

**CITY OF NEW ROCHELLE
DEPARTMENT OF DEVELOPMENT
BOARD OF APPEALS ON ZONING AGENDA**

TECHNICAL MEETING

Monday, December 2, 2019
8:30 AM; Law Library
515 North Avenue; City Hall
No Public Comment Allowed

PUBLIC MEETING / HEARING

Tuesday, December 3, 2019
7:00 PM, Room B-1
90 Beaufort Place
Public Comment Allowed

ITEM # 1 — APPROVAL OF MINUTES

- 1.1 January and February 2019.

ITEM # 2 — RETURNING CASES (PUBLIC HEARING)

- 2.1 Case #23-2019 by **Sherrie Ann Robinson** for permission to legalize an existing two-story wood deck and two-car garage in the rear yard at the premises **51 Clinton Avenue**, Block 1417, Lot 11, whereas:

- The proposed two-car garage's building area of 65%, exceeds the maximum allowable 25% of the principal building area on the lot.
- The proposed impervious surface area of 62% exceeds the allowed 60% under R2-7.0 dimensional regulations.
- The proposed 36% of building coverage exceeds the 30% allowed for dimensional regulations.

ADJOURNED TO JANUARY MEETING

- 2.2 Case #33-2019 by **Salvatore Rizzo** for permission to legalize the conversion of the two garages and partially unfinished basement to a dwelling unit, removal of an illegal dwelling unit in basement, legalization of construction of rear decks & sheds, and addition of new parking spaces in the front yard at the premises **70 Chatsworth Place**, Block 933, Lot 7, whereas:

- The 0.555 FAR to be legalized is more than the maximum permitted of 0.4 (existing non-conforming = 0.519).
- The 6' rear yard setback at shed to be legalized is less than the minimum required of 10'.
- The proposed three curb cuts exceed the maximum permitted of one curb cut when the frontage is less than 120' (existing non-conforming = 2 curb cuts).
- The proposed ±32' total width of driveway exceeds the maximum permitted of 25' (existing = ±22').
- The ±2' front yard setback for three of the proposed parking spaces is less than the minimum required of 20'.

ADJOURNED TO JANUARY MEETING

2.3 Case #35-2019 by **Lamp Light Realty Inc.** for permission to legalize the conversion from a one to two family dwelling, construction of an addition in the rear & enclosure of porch in front of the building and reconstruction of the one-car garage into a two-car garage at the premises **102 Woodland Avenue**, Block 459, Lot 1, whereas:

- The ±0.3' side yard setbacks of the extended driveway to be legalized is less than the minimum required of 3'.
- The 66.8% / 5,009 sf impervious surface coverage to be legalized is more than the maximum permitted of 60% / 4,497.6 sf.
- The 4' rear yard setback of proposed parking spaces is less than the minimum required of 10'.
- The ±0' side yard setbacks of the extended driveway to be legalized is less than the minimum required of 3'.
- The 3.1' & 5.7' side yard setbacks for additions to be legalized is less than the minimum required of 6' (existing non-conforming = ±5.7')

2.4 Case #37-2019 by **Biju Thomas** for permission to legalize the porch enclosure and construction of a new roof over to replace canvas roof for an existing single-family dwelling at the premises **184 Mount Joy Place**, Block 1556, Lot 50, whereas:

- The 2.9' side yard setback / 10.7' combined side yard for the work to be legalized is less than the minimum required of 8' / 20' combined.

2.5 Case #39-2019 by **Jairo Moreira** for permission to construct a two-story addition, a two-story detached garage and new deck in the rear of the existing dwelling at the premises **41 Glencar Avenue**, Block 1490, Lot 66.A, whereas:

- The 6.6' front yard setback of proposed 2nd floor addition is less than the minimum required of 22.5' (25.0' – 10% for irregular lot).
- The proposed garage building area is ±40% of the principal building area which is more than the maximum permitted of 25%.

ITEM # 3 — NEW CASES (PUBLIC HEARING)

3.1 Case #40-2019 by **Bernadette Robinson** for permission to construct a deck and awning at the premises **110 Winthrop Avenue**, Block 1405, Lot 46, in a R2-7.0 Two-Family Residential Zoned district, whereas:

- The proposed 4.04'± side yard setback for the deck is less than the minimum 6' setback required.
- The proposed metal awning is 2' from the side yard is less than the minimum 6' setback required.

- 3.2 Case #41-2019 by **DeSeante Jones** for permission to install a metal awning at the premises **138 Winthrop Avenue**, Block 1416, Lot 1, in a R2-7.0 Two-Family Residential Zoned district, whereas:
- The proposed 6.5'± is less than the minimum required of 15' for Structural Projections.
- 3.3 Case #42-2019 by **Matthew Hyland** for permission to legalize construction of a two-story roofed porch of an existing single-family dwelling at the premises **170 Norman Road**, Block 1704, Lot 59, in a R1-10A Single-Family Residential Zoned district, whereas:
- The ±24' rear yard setback at addition to be legalized is less than the minimum required to 30'.
- 3.4 Case #43-2019 by **Robert Boyer** for permission to construct a one-story addition above basement and construct a deck in the rear of an existing single-family dwelling at the premises **203 Clinton Avenue**, Block 1546, Lot 3, in a R1-7.5 Single-Family Residential Zoned district, whereas:
- The proposed 0.41 / 2,178 GFA is more than the maximum permitted of 0.35 / 1,820 square feet.
 - 0 parking spaces proposed where minimum 2 spaces are required.
- 3.5 Case #44-2019 by **John Mengler** for permission to construct a rear wood deck for an existing dimensionally non-conforming single-family dwelling at the premises **17 Rosedale Avenue**, Block 1516, Lot 32, in a R2-7.0 Two-Family Residential Zoned district, whereas:
- The ±23' rear yard setback for the proposed deck is less than the minimum required of 30'.
- 3.6 Case #45-2019 by **Mr. and Mrs. Robert Rubicco** for permission to expand an existing day-care center for children over existing tenant space previously use for adult care and a learning facility at the premises **134 Centre Avenue**, Block 412, Lot 1, in a RMF-0.5 Multi-Family Residential Zoned district, whereas:
- The change from a non-conforming use (adult care and learning facility) to another non-conforming use (day-care facility) requires approval from the Board of Appeals on Zoning.
 - 0 additional spaces proposed is less than the 9 additional spaces required (12 spaces required for the conversion – 3 existing for the previous use = 9)
- 3.6 Case #46-2019 by **Manny Martinez** for permission to construct a second floor additon at the premises **16 Woodbury Street**, Block 507, Lot 75, in a R2-7.0 Two-Family Residential Zoned district, whereas:
- The proposed 0.55 FAR (1,232 SF) exceeds the maximum permitted of 0.40 (906 SF).
 - The proposed side yards of 2.5' and 3.8' are less than the 6' required.
 - The proposed 6.3' combined side yard setbacks are less than the required 12'.

ITEM # 4 — CITY COUNCIL AND REFERRALS / DISCUSSION ITEMS / OTHER BUSINESS (NOT FOR PUBLIC COMMENT)

4.1 None

Eileen O'Rourke .
Board Chair

Max E. Schwartz, AICP Candidate
Board of Appeals on Zoning Clerk