Call to Order
Pledge of Allegiance
Roll Call
Approval of Minutes: February 9, 2016

OLD BUSINESS: Resolutions Only

1. 16-05 33 Ridge Street Public Hearing Closed on February 9, 2016
   Section 76, Block 1, Lot 39
   Zone: R5
   Application for: area variances to construct an in-ground 11’ x 17'-11” pool with: (1) a side yard setback of 5 feet, where a minimum of 10 feet is required, a deficiency of 5 feet or 50%; (2) a rear yard setback of 5 feet, where a minimum of 10 feet is required, a deficiency of 5 feet or 50%.

2. 16-02 5 Leticia Road Public Hearing Closed on February 9, 2016
   Section 70, Block 4, Lot 14
   Zone: R5
   Application for: an area variance to construct an open covered porch on an existing single-family residence with a front yard setback of 19.05 feet, where a minimum setback of 26 feet is required, a deficiency of 6.95 feet, or 26.7%.

3. 16-04 33 Orchard Street Public Hearing Closed on February 9, 2016
   Section 65G, Block 1, Lot 9
   Zone: R6
   Application for: area variances to construct an addition and entry portico to, and a driveway for, an existing single-family residence with: (1) a front yard setback (for the addition) of 18 feet, where a minimum of 30 feet is required, a deficiency of 12 feet, or 40%; (2) a front yard setback (for the portico) of 12.5 feet, where a minimum of 26 feet is required, a deficiency of 13.5 feet or 51.9%; (3) a side yard setback (for the driveway) of 1.5 feet, where a minimum of 3 feet is required, a deficiency of 1.5 feet or 50%.

NEW BUSINESS

4. 16-12 36 Park Avenue
   Section 44, Block 2, Lot 23
   Application for: a request that the ZBA re-hear application 15-74, 36 Park Avenue, for area variances to legalize a recently installed roof overhang at the front entrance to an existing single family residence with: (1) a proposed front yard setback of 6.4 feet, where a minimum of 26 feet is required, a deficiency of 19.6 feet or 75.4%; (2) a proposed side yard setback of 5.5 feet, where a minimum of 6 feet is required, a deficiency of 0.5 feet, or 8.3%. The application was denied on February 9, 2016. (If the request is granted, the application will be re-heard at a public hearing at the April 12, 2016, ZBA meeting).
5. 16-11 **41 Rose Avenue**  
**Public Hearing**  
Section 77, Block 1, Lot 31  
**Zone: R5**  
**Application for:** Area variances to construct a two story addition and new entry portico to the front of an existing single family residence with: (1) a front yard setback (for the addition) of 23.8 feet, where a minimum of 30 feet is required, a deficiency of 6.2 feet or 20.7%; (2) a front yard setback (for the portico) of 21.5 feet, where a minimum of 26 feet is required, a deficiency of 4.5 feet or 17.3%.

**OLD BUSINESS: Public Hearings**

6. 13-36 **504 New Rochelle Road**  
**Public Hearing (Amended Application)**  
Section 85, Block 4, Lot 1  
**Zone: RB**  
**Application for:** The applicant has submitted an amended application in order to minimize the number and extent of required variances. The amended application proposes a 346 square foot rear addition to the existing building. As a result, the building will increase from approximately 1312 square feet to 1658 square feet. Based on the total gross floor area, the application requires the following area variances: (1) 6 parking spaces where a minimum of 12 spaces are required, a deficiency of 6 spaces or 50%; (2) a backup aisle width of 16.3 feet where a minimum of 21 feet is required, a deficiency of 4.7 feet or 22.3%.

**Note:** The original application proposed a 770 square foot addition at the rear and right side of the building resulting in a total gross floor area of 2082 square feet and requiring the following area variances: (1) 6 parking spaces where a minimum of 14 spaces are required, a deficiency of 8 spaces or 57.1%; (2) a separation distance of 5.5 feet between the proposed building and a One Family Residence District where a minimum of 40 feet is required, a deficiency of 34.5 feet or 86.3%; (3) a backup aisle width of 16.3 feet where a minimum of 21 feet is required, a deficiency of 4.7 feet or 22.3%.

7. 15-73 **JC Auto Repair, 164 Summerfield Street**  
**Continued Public Hearing**  
(Interpretation and Use Variance)  
Section 60, Block 4, Lot 3  
**Zone: RB**  
**Application for:** On August 20, 2015, The Building Inspector issued a Notice of Violation (NOV) to the applicant for conducting an auto repair business within portions of the building located at 164 Summerfield Street without having obtained the proper approvals and permits. An auto repair use is not a permitted use in the RB district. The NOV required the applicant to either discontinue the use or to expeditiously seek a use variance. At a meeting on November 10, 2015, the applicant sought an interpretation from the ZBA arguing that, contrary to the determination made by the Building Inspector, the auto repair business operating at 164 Summerfield Street is a legal non-conforming use and, therefore, a use variance is not required. Prior to the February 9, 2016, ZBA meeting the applicant amended the application to seek a use variance as well.

**Date:** March 4, 2016, at 1:00 p.m.

* Please be advised that the posted Agendas are subject to change. Applicants may withdraw or adjourn applications previously scheduled to be heard. It is recommended that you visit the Town’s website ([www.eastchester.org](http://www.eastchester.org)) to check Agendas prior to each meeting. Simply click on FIND in the menu box on the left and then proceed to DEPARTMENTS; BUILDING & PLANNING; AGENDAS. The Agendas and Minutes for each Board are posted for review.