### **ZONING BOARD OF APPEALS APPLICATION**

Project Name, If Applicable: $20 DC$	JEMOOD PEINE	RESIDENCE
Project Street Address: 20 5060		
Section: 63.6 Block: 1	Lot(s):	Zone:
Applicants Notice and Applicants	A \ A	
Applicant: LEOTINGS BEANDES		3.2
Address: 2 SPERCER PL, SCA		
Phone #: 914 - 472 - 8421	Email: bso	miles orchitect@ad.com
Owner Michael Parties 6	A	
*		M
Address: 20 DOG WOOD DRIVE		
Phone #: 716-572-3355	Email: Mic	CHELLE ELIZABETH MITCHELL OGMAIL COM
1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -		
Architect/Engineer LEOMARD BRAHD		
Address: 2 SPEMCER PLACE	+ SCHENNALE, MY	10585
Phone #: 414-472 - 8481	Email: <u>U.C.</u>	ombes attellected Dar Com
44		
Addross:		
Address: Phone #:		
Frione #.	Email:	
Application is for:		
An interpretation of the Z	oning Law or a determina	tion of the Building Inspector
Area variance(s)		
Use Variance		
Special Permit Use		
Description of the proposed project	and nature of the intern	oretation, variance(s) and/or special permi
l _		
		ON AT EXISTING FOOTPEINT OF
	•	E HOUSE - PLUS ADDITION 3'-4"
ALIGHED WITH PORCH SIDE	YARD SETBACK C	F 9.2 FT (HOH-CONFORMING)
TOWARDS THE BACK OF TH	IE HOUSE.	
AREA VARIANCE REQUIRED	FOR SINEYMUS -	REQUIRED 10 FT SETBACK
EXISTING HON-CONFORMING		
- Court of the		7 - 3

## ZONING BOARD OF APPEALS APPLICATION CHECKLIST

Submission Items	
All applications submitted to the ZBA must include:	
Cover Letter to the ZBA including, but not necessarily limited to:	1
1 The reging district within which the cubic to it is booted	V
2. A brief description of the application and the interpretation, variances and or special permit being sought	
3. A statement of how the application meets the tests for area or use variances or meets the special permit	<b>V</b>
requirements (A list of the tests for area and use variances is attached)	$V_{-}$
4. Resubmissions to the ZBA, after an initial hearing, must include a statement of any additional information that was	Secretary resident along the
requested by the ZBA at the hearing and must indicate the response to such requests.	
Completed ZBA Application and Application Checklist	1
Application Fee (see Fee Schedule, available in the Planning Department or on the Town's website\	V
Completed Zoning Compliance Table (see attached zoning compliance tables)	V
Notice of Denial Letter	V
Short Environmental Assessment Form Part 1 ( <u>not required</u> for single-family residences)	
Site Location Map - showing the project site and all properties within 200 feet of the site boundaries.	$\vee$
List of properties within 200 feet of the site boundaries - including: section, lot and block, property owner name and street	
address necessary to meet notice requirements.	
Zoning Map - indicating the zoning district within which the site is located and all zoning district boundaries within 200 feet	$\sqrt{}$
of the site boundaries. (May be shown on the Site Location Map)	
Color photographs of the project site - labeled "Project Site" and where appropriate indicating views (e.g., front elevation, rear	V
elevation, etc.\; 2 photographs per page.  Color photographs of properties within the immediate vicinity of the project site to provide context for the application.	L
Photographs must be keyed to a Map (labeled by street address and indicating the photo view (arrow showing the direction in	$\vee$
which the photo is taken); 2 photographs per page.	
Current Property Survey and Existing Conditions Survey, prepared and certified by a Land Surveyor licensed in the State of	<b>V</b>
New York including (but not necessarily limited to): (1) boundary lines including metes and bounds; (2) existing easements;	v
(3) existing structures; and (4) setbacks of all existing structures.	/
Copy of the completed legal notice (sent to the newspaper and property owners within 200 feet of the site boundaries) with:	V
Copy of the list of all properties within 200 feet of the site, printed from the Westchester County GIS, - including: section, block, and iot	V
Signed and notarized Affidavit of Mailing and Publication (prior to being heard by the ZBA)	V
Originals or Copies of postmarked PS Form(s) 3877 for Certified Mailing (prior to being heard by the ZBA)	1/
PDF of Complete Submission (color pages where applicable; see last page of application for instructions)	V
Affidavit of Publication from the Newspaper; when received	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
All applications for variances or special permits related to additions, alterations or new construction, must also	
include:	
Plans, signed and sealed by an Architect or Professional Engineer licensed in the State of New York, including:	V
Proposed site plan drawing(s), based on and citing the certified property survey, showing:     required, existing and proposed zoning setbacks	V
required, existing and proposed zoning setbacks     existing and proposed structures	V
dimensions	V
elevation of the existing grade at the four or more principal building corners	1
elevation of the <u>proposed</u> grade at the four or more principal building corners	V
2. Proposed floor plans	V
Proposed building elevations, including:	V
dimensions	V
spot elevations at building corners and other relevant locations	V
elevation of the principal eave, based on a surveyed bench mark	V
elevation of the highest roof ridge line, based on a surveyed bench mark	V
All applications for variances related to proposed subdivisions must also include:	V
Proposed subdivision map, signed and sealed by an Architect, Professional Engineer or Surveyor licensed in the Sate of New York, citing the certified survey upon which the map is based, including:	
proposed lot dimensions	-
proposed lot areas	1
required and proposed zoning setbacks	1
effective square	
all existing structures to be removed and/or to remain	

