

BOARD OF APPEALS ZONING

CALENDAR NO

APRIL 7, 2021

Closed to in-person attendance due to the COVID-19 public health emergency. The meeting will be aired live on the White Plains Cable Access Channels (Channel 75 on Altice and Channel 47 on FIOS) and streamed on the City's website (<http://whiteplainsny.swagit.com/live>).

Z-2020-31 Great Homes LLC, 138 Rosedale Avenue, SBL 138.14-4-6
Application for retaining wall compliance. A review of the submitted ‘as built’ drawing indicates that a number of the retaining walls do not comply with the locations and heights of those on the approved site plan. Section 4.4.16 of the White Plains Zoning Ordinance requires fences, walls including retaining walls, in required yards not to exceed a height of 4’-0” if located in the front yard nor 6’-0” in the other yards. The applicant therefore requests an area variance from retaining wall and fence height as follows:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. Front Yard Fence & Wall Height	4’-0”	6’-0”	-	2’-0”
2. Side & Rear Yard Wall Height	6’-0”	8.58’	-	2.58’

Z-2021-1 51 Davis Avenue Associates, 51 Davis Avenue, SBL 130.35-5-10
Application to add an 8th dwelling unit in basement of an existing 7-unit multi-family residence. A review of drawing 1 with latest date of December 11, 2020, prepared by John Cotugno Architect, P.C., indicates an alteration to create an eighth dwelling unit in the basement of the existing seven (7) unit multi-family residence. The property is located in the RM-1.5 Zone and is legally existing non-conforming with respect to lot frontage. Variances for one side yard and combined two side yard setbacks were granted when the building was first constructed. The proposed addition of an eighth apartment will require the following area variances:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. Min. Lot Area per Dwelling Unit	1,500 SF	1,500 SF	1,312 SF	188 SF
2. Off Street Parking	13	11	11	2

Z-2021-2 Joan Malloy, 8 Hemlock Circle, SBL 138.06-13-3
Application to construct an in-ground pool and storage shed. A review of drawings SP-01 and SP-02 dated June 10, 2020, prepared by Gismondi Architects, indicates the proposed installation of a rear yard in-ground pool and a storage shed. The property is located in the R1-12.5 Zone and is legally existing non-conforming with respect to main building coverage, lot area, one side yard and combined two side yard setbacks. The proposed pool and shed installation will require the following area variances:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
<i>SEPARATION DISTANCE</i>				
1. Main Building to Pool	20’-0”	-	10.4’	9.6’
2. Shed to Pool	20’-0”	-	3’-0”	17’-0”
3. Main Building to Shed	20’-0”	-	11’-0”	9’-0”
4. Section 4.4.24.7 Maximum Pool Fence Distance	25’-0”	-	41.5’	16.5’

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Z-2021-6 Dave and Mary Ellen Bourgeois, 233 Davis Avenue, SBL 130.16-31-5
Application to construct an addition. A review of drawings A-001, A-002, A-100, A-101, A-201 and A-301 with latest date of February 4, 2021, prepared by All Design Architecture, indicates a proposed one (1) story rear yard addition, rear deck, widening of front porch and expansion of existing attached garage. The property is located in the R1-5 Zone and is legally existing non-conforming with respect to one and combined side yard setbacks. The proposed additions will require the following area variances:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. One Side Yard	7'-0"	7'-0"	4.5'	2.5'
2. Combined Two Side Yards	18'-0"	16'-0"	13.5'	4.5'

Z-2021-7 Mr. & Mrs. Albert Dold, 13 Littlejohn Place, SBL 131.14-7-7
Application for an extension of the resolution to construct an addition and new deck.

