



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

Irwin S. Davison, Esq.
Chair

MEETING NOTICE

March 30, 2011

A regular meeting of the Zoning Board of Appeals will be held on **Tuesday, April 12, 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, March 15, 2011.

ITEM #2 INTERPRETATION

2.1 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 and R1-4.5 Zoning District.

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

- Use Regulation: According Section 267-27(C1), Section 267-27(C2) and Section 267-9A of the Zoning Code, "accessory off-street parking facilities" are not permitted. Therefore, the Zoning Board must consider whether to grant a use variance.

The applicant is disputing the Building Department's interpretation of the Zoning District in which the proposed "accessory off-street parking facility" currently lies.

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

ITEM # 3 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". Accordingly, the Planning Board has sent a "notice to declare itself (the Planning Board) "Lead Agency"". The Zoning Board must assess whether to respond to the "Lead Agency" notice.

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.

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 17, 2011.

William Long
Planning Administrator

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