

Variance Application – 2671 Main Street, York, NY 14592

Responses to #7 – Criteria for AREA Variance

7a – Public Safety and Welfare

The granting of the requested variances will not result in an undesirable change to the character of the neighborhood, nor will it pose a detriment to nearby properties.

The structure at 2671 Main Street has historically operated as a bike shop under a special use variance. It is a small, separate building already configured for limited use, and its conversion to a two-bedroom apartment would be a natural fit within the neighborhood's predominantly residential setting.

The structure is functionally integrated with an adjacent multifamily residential property under common ownership, with which it shares a driveway. This arrangement supports a seamless transition to residential use.

No changes are proposed to the building's exterior. The conversion will reduce activity relative to its previous commercial use resulting in lower traffic and noise and will be fully code compliant. This residential reuse supports the broader public interest by adding a needed housing unit to a community with constrained housing supply.

7b – Alternate Options

The benefit sought converting the structure into a modest residential unit cannot be reasonably achieved through any other means without requiring a variance.

The building is small and standalone, not suitable for principal residence use under current zoning without significant and impractical alterations. Maintaining it as commercial space has proven infeasible, and the permitted uses under the current zoning do not align with the building's form or community demand.

A residential conversion within the existing footprint and infrastructure represents the least disruptive and most logical solution.

7c – The Degree of Variance

The variance requested is not substantial. The proposal involves no physical expansion and does not increase the building's nonconformity.

The structure has long existed in this location and operated under multiple variances for specialized use. This request simply seeks to allow a change in use from commercial to residential, preserving the structure's scale and footprint.

Given the property's integration with a neighboring residential parcel under common ownership, the change represents a minimal variance in practical terms.

7d – Level of Effect

The proposed use will have no adverse impact on the physical or environmental conditions of the surrounding area.

All work will be completed internally and will utilize existing systems (e.g., electric, water, sewer). No changes to the land or footprint are planned.

Additionally, residential use will reduce vehicle trips and activity compared to a commercial operation, lowering the overall impact on neighboring properties.

This project is environmentally low-impact and consistent with neighboring land use.

7e – Not Self-Created

The hardship is not self-created. The structure and its nonconforming conditions were inherited from previous owners and approved under prior variances.

The applicant has not altered the use or structure, but rather is seeking to repurpose it in a way that is sustainable and appropriate to current community needs.

The zoning restrictions and the building's inherited configuration create the hardship—not the actions of the applicant.

Responses to #8 – Criteria for USE Variance

8a – Unreasonable Current Zoning Designation

The current zoning designation does not allow for reasonable return under permitted uses.

The building is small, disconnected from the main residence, and limited in utility. Prior commercial use under a special variance is no longer feasible, and permitted uses such as principal residences or home occupations do not work within the context of this structure.

Efforts to identify viable commercial tenants have failed, and the property remains underutilized. A residential conversion is the only practical and economically viable reuse that aligns with the building's size, configuration, and surroundings.

8b – Unique Circumstances

This hardship is unique to the property. The structure was previously granted a special use variance tied to a specific use and resident.

It is physically and operationally distinct from other properties in the district—particularly due to its detached nature, shared access with another residential parcel, and prior commercial use.

These characteristics do not apply broadly to others in the area.

8c – Character of the Area

The proposed use will not alter the essential character of the neighborhood.

On the contrary, the residential conversion aligns with the surrounding land uses, which include multifamily and single-family housing, as well as community-related facilities, all within the primarily agricultural district.

The structure will retain its current exterior appearance, and its internal conversion will result in a quieter, more integrated presence in the area.

Residential use is more compatible with the neighborhood than commercial operations and supports the evolving needs of the community.

8d – Not Self-Created

The hardship is not self-created. The structure's nonconforming nature and its commercial use under a special variance were inherited conditions.

The applicant is simply seeking to adapt the property for productive, code-compliant use that addresses a documented housing need.

The existing zoning designation, as applied to this specific structure, prevents reasonable use and return without relief.