<sup>\*</sup>Short Environmental Assessment Form is available on the Town's website at <a href="www.eastchester.org">www.eastchester.org</a>.

# 20 DOGWOOD DEVE ZONING COMPLIANCE TABLE ONE- AND TWO-FAMILY RESIDENCES

(New Construction and Additions)

	P	<i>*</i>
ZONE:	80	2

Notes: Information must be based on definitions in the current Zoning Law of the Town of Eastchester. If not applicable, leave box blank. Check box in far right column if variance is required.

	Existing	Required/ Permitted	Proposed	Variance Required
LOT INFORMATION				rioquirea
Lot Area (sf)	6200	6,000	6200	
Lot Frontage (ft)	62	60	62	
Yard Setbacks (ft):			1 - 0 -	-
Front Yard	29.7	30	33.4	<del></del>
Rear Yard	38.9	25	42.9	
First Side Yard	16.2	10	1 -	
Second Side Yard	9.2	10	9.2	10
Side Yard Adjoining Street			1	
PRINCIPAL BUILDING INFORMATION			1	
Gross Floor Area (sf)	1642	2500	2032	
Building Height:	+			
Stories	2-1/2	2-1/2	2.	
Height to Principal Eave (ft)	21.6	23	20.3	
Height to Highest Roof Ridge (ft)	32.7	33	30.4	
ACCESSORY STRUCTURES N/A				
ACCESSORY STRUCTURES Detached Garage	1	***************************************		
Setbacks:				
To Principal Building				
To Side Lot Line				
To Rear Lot Line	_			
Building Height:	_			
Height to Principal Eave (ft)				
Height to Highest Ridge (ft)		2		
Other Accessory Structure (indicate typ	e of structure - shed, po	ol. etc.) N/A		
Setbacks:		1		
To Principal Building				
To Side Lot Line	_			
To Rear Lot Line	_			
Building Height:				
Height to Principal Eave (ft)				
Height to Highest Ridge (ft)	_			
BUILDING COVERAGE				<del></del>
Principal Building Coverage (sf)	830	1,860	10.25	
Principal Building Coverage (%)	13.38	30	16 55	
Accessory Building Coverage (sf)				
Accessory Building Coverage (%)	-			
IMPERVIOUS SURFACE COVERAGE				
Impervious Surface Coverage (sf)	2,112	3650	2139	
Impervious Surface Coverage (%)	34.06	49	34.5	

Note: See Section 13 of the Zoning Law for requirements related to driveways (e.g., pavement width, curb cuts, setbacks grades; requirements for circular driveways, etc.). See Section 8 of the Zoning Law for requirements related to fences and walls.

Are any variances	required that are not listed on the table above?	VN	o .	Yes	
If yes, describe all	additional variances (provide attachment if necessary)	:			

### Town of Eastchester 40 Mill Road, Eastchester, NY 10709 (914)771-3317

### **NOTICE OF DENIAL**

To: ALEXANDER WENDELBORN

20 DOGWOOD DR

SCARSDALE, NY, 10583

SBL: 63.G/1/12

Application Date: 04/24/2024

NOD Date: 29 April 2024

**Revision Dates:** 

Zone: R-6

For Property Located At: 20 DOGWOOD DR

Please be advised your application for a building permit has been denied. For additional notes, see below.

1. As per Section 4-C-5 the required side yard setback for the principle building is 10'. Your submission lists the setback at 9.2', a deficiency of .8' or 8%.

Carlo Valente - Building Inspector



**Date:** April 30, 2024

Zoning Board of Appeals Town of Eastchester

40 Mill Road

Eastchester, New York 10709

**Project: 20 Dogwood Drive** 

Scarsdale, New York 10583

SBL 63.G / 1 / 12

**Subject:** Project Overview Zoning District: R-6

Requested Relief for an Existing Non-Conforming Side-yard Setback

Dear Sirs:

Please accept this application for an Area Variance to allow for relief of an Existing Non-Conforming Side-yard Setback per Section 4-C-5 of the Town of Eastchester Zoning Code requiring a 10 Foot setback where a 9.2 Foot exists.