NEW APPLICATIONS NO APPEARANCE

Z-2021-8 Dan Tufaro, 42 West Street, SBL 138.14-5-7
Application to construct a deck. A review of drawings A010, A100, and A200 with latest date of January 3, 2021, prepared by RPD Architecture, indicates the proposed construction of a rear yard deck. The property is located in the R1-7.5 Zone and is legally existing non-conforming with respect to one side yard setback. The proposed deck will increase the non-conformity and require the following area variance:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. One Side Yard Setback	12'-0"	10.66'	6.86'	5.14'

Z-2021 9 Salvatore Del Bene, 44 Sammis Lane, SBL 138.07-12-2
Application to construct a deck. A review of drawings T-1, SP-1 and A-1 dated March 10, 2021, prepared by RFA & Associates, indicates the proposed construction of a rear yard deck with integral spa. The property is located in the R1-12.5 Zone and is legally existing non-conforming with respect to one side and combined two side yard setbacks. The proposed deck with spa addition will increase the existing non conformity and require the following area variances:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. One Side Yard Setback	20'-0"	17.96'	17.96'	2.04'
2. Combined Two Side Yard Setback	40'-0"	31.08'	31.08'	8.92'

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Z-2021-10 134 Soundview Avenue LLC/Steve Dallal, 134 Soundview Avenue, SBL 130.16-21-11 Application to construct an addition. A review of drawings A001, A002, A102 to A104, and A401 to A403 with latest date of March 1, 2021, prepared by Hans Cadek Architecture, indicates a two (2) story rear yard addition with deck, and a front yard accessory detached garage. The property is located in the R1-30 Zone and is legally existing non-conforming with respect to lot area, lot frontage, one side and combined two side yard setbacks. The proposed additions will require the following area variances:

MAIN BUILDING:	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. One Side Yard Setback (N)	25'-0"	13'-6"	20'-3"	4'-9"
One Side Yard Setback (S)	25'-0"	27.5'	19'-6"	5'-6"
2. Two Side Yard Setback	50'-0"	41.1'	33'-0"	17'-0"

ACCESSORY STRUCTURE:	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. Side Yard Setback	10'-0"	-	5'-0"	5'-0"
2. Sep. from Other Structure	20'-0"	-	7.9'	12.1'
3. Location of an accessory structure in the front yard not in compliance with Section 5.3.				

Z-2021-11 William Besharat / Ernest Terzino, 4 Charles Street, SBL 130.35-2-9 Application to legalize a deck. A review of drawing 1 of 1 dated May 24, 2020, prepared by Roy A. Fredriksen, P.E., indicates the legalization of an as-built rear yard deck. The property is located in the RM-1.5 Zone and is legally existing non-conforming with respect to lot area as well as one and combined two side yard setbacks. The deck was constructed without the required permit and the legalization will require the following area variances:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. One Side Yard Setback	10'-0"	3.9'	6'-0"	4'-0"
2. Combined Two Side Yards Setback	25'-0"	11.5'	13.6'	11.4'

Z-2021-12 GTY NY Leasing, Inc./CPD NY Energy, 174 Westchester Avenue, SBL 126.61-3-5 Application to construct a new service station with convenience store. A review of the site plan and drawings 1, A1 and A2, all dated May 4, 2020, prepared by CPL Architecture, indicates the proposed construction of a new motor vehicle service station with convenience store. The property is located in the B-3 Zone where a motor vehicle service station is a special permit with the Board of Appeals as the approving agency per Section 6.2. In addition, a variance in conjunction with a special permit per Section 6.4.5 is necessary. The proposed one (1) story, 2,200 square foot service station with gas pump canopy will require the following area variances:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. Rear Yard Setback	15'-0"	-	0.9'	14.1'
2. Required Off Street Parking	25	-	23	2
3. Special Building Setback	15'-0"	-	7'-0"	8'-0"

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Z-2021 13 Arlene Pastor, 64 Greenridge Avenue, SBL 130.12-5-3
Application to construct an addition. A review of drawings A001, A101, A102, A401 and A402 dated March 15, 2021 by Lisa P. Gilbert, Architect, indicates a proposed one (1) story over a walk-out basement rear yard addition. The property is located in the R1-5 Zone and is legally existing non-conforming with respect to one side yard setback, combined two side yards setback and accessory structure side yard setback. The proposed addition will require the following area variances:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. Combined Side Yards Setback	18'-0"	13.6'	14.8'	3.2'
2. Accessory Separation Distance	10'-0"	16.89'	6.0'	4.0'