




Zoning Board Application

Applicant

Primary Location

ZB-22-3

 Mohammad Badaly
 9146994200
 badalyarchitects@gmail.com

114 THIRD ST ,E
Mount Vernon, NY 10550

Submitted On: Dec 20, 2022

Application Information

Are you the property owner?
No

Application Type
Use Variance

Property Identification

Address
114-118 E THIRD STREET

Map Page
165.79

Block
3157

Lot(s)
06

Zoning District
nb

Existing Site Area
7162

Owner Information

Name
NEIL ALEXANDER

Address
121 E THIRD STREET

City
MOUNT VERNON

State
NY

Zip Code
10550

Telephone #
914 761 1300

Email
NAlexander@cuddyfeder.com

Applicant Information

Name
NEIL ALEXANDER

Address
445 Hamilton Avenue

City
WHITE PLAINS

State
NY

Zip Code
10601

Telephone #
914 761 1300

E-mail Address
NAlexander@cuddyfeder.com

Legal Representative Information

Name	Company
NEIL ALEXANDER	Cuddy & Feder LLP
Address	City
445 Hamilton Avenue	WHITE PLAINS
State	Zip Code
NY	10601
Telephone #	Email Address
914 761 1300	NAlexander@cuddyfeder.com

Lead Design Professional Information

Name	Title
MOHAMMAD BADALY	ARCHITECT
Company	Address
BADALY ARCHITECT PLLC	2 WILSON PL
City	State
MOUNT VERNON	NY
Zip Code	Telephone #
10550	9146994200
Email Address	Design Professional Type:
shahin@badaly.com	(Check all that apply)
Architect	Engineer
true	false
Contractor	Other
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Use Variance

A use variance may only be granted if it is determined that the applicable zoning regulations and restrictions cause the applicant unnecessary hardship. New York law requires the applicant to demonstrate **all** the following criteria. **Explain** (conclusory statements are not sufficient) how this Application satisfies each of the criteria and attach any and all documentation that supports your position. If you address this in a separate letter submitted in support of your application, it must address each specific criterion separately as set forth in the Application.

A. The owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located. This deprivation must be established through competent financial evidence (“dollars and cents” proof):

THE OWNER WILL NOT RECEIVE A REASONABLE RETURN FOR THE EXISTING PERMITTED USES OF THE PROPERTY. FINANCIAL EVIDENCE ESTABLISHING HAS BEEN ATTACHED.

B. The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood:

THE ALLEGED HARDSHIP IS UNIQUE TO THE PROPERTY IN QUESTION AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT. THE EXISTING SITE CONDITIONS PROVIDE A UNIQUE HARDSHIP SPECIFIC TO THE SUBJECT PROPERTY.

C. The requested use variance, if granted, will not alter the essential character of the neighborhood:

THE REQUESTED USE VARIANCE WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD. THERE ARE NUMEROUS EXISTING RESIDENTIAL PROPERTIES LOCATED THROUGHOUT THE NEIGHBORHOOD IN THE NB DISTRICT.

D. The alleged hardship has not been self-created:

THE ALLEGED HARDSHIP HAS NOT BEEN SELF-CREATED. THE EXISTING CONDITIONS OF THE SITE PREVENT THE APPLICANT FROM RECEIVING A REASONABLE RETURN WITH THE CURRENT PERMITTED EXISTING USE.

E. State any other information you believe would be helpful to the ZBA in deciding the application:

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Criteria for Application Referral

Is subject property within 500 feet of any other municipality?

No

Is subject property within 500 feet of any park or parkway lands?

No

Is subject property within 500 feet of any State or County roads?

No

Is subject property within 500 feet of any County facilities?

No

General Information

Project Description

CONSTRUCT NEW APARTMENT BUILDING.

Zoning Code Information

NB

Proposed Site Information

Existing Use(s)

VACANT

Proposed Use(s)

MULTIFAMILY

Size of Principal Building

38000

Size of Accessory Building

0

Number of Storefront Spaces

0

Number of Dwelling Units on Site

49

Zone of Proposed Project

Zoning District Type

Non-Residential District

Commercial District

Does the application consist of construction or the expansion of primary or accessory/appurtenant, non-residential structure(s) or facility(ies) involving less than 4,000 square feet of gross floor area?

No

Parking Information

Is off-street parking provided?

No

Is there a variance request for off-street parking?

Yes

Number of Spaces

98

Total Number of Parking Spaces Provided On-Site

12

Total Number of Parking Spaces Provided Off-Site

0

Parking Spaces On-Site

100

Acknowledgement

With the completion of this application, I hereby state that the information provided and all accompanying documentation is accurate to the best of my knowledge, and that the attached plans contain all information required by the appropriate checklist.

Signature of Owner

NEIL ALEXANDER

Date

12/1/22

Signature of Applicant

MOHAMMAD R BADALY

Date

12/1/22