

**CITY OF NEW ROCHELLE
DEPARTMENT OF DEVELOPMENT
BOARD OF APPEALS ON ZONING AGENDA**

TECHNICAL MEETING

Friday, January 29, 2021
2:00 PM; Remote Access Only
515 North Avenue; City Hall
No Public Comment Allowed

PUBLIC MEETING / HEARING

Tuesday, February 2, 2021
6:00 PM, Remote Access Only
515 North Avenue
Public Comment Allowed

Due to the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Board of Appeals on Zoning will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, the Board of Appeals on Zoning will broadcast the Public Hearing live on the City's website and cable public access channel on television. In addition, the Board of Appeals on Zoning will provide public access to provide oral comments in real time via Microsoft Teams. Please notify Kevin Kain, Director of Planning and Sustainability at 914-654-2185 or kkain@newrochelleny.com of your wish to speak at the Public Hearing by Friday, January 29, 2021 at 4:30pm in order to register to comment at the meeting.

ITEM # 1 — APPROVAL OF MINUTES

- 1.1 None

ITEM # 2 — RETURNING CASES (PUBLIC HEARING)

- 2.1 Case #34-2020 by **Chi Uk Kwon** for permission to legalize the conversion from a one to a two-family dwelling, legalize the conversion of unfinished attic to a 4th story for habitable space and demolition of a detached 2-car garage at the premises **75 Brook Street** (Block 1425, Lot 1) in a RMF-0.4 Residential Multifamily – 0.4 Zoned district, whereas:

- The 1,672.5 sf of lot area per dwelling is less than the minimum requires of 3,500 sf. (existing = 3,345).
- The proposed 0.74 FAR / 2,463 sf GFA is more than the maximum permitted of 0.4 / 1,338 sf (existing non-conforming = 0.53 / 1,764 sf).
- The proposed 4 stories exceed the maximum permitted of 3 stories (existing = 3 stories).
- The proposed ±9.83' front yard setback at addition is less than the minimum required of 20'.
- The ±9.83' front yard setback to the proposed roofed open porch, and ±7' to open stairs, is less than the 15' minimum required.
- The ±23.7 rear yard setback to proposed addition is less than the minimum required of 30' (existing non-conforming = ±25.2').
- The proposed ±3' rear yard setback to the parking spaces is less than the minimum required of 10'.

ADJOURNED TO MARCH MEETING

- 2.2 Case #37-2020 by **Jordan Merr Properties Inc.** for permission to construct a new deck and partially replace an existing dimensionally non-conforming front porch at the

premises **141 Clinton Avenue** (Block 1440, Lot 23) in a R2-7.0 Two-Family Zoned district, whereas:

- The proposed 21'-9" rear yard setback is less than the minimum required of 30ft.
- Partial replacement of existing dimensionally non-conforming porch required approval from the Board of Appeals on Zoning.

ADJOURNED TO MARCH MEETING

2.3 Case #38-2020 by **Zaher Merhi** for permission to construct a second-floor addition above an existing one-story building at the premises **780 Main Street** (Block 514, Lot 137) in a NB Neighborhood Business Zoned district, whereas:

- The proposed 0.59 FAR / 1,652 sf exceeds the maximum permitted of 0.5 / 1,400 sf.
- 0 additional parking space proposed is less than the minimum required of 1.5 spaces.

ITEM # 3 — NEW CASES (PUBLIC HEARING)

3.1 Case #1-2020 by **Pointbridge LLC** for permission to construct a two-family dwelling (existing dwelling to be demolished under a separate permit) at the premises **33 Allard Avenue** (Block 514, Lot 202) in a R2-7.0 zoned district, whereas:

- The proposed 0.41 FAR / 2600sf GFA exceeds the maximum permitted of 0.40 / 2522.8 sf.
- The proposed 3003.5 sf lot area per dwelling unit is less than the minimum required of 3,500 sf.
- The proposed ±3' side yard setback at side open porch is less than the minimum required of 8'.
- The proposed combined side yards of ±13' is less than the minimum required of 20'.
- The proposed 4' side yard setback for parking spaces is less than the minimum required of 6'.
- The proposed 9' driveway width is less than the minimum required of 10'.
- The proposed ±1' side yard setback for driveway is less than the minimum required of 3'.

3.2 Case # 2-2021 by **Joseph Crocco** for permission to construct a new pool and patio in a side and rear-yard of an existing one-family dwelling at the premises **35 Malysana Lane** (Block 160, Lot 57) in a R1-WF 10 Zoned district, whereas:

- The Proposed 48% - 8531 sf-impervious surface coverage exceeds the maximum permitted of 45%-8,005sf-(existing= 35,3%-6,283sf).
- The Proposed ± 10.5' rear yard setback at dining patio is less than the minimum required of 30'.
- The Proposed 12' side yard setback of the pool is less than the minimum required of 20'.
- The Proposed ± 18' pool setback from the shoreline is less than the minimum required of 25'.

3.3 Case # 3-2021 by **Adner Relaty 2 Inc.** for permission to construct a new two-story storage building (existing dwelling to be demolished under a separate permit) at the premises 82 Crescent Avenue (Block 1240, Lot 9) in a LI Zoned district, whereas:

- The proposed 85% building coverage is more than the maximum permitted of 60%.
- Access to the proposed 2 parking spaces is obstructed by the loading space though unobstructed access is required.

3.4 Case # 4-2021 by **Irma Herrera** for permission to construct 2nd-story addition and alteration of 1st floor and basement for an existing one-family dwelling at the premises **24 Morgan Street** (Block 546, Lot 38) in a R2-7.0 Zoned district, whereas:

- The proposed 0.53 FAR/1998 sf GFA exceeds the maximum permitted of 0.4 / 1,500 sf (existing 0.33 / 1,245 sf).
- The Proposed ±11.8' front yard setback at 2nd floor addition is less than the minimum required of 20' (existing at 1st floor =11.8').
- The Proposed ±4.6 side yard setback at 2nd floor addition is less than the minimum required of 8' (existing at 1st floor=4.6').

ITEM # 4 — CITY COUNCIL AND REFERRALS / DISCUSSION ITEMS / OTHER BUSINESS (NOT FOR PUBLIC COMMENT)

4.1 None

Eileen O'Rourke
Board Chair

Kevin A. Kain, PP, AICP
Director of Planning & Sustainability

REVISED 1/28/21