

Agenda*
TOWN OF EASTCHESTER ZONING BOARD OF APPEALS
February 9, 2016
7:00 p.m.

- ❑ Call to Order
- ❑ Pledge of Allegiance
- ❑ Roll Call
- ❑ Approval of Minutes: January 12, 2016

OLD BUSINESS: Resolutions Only

1. 15-74 **36 Park Avenue** Public Hearing closed on January 12, 2016
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%.

2. 15-78 **35 Forbes Boulevard** Public Hearing closed on January 12, 2016
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%.

3. 15-79 **68 Ewart Street** Public Hearing closed on January 12, 2016
Section 52, Block 3, Lot 3 Zone: R-5
Application for: area variance to legalize an existing wood deck on an existing single-family residence 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%.

OLD BUSINESS: Public Hearings

4. 15-73 **JC Auto Repair, 164 Summerfield Street** **Continued Public Hearing** (Interpretation)
Section 60, Block 4, Lot 3 **Public Hearing** (Use Variance) 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. The applicant has now amended the application to seek a use variance as well.

NEW BUSINESS

- 5. 16-05 **33 Ridge Street** **Public Hearing**
Section 76, Block 1, Lot 39 Zone: R5
Application for: area variances to construct an in-ground 11' x 17'-11" pool with: (1) a side yard setback of 5 feet, where a minimum of 10 feet is required, a deficiency of 5 feet or 50%; (2) a rear yard setback of 5 feet, where a minimum of 10 feet is required, a deficiency of 5 feet or 50%.

- 6. 16-02 **5 Leticia Road** **Public Hearing**
Section 70, Block 4, Lot 14 Zone: R5
Application for: an area variance to construct an open covered porch on an existing single-family residence with a front yard setback of 19.05 feet, where a minimum setback of 26 feet is required, a deficiency of 6.95 feet, or 26.7%.

- 7. 16-04 **33 Orchard Street** **Public Hearing**
Section 65G, Block 1, Lot 9 Zone: R6
Application for: area variances to construct an addition and entry portico to, and a driveway for, an existing single-family residence with: (1) a front yard setback (for the addition) of 18 feet, where a minimum of 30 feet is required, a deficiency of 12 feet, or 40%; (2) a front yard setback (for the portico) of 12.5 feet, where a minimum of 26 feet is required, a deficiency of 13.5 feet or 51.9%; (3) a side yard setback (for the driveway) of 1.5 feet, where a minimum of 3 feet is required, a deficiency of 1.5 feet or 50%.

ADJOURNED ITEMS

- 1. 13-36 **504 New Rochelle Road** Public Hearing closed on October 13, 2015
Adjourned to the March 8, 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.
Note: The applicant has indicated they intend to submit an amended plan to the ZBA for the March 8, 2016, ZBA meeting. If so, the applicant will be required to notice the March 8 meeting as a public hearing – neighbors and the newspaper will be notified in accordance with the Zoning Law of the Town of Eastchester.

Date: February 5, 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) 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.