



**Zoning Board of Appeals**  
Department of Planning & Community Development  
City Hall - Roosevelt Square  
Mount Vernon, New York 10550-2060  
(914) 699-7230

Shawyn Patterson-Howard  
Mayor

Chair

**ZONING BOARD OF APPEALS  
MEETING/HEARING  
AGENDA**

A work session of the Zoning Board of Appeals will be held on **Tuesday, October 19, 2021 at 6:00 PM** via ZOOM (<https://zoom.us/>). The regular meeting of the Zoning Board of Appeals will be continued at **6:30 PM on October 19, 2021 via ZOOM** at which time the Board shall consider the following:

**ITEM #1 ROLL CALL**

**ITEM #2 APPROVAL OF MINUTES**

- September 20, 2021 minutes

**ITEM #3 New Public Hearing**

**3.1 Calendar # 1758-Z 0 Millington Street (Section 165.25, Block 4055, Lot 6) located in the R2-4.5 Zoning District.**

*This application is being placed on the agenda due to the need to re-notice the Application and update the posted sign. The hearing which was previously closed will be reopened for public comment.*

Applicant (Millington LLC) is the owner of a vacant 0.23-acre (10,500 sf) parcel located at 0 Millington Street. The subject property is on the south side of Millington Street closer to Columbus Avenue in the R2-4.5 zoning district. The existing lots on the south side of Millington Street are 140' in depth. The vacant lot is near a church at the corner of Columbus Avenue and Millington Street. There is a three story, apartment building across from the site on the north side of Millington at its corner with Columbus Avenue in the RMF-15 zone.

The Applicant is represented by Mr. Shahin Badaly, PE who has developed the plans for the proposed subdivision and the proposed 2 two family residences. The existing lot width is 75' with a 140' depth with a lot size of 10,500 sf. The Applicant is requesting an area variance for the proposed lot width and frontage for each new lot. Applicant is proposing a lot width and frontage of 37.5' for each lot whereas the requirement is 50'.

If the applicant is successful in obtaining an area variance, the subdivision would require a subdivision approval from the Planning Board.

**SEQRA** – The proposed action is a Type II action based on 617.5(c)(16) “granting of individual setback and lot line variances and adjustments;” Therefore, ending the SEQRA process.

**3.2 Calendar # 1759-Z 419 South 1<sup>st</sup> Avenue (Section 169.31, Block 3128, Lot 37) located in the RMF 6.75 Zoning District.**

*This application is being placed on the agenda due to the need to re-notice the Application and update the posted sign. The hearing which was previously closed will be reopened for public comment.*

Applicant is Jose Zuniga, the owner of a single-family residence at 419 South 1<sup>st</sup> Avenue. The property is located on the easterly side of South 1<sup>st</sup> Avenue approximately 225' south of the intersection of East 5<sup>th</sup> Street and South 1<sup>st</sup> Avenue.

The subject property has several dimensional non-conformities including the following:  
a) lot area is 2,575 sf whereas 6,750 sf is the minimum lot area in the RMF-6.75 zone;  
b) the lot width and frontage are approximately 25' whereas 75' is the minimum required in the zone; c) the side yards should be 7' but are only 1.5'. The rear yard conforms to the zoning.

The owner began renovations to the residence which included addition of a porch at second floor at the front of the house. Application is to legalize the work so that a building permit and Certificate of Occupancy can be issued.

Applicant has provided a Statement of Points relative to his request for zoning relief based on 267-11 (C). The section of the code is included below.

*267-11 ( C ) Dimensional nonconformity. A building or structure that is conforming in use but does not conform to the lot dimension, yard dimension, height, building coverage, floor area ratio, off-street parking, loading or similar dimensional requirements of this chapter shall be deemed to be dimensionally nonconforming. No building permit shall be issued*

***that will result in the increase of any such dimensional nonconformity, but any building or structure or portion thereof may be altered to decrease its dimensional nonconformity.***

**SEQRA** – The proposed action is a Type II action based on 617.5(c)(16) “*granting of individual setback and lot line variances and adjustments;*” and based on 617.5(c)(17) “*granting of an area variance for a single-family, two-family or three-family residence*” Therefore, ending the SEQRA process.

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

**Note:** Items listed on the agenda are subject to change and amendments and/or additions may be placed on the agenda

### **Upcoming Dates**

- **TUESDAY, November 16, 2021, at 6:00 pm for ZBA Work Session**
- **TUESDAY, November 16, 2021, at 6:30 pm for Regular Meeting of the Board of Appeals**

Marlon Molina 2nd Deputy Planning Commissioner

cc: Shawyn Patterson-Howard, Mayor  
Planning Board  
Planning Commissioner  
Building Department  
Corporation Counsel  
City Clerk; Lobby