

Agenda\*  
**TOWN OF EASTCHESTER ZONING BOARD OF APPEALS**  
January 12, 2016  
7:00 p.m.

- ❑ Call to Order
- ❑ Pledge of Allegiance
- ❑ Roll Call
- ❑ Approval of Minutes: November 10, 2015

**OLD BUSINESS**

1. 15-74      **36 Park Avenue**      **Continued Public Hearing**  
Section 44, Block 2, Lot 23      Zone: R5  
Application for: area variances to permit the construction of a roof overhang at the front entrance to an existing single family residence with: (1) a proposed front yard setback of 6.4 feet, where a minimum of 26 feet is required, a deficiency of 19.6 feet or 75.4% (2) a proposed side yard setback of 5.5 feet, where a minimum of 6 feet is required, a deficiency of 0.5 feet, or 8.3%. The existing front entrance to the residence is legal non-conforming with regard to the setbacks.

**NEW BUSINESS**

2. 15-77      **79 Maple Street**      **Public Hearing**  
Section 63H, Block 1, Lot 1      Zone: R-6  
Application for: a request that the ZBA re-hear application 15-43, 79 Maple Street, for an area variance to permit a second curb cut and driveway on a one-family residential property whereas only one driveway and one curb cut are permitted. The application was denied on November 10, 2016.
3. 15-78      **35 Forbes Boulevard**      **Public Hearing**  
Section 66C, Block 3, Lot 66      Zone: R-10  
Application for: area variances to permit a proposed 2 story addition to an existing single family residence with: (1) a proposed first side yard setback of 15.9 feet, where a minimum of 16 feet is required, a deficiency of 0.1 feet or 0.6%; (2) a proposed second side yard setback of 7.68 feet, where a minimum of 14 feet is required, a deficiency of 6.32 feet or 45.1%; (3) a proposed gross floor area of 5011 square feet, where a maximum of 4304 square feet is permitted, an excess of 707 square feet or 16.4%.
4. 15-79      **68 Ewart Street**      **Public Hearing**  
Section 52, Block 3, Lot 3      Zone: R-5  
Application for: area variance to legalize an existing wood deck with a rear yard setback of 17.84 feet, where a minimum of 19 feet is required, a deficiency of 1.16 feet or 6.1%.

**ADJOURNED ITEMS**

**Resolution Only**

- 1. 13-36      **504 New Rochelle Road**      Public Hearing closed on October 13, 2015  
**ADJOURNED TO THE FEBRUARY 9, 2016, ZBA MEETING**  
Section 85, Block 4, Lot 1      Zone: RB  
Application for: area variances to convert and expand an existing service station for use as a convenience store (the existing gas pumps are proposed to remain) with: (1) 6 parking spaces where a minimum of 14 is required, a deficiency of 8 spaces or 57.1 percent; (2) a separation distance of 5.5 feet between the proposed building and a One Family Residence District where a minimum of 40 feet is required, a deficiency of 34.5 feet or 86.3 percent; (3) a backup aisle width of 16.3 feet where a minimum of 21 feet is required, a deficiency of 4.7 feet or 22.3 percent.

**Continuation of the Public Hearing**

- 2. 15-73      **JC Auto Repair, 164 Summerfield Street**      **Public Hearing**  
**ADJOURNED TO THE FEBRUARY 9, 2016, ZBA MEETING**  
Section 60, Block 4, Lot 3      Zone: RB  
Application for: On August 20, 2015, The Building Inspector issued a Notice of Violation (NOV) to the applicant for conducting an auto repair business within portions of the building located at 164 Summerfield Street without having obtained the proper approvals and permits. An auto repair use is not a permitted use in the RB district. The NOV required the applicant to either discontinue the use or to expeditiously seek a use variance. At a meeting on November 10, 2015, the applicant sought an interpretation from the ZBA arguing that, contrary to the determination made by the Building Inspector, the auto repair business operating at 164 Summerfield Street is a legal non-conforming use and, therefore, a use variance is not required. Although the ZBA left the public hearing on the interpretation open, the Board recommended that the applicant return to the board to seek a use variance. (The public hearing on the interpretation remains open; the public hearing on the use variance will be noticed as well).

**Date:** January 8, 2016, at 12:00 p.m.  
**Revised:** January 12, 2016, at 12:00 p.m.

\*Please be advised that the posted Agendas are subject to change. Applicants may withdraw or adjourn applications previously scheduled to be heard. It is recommended that you visit the Town’s website ([www.eastchester.org](http://www.eastchester.org)) to check Agendas prior to each meeting. Simply click on FIND in the menu box on the left and then proceed to DEPARTMENTS; BUILDING & PLANNING; AGENDAS. The Agendas and Minutes for each Board are posted for review.