

Agenda*
TOWN OF EASTCHESTER ZONING BOARD OF APPEALS

April 12, 2016

7:00 p.m.

- ❑ Call to Order
- ❑ Pledge of Allegiance
- ❑ Roll Call
- ❑ Approval of Minutes: March 8, 2016

OLD BUSINESS: Resolutions Only

1. 13-36 **Mobile Station, 504 New Rochelle Road** Public Hearing Closed on March 8, 2016
Section 85, Block 4, Lot 1 Zone: RB
Application for: Area variances to permit the construction of a 346 square foot rear addition to the building (increasing the gross floor area from 1312 square feet to 1658 square feet) and to allow a retail use (convenience store) to occupy the building. The application requires the following area variances: (1) 6 parking spaces where a minimum of 12 spaces are required, a deficiency of 6 spaces or 50%; (2) 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%.

2. 16-11 **41 Rose Avenue** Public Hearing Closed on March 8, 2016
Section 77, Block 1, Lot 31 Zone: R5
Application for: Area variances to construct a two story addition and new entry portico to the front of an existing single family residence with: (1) a front yard setback (for the addition) of 23.8 feet, where a minimum of 30 feet is required, a deficiency of 6.2 feet or 20.7%; (2) a front yard setback (for the portico) of 21.5 feet, where a minimum of 26 feet is required, a deficiency of 4.5 feet or 17.3%.

OLD BUSINESS: Public Hearings

3. 16-12 **36 Park Avenue** **Public Hearing**
Section 44, Block 2, Lot 23 Zone: R5
Application for: A re-hearing of application 15-74, 36 Park Avenue, for area variances to legalize a recently installed 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 application was denied on February 9, 2016. At a meeting on March 8, 2016, the ZBA voted unanimously to rehear the application.

NEW BUSINESS

4. 16-17 **15 Maple Street** **Public Hearing**
Section 63D, Block 1, Lot 57A Zone: R6
Application for: Area variances to legalize an existing shed with: (1) a floor area of 12 feet by 12 feet (144 square feet), where a maximum of 10 feet by 12 feet (120 square feet) is allowed, an excess of 24 square feet or 20%; (2) a side yard setback of 3.3 feet, where a minimum of 5 feet is required, a deficiency of 1.7 feet or 34%; (3) an impervious surface coverage of 8100 square feet where a maximum of 6591 square feet is allowed, an excess of 1509 square feet or 18.6%. (Existing impervious surfaces on site are legal non-conforming at 7956 square feet. The variance is required for the additional 144 square feet of impervious surfaces created by the shed).

ADJOURNED ITEMS

1. 15-73 **JC Auto Repair, 164 Summerfield Street** Public Hearings Closed on March 8, 2016
Adjourned to the May 10, 2016, ZBA Meeting for a Resolution Only
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. Prior to the February 9, 2016, ZBA meeting the applicant amended the application to seek a use variance as well.

Date: April 7, 2016, at 3:00 p.m.
Revised: April 12, 2016, at 10:30 a.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.