Based on considerations discussed above, the Commission views the Special Exception to be essentially in harmony with the general purpose and intent of the ordinance and that the public health, safety, and general welfare will be served, and substantial justice done by its approval. Therefore, the Commission recommends approval.

ADOPTED: April 15, 2020
Edward Mattison
Chair

ATTEST: 
Aicha Woods
Executive Director, City Plan Department