This is a deficiency of 0.8 Feet or 8%.

#### **Background:**

The Existing One-Family Residence at 20 Dogwood Drive, built in 1931 predating the current Zoning Code, has an existing covered Screened-in Porch set on a full stone foundation on the South (Left) side of the house.

The existing one-story structure is setback 9.2 Feet from the side yard whereas a 10 Foot setback is required.

This One-Family Residence currently has 3 Bedrooms with 1-1/2 Baths.

### **Proposal:**

We are proposing to convert the existing Screened-in-Porch to a Habitable Den which connects to the Living Room with a Second Story above the Den for a new Walk-in Closet and Primary Bathroom. In addition, to make the space more usable we would like to expand the rooms to the West (back of the house) in alignment with the existing structure/foundation 3'-2". This would maintain the existing 9.2 foot side yard setback. This addition/alteration would update this home to have 2 full Bathrooms on the Second Floor and more usable closet/storage space for the Primary Bedroom and increased the closet space to the adjacent Bedroom.

### **Conclusion:**

This existing One-Family Residence at 20 Dogwood Drive, built in 1931 predating the current Zoning Code, was built with a one story screened-in-porch on a full stone foundation. The Non-Conforming side yard setback is only 0.8 feet or 8% deficient per the current code. Our proposal aligns the alteration/addition with the current setback of 9.2 feet. The cost of removing the foundation and rebuilding would greatly increase the cost of the proposed addition.

We believe the requested use and relief are within the guidelines within the R-6 Residential Zoning District.

- 1. No undesirable change will be produced in the character of the neighborhood and will not be a detriment to nearby properties by granting of this variance.
- 2. The approval for relief from the Side Yard Setback in this lot sought by the applicant can not be achieved by some feasible method given the existing structure during it's original development without major additional cost.
- 3. The request is not substantial for the neighborhood.
- 4. The proposed development will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- 5. The difficulty in developing this property is not self-created. The original development of this property has an existing foundation that does not meet current side-yard setback.

Thank you for your time and consideration.

Leonard Brandes, AIA

### TOWN OF EASTCHESTER PLANNING DEPARTMENT

40 Mill Road Eastchester, NY 10709 Phone: (914) 771-3319 (914) 771-3393

www.eastchester.org

# NOTICE OF PUBLIC HEARING TOWN OF EASTCHESTER ZONING BOARD OF APPEALS

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of
Eastchester will hold a public hearing on:
10E5DAY , MAY 14 , 20 <u>24</u> , at <u>7:00</u> , p.m. (day of week) (month and date) (year) (time)
at the Town of Eastchester Town Hall, 40 Mill Road, Eastchester, New York, in the Court Room/Auditorium on the application of:
LEONARD BRANDES ARCHITECT FOR WENDELBORN RESIDORN RESIDOR
for:
SIDE YARD AREA VARIANCE  (area variance(s), use variance, interpretation, site plan, subdivision, architectural review and/or special permit approval)
related to: PROPOSED ENCLOSING EXISTING SCREENED-IN-PORCHI (describe the proposed project)  # ADD 24 FLOOR ABOVE PORCH FOR BATH + CLOSET
affecting the premises identified as the following Section(s), Block(s) and Lot(s) on the Tax Map of the Town of Eastchester: $63. G = 1.2$
and located at the following address:
20 DOGWOOD DRIVE (street address)
Notes:
1. Visit the town's website ( <a href="www.eastchester.org">www.eastchester.org</a> ) to access the most current agenda prior to each meeting. If you have any questions regarding the Public Hearing or any of the agenda items, you can contact the Building & Planning Department at (914) 771-3319. Applications are available for review electronically by clicking the link at the top of the agenda and physically in the Planning Department.
2. The purpose of this Notice is to notify you of the Public Hearing for the referenced project in case you would like to attend and/or participate in the meeting and/or comment on the application. However, you are not required to attend the meeting or to respond to this notice.

