

**BOARD OF APPEALS ZONING**

**CALENDAR NO**

**MAY 5, 2021**

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’

**OUTCOME: GRANTED**

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’

**OUTCOME: ADJOURNED**

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’

**OUTCOME: GRANTED**

**BOARD OF APPEALS ZONING**

**CALENDAR NO**

**MAY 5, 2021**

*....continued*

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'

**OUTCOME: GRANTED**

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.				

**OUTCOME: ADJOURNED**

Z-2021-11 William Besharat / Ernist 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'

**OUTCOME: GRANTED**

**BOARD OF APPEALS ZONING**

**CALENDAR NO**

**MAY 5, 2021**

*....continued*

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"

**OUTCOME: ADJOURNED**

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'

**OUTCOME: GRANTED**

Z-2021-16 Westpark Associates NY LLC, 1111 & 1129 Westchester Avenue, SBL 131.16-1-1  
Application for a two (2) year extension of the resolution granting an area variance for All Building Coverage during the construction of a three-level parking structure with solar panels over the top level.

**OUTCOME: GRANTED – 2 YEAR EXTENSION**

**BOARD OF APPEALS ZONING**

**CALENDAR NO**

**MAY 5, 2021**

*....continued*

**NEW APPLICATIONS NO APPEARANCE**

Z-2021-14     Rose Sharon Ford, 9 Brandywine Drive, SBL 138.11-2-6  
Application to install a pool. A review of drawings T001 and A102 to A106 dated February 23, 2021, prepared by Veritas Engineering, indicates the proposed construction of a rear yard in-ground pool. The property is located in the R1-12.5 Zone. The pool is proposed to be built in compliance with all zoning dimensional regulations; however, the pool fencing is proposed to be located along the side and rear property lines. Therefore, the applicant is requesting variances from Section 4.4.24.7 as follows:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
1. Pool to Fence Distance, North Side	25'-0"	-	36'-2"	11'-2"
2. Pool to Fence Distance, South Side	25'-0"	-	31'-11"	6'-11"

**OUTCOME: SCHEDULED TO BE HEARD 6/02/2021**

Z-2021-15     Elizabeth & David Dinner, 31 Sparrow Circle, SBL 138.06-5-22  
Application for an addition and porch. A review of drawings A-1 to A-3 dated March 23, 2021, prepared by John Iannacito, Architect, indicates a proposed one (1) story rear yard addition and a front yard covered porch. The property is located in the R1-12.5 Zone and is legally existing non-conforming with respect to one side yard setback. The proposed additions 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	20'-0"	10.61'	10.61'	9.39'

**OUTCOME: SCHEDULED TO BE HEARD 6/02/2021**