



MEMORANDUM

CITY OF WATERTOWN PLANNING OFFICE

245 WASHINGTON STREET, ROOM 304, WATERTOWN, NY 13601

PHONE: 315-785-7730 – FAX: 315-782-9014

TO: Planning Board Members

FROM: Kenneth A. Mix, Planning and Community Development Coordinator

SUBJECT: Request for Subdivision Approval – 176 Duffy St

DATE: July 8, 2013

Request: Subdivision Approval of Parcel Number 9-14-112, Known as 176 Duffy Street

Applicant: Patsy Storino PLS

Proposed Use: Residential

Property Owner: H2O Realty Management Corp

Comments: This proposal is being submitted for Planning Board review under Chapter A322 (Subdivision Regulations) of the City Code. The Planning Board has the option of not requiring a preliminary plat submission. Since this is a minor subdivision, Staff is processing this application as a final plat. A public hearing is required and notice has been published for it to be held at 3:05 p.m. during the Planning Board meeting. After the public hearing and completion of Part II of the Environmental Assessment Form, the Planning Board will be free to make a decision on the proposal.

The applicant proposes to split a double-frontage lot, so that the existing house with frontage on Duffy Street can be sold separately from the proposed lot which would front on Casey Street.

We've had an opportunity to discuss this application with the Code Enforcement Supervisor since the last memo. He is concerned that the proposed subdivision is not legal. Section 33 of the General City Law states that subdivisions must comply with the zoning ordinance.

A building permit for the garage facing Casey Street was issued in 1981. It should not have been, because a rear yard that faces a street is considered a front yard and accessory buildings are not allowed in front yards. The garage also encroaches on the 20-foot front yard setback.

The applicant indicates that the garage will be renovated into a house or demolished and a new house erected.

The subdivision cannot be approved with the garage on the Casey Street lot. Garages are not allowed as principal structures in residential districts. The proposed subdivision will make it the only structure on the

new lot and, therefore the principal structure. Also, the garage cannot be renovated into a house before the division, because a second residence is not allowed.

The only way for the proposed subdivision to be legal is to demolish the garage before the division.

Another concern is that the pavement on Casey Street doesn't quite go to the proposed parcel.

After approval, the applicant must submit two (2) reproducible mylars of the plat for signature by the clerk of the Planning Board. One of the mylar copies will be returned, and must be filed in the County Clerk's Office within 62 days of signing.

cc: Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Patsy Storino, PO Box 163, Watertown, NY 13601
H2O Realty, 1786 NY Avenue, North Bellmore, NY 11710