



Zoning Board of Appeals
Department of Planning & Community Development
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Clinton I. Young, Jr.
Mayor

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Chair

MEETING NOTICE

May 6, 2011

A regular meeting of the Zoning Board of Appeals will be held on **Tuesday, May 17, 2011 at 7:30 p.m.** following a work session facilitated by Planning Department Staff at 7:15 p.m. in the City Council Chambers, Second Floor, City Hall, Mount Vernon, New York at which time and place the Board shall consider the following:

ITEM # 1 APPROVAL OF MINUTES

1.1 Approval of the minutes of the regular meeting held on Tuesday, April 12, 2011.

ITEM #2 EXTENSION OF TIME

2.1 Calendar No. 1628-Z: 456 South First Avenue (Map Page 169.39, Block 3119, Lot 20) in the RMF-6.75 Zoning District.

Application of Jay Felix Holding Corp. by its representative Shlomi Nidam is requesting an extension of time to comply with Zoning Board's Finding of Facts which were granted on December 4, 2007 and expired on December 4, 2008. The applicant seeks to construct 2-family dwelling in accordance with the Zoning Board's Finding of Facts which granted the following area variances:

- 1,317.38 square feet for lot area per dwelling unit
- 44% building coverage
- 7.6' feet front yard setback
- 0.77' feet side yard setback (one)
- 6.17' feet side yard setback (total)
- 0 off-street parking spaces required

SEQRA Determination: Type II – No further SEQRA assessment is necessary for this application.

ITEM #3 CONTINUED PUBLIC HEARING

3.1 Calendar No. 1689-Z: 1 Wartburg Place (Map Page 165.42, Block 2160, Lot 1) in the R1-7 Zoning District.

Application of The Wartburg by attorney William Null is requesting the following area variances:

- Height Requirement: A maximum building height of 35' feet is allowed and the applicant is proposing 45.5' ft and 50.5' ft at the mechanical penthouse of the proposed skilled nurse facility. – This is a deviation from the dimensional regulations of the Zoning Code;
- Height Requirement: A maximum building height of 3 stories - 35' feet is allowed and the applicant is proposing 4 stories 56.3' ft. of the proposed supportive housing facility – This is a deviation from the dimensional regulations of the Zoning Code

SEQRA Determination: The proposed action is a coordinated review and classified as an "Unlisted Action". The Zoning Board of Appeals has consented to the Planning Board being "Lead Agency". Accordingly, the Zoning Board may make its determination without needing to make any other assessments concerning SEQRA.

3.2 Calendar No. 1679-Z: 223 Westchester Avenue (Map Page 165.46, Block 1130, Lot 18) in the RMF-6.75 Zoning District.

Application of Esteban Ruiz by attorney Hannah Gross is requesting the following area variance:

- Side Yard Setback (One): A 5'ft. side yard setback is required and the applicant is proposing 4'ft. 2" inches– This is a deviation from the dimensional regulations of the Zoning Code;
- Off-Street Parking: Two (2) enclosed parking spaces are required and the applicant is proposing one (1) enclosed parking space and one (1) unenclosed parking space – This is a deviation from Section 267-37B of the Zoning Code.

The applicant is proposing to convert a single family house into a two-family dwelling which requires the previously mentioned variances.

SEQRA Determination: Type II – No further SEQRA assessment is necessary for this application.

3.3 Calendar No. 1684-Z: 602 South Third Avenue (Map Page 169.47, Block 3105, Lot 1) in the LI-7.5 (Landscape Industrial) Zoning District.

Application of Kovar Hills Associates, LLC by attorney Jack Adesso is requesting the following area variance:

- Off-Street Parking: Sixty-six (66) off-street parking spaces are required and the applicant is proposing forty-nine (49) off-street parking spaces. – This is a deviation from Section 267-37C of the Zoning Code.

The applicant seeks to operate a construction company on the premises.

SEQRA Determination: Type II - No further SEQRA assessment is necessary for this application.

3.4 Calendar No. 1682-Z: 485 Gramatan Avenue and 8 East Cedar Street (Map Page 165.30, Block 1036, Lots 1 and 2) in the RMF-15 Zoning District.

Application of Cedar Manor, LLC by its attorney Hannah S. Gross of Gross & Stabile, LLP is requesting the following area variances:

- Impervious surface coverage: permitted-70% maximum; proposed-76.6%;
- Secondary front yard at parking lot: required-20 feet minimum, § 267-13 B (1) (G) & § 267-37 A; proposed- 2 feet
- Side yard at parking lot: required-3 feet minimum, § 267-37 B; proposed-2 feet;
- Rear yard at parking lot: required-3 feet minimum, § 267-37 B; proposed-2 feet;
- Landscaping: required-6 % of the total area within the perimeter of the parking facility shall be landscaped, when 25 or more parking spaces are proposed. § 267-40 A and at least shade tree shall be provided for every 12 parking spaces. A landscaped area of 360 square feet within the parking lot perimeter and 3 shade trees are required
- Fence height: fence in front yard must be 4 feet high maximum, made of wrought iron, aluminum or masonry, 25% open construction. A 4 feet vinyl fence is proposed. Notwithstanding the above, no fence shall be permitted at the driveway entrance if it obstructs visibility as defined and required in § 267-13 C (1).

The variances are requested to demolish an existing one-family dwelling on Lot 2 to create an accessory off-street parking facility for the multi-family dwelling located on Lot 1.

SEQRA Determination: This action is a coordinated review and classified as an “Unlisted Action”. Therefore, the Zoning Board as “Lead Agency” must assess whether further environmental investigation needs to occur prior to rendering any decisions.

ITEM #4 PUBLIC HEARING

4.1 Calendar No. 1688-Z: 7 North Ninth Avenue (Section No. 165.69, Block 1085, Lot 21) in the RMF-10 Zoning District.

Application of Rock Flower Corp. by Architect David Christmas is requesting the following area variances:

- Lot Area Per Dwelling Unit: The minimum lot area per dwelling unit is 1,200 square feet and the applicant is proposing 228 square feet. The existing lot area per dwelling unit is 234.5 square feet. – This is a deviation from Section 267-11C of the Zoning Code.
- Off-Street Parking: Eighty-six (86) off-street parking spaces are required and the applicant is proposing any off-street parking spaces. The site currently does not have any off-street parking spaces. – This is a deviation from Section 267-11C of the Zoning Code.

SEQRA Determination: Type II – No further SEQRA assessment is necessary for this application.

Note: Work Sessions will be open to the public but closed to public participation subject to the Open Meetings Law, [§ 105 of the New York State Public Officers Law, Article 7].

The next regular meeting of the Zoning Board of Appeals is scheduled to be held on Tuesday, May June 21, 2011.

William Long
Planning Administrator

cc: Mayor Young
Yolanda Robinson, Chief of Staff
City Clerk
Jeffrey Williams, Planning Commissioner
Building Department
Lobby
Press