# AFFIDAVIT OF MAILING AND PUBLICATION OF THE LEGAL NOTICE FOR A PUBLIC HEARING

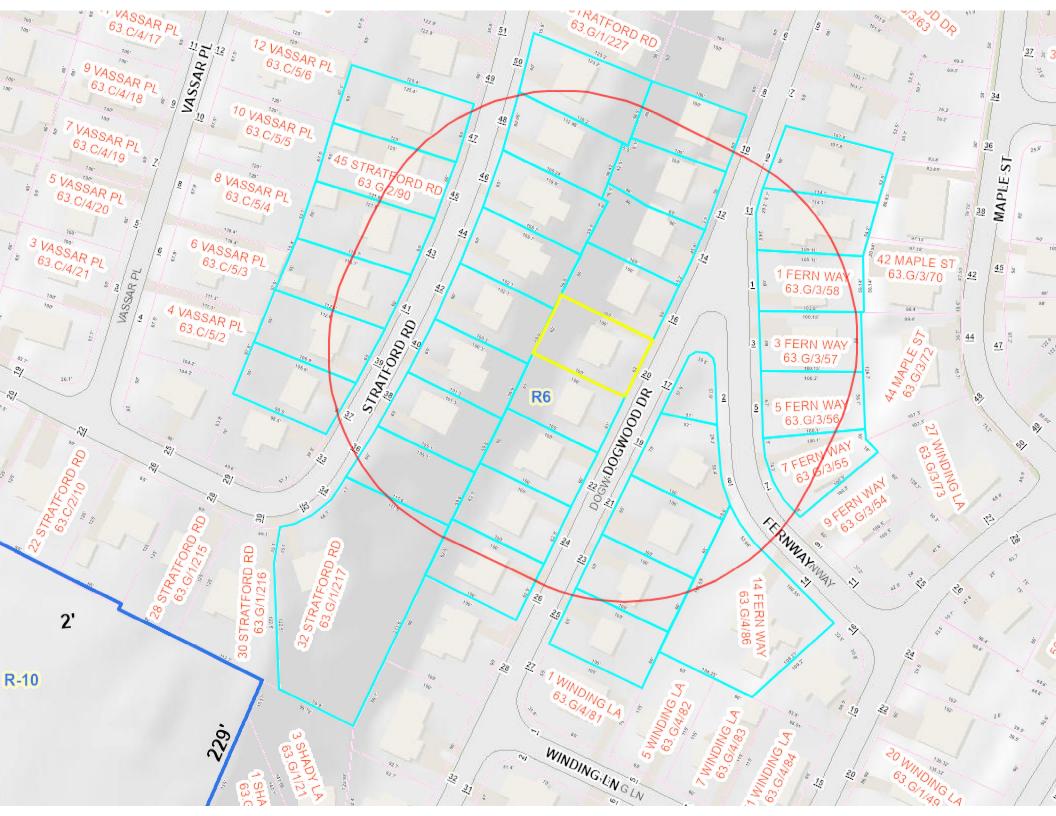
Check One:							
	lanning Boar						
	oning Board						
A	architectural	Review I	Board (AR	(B)			
Name and Loca	ition of Proj	ject:	20 DC	6 WOOD	DRIVE	RESIDENCE	
Section 63	6	Rlock	1	I at(	e) 12		
	, ,	DIOCK	1	, LOU	12		
State of New Yo	vek	ì					9
County of West	chester	}	ss:				
I, LE	eomard	BRAT	10ES	, being o	łuly sworn,	depose and say as follows:	
1 I am the see		11		C.1 C			
1. I am the ages	nt, owner or	regal rep	resentative	of the refer	enced prope	erty.	
(including the	hose in adia	property	owners R	s if applied	1 200 feet o	f the boundaries of the referen	ced property
accordance v	with the instr	nctions r	morpantie rovided it	s ii applica	A and ADI	eet address and section, bloc 3 Application Packages.	k and lot in
3. Lunderstand	that individ	uctions p	ominium	wners must	he included	on the list of property owners	1 :4 :
responsibilit	v to verify if	any cond	dominium	s are located	within the	200-foot radius.	and it is my
4. I have sent a	copy of the	legal not	ice to eac	h and every	oronerty ow	ner within 200 feet of the bour	darias af tha
referenced p	roperty post-	-dated no	less than	10 days prio	r to a PR or	ZBA meeting and no less than	5 days prior
to an ARB n	neeting. The	notices v	vere sent	PS Form 387	7 by Certifi	ed Mail and I have obtained al	1 Doctmarked
PS Form(s)	3877 as prod	of of mai	iling (and	as indicated	in the PB	ZBA, and ARB Application P	ackages did
not request p	property own	er signat	ures or ret	urn receipts)		2321, and 711CD replication 1	ackages, uiu
5. I have attach	ed the origin	nals or co	pies of all	postmarked	PS Form(s)	3877 to this Affidavit.	
6. I have arran	ged the publ	lication of	of the Not	ice of Public	Hearing in	n a newspaper of general circu	lation in the
Town of East	stchester no	less than	10 days	prior to a PI	3 or ZBA n	neeting and no less than 5 day	s prior to an
ARB meetin	g.						
7. As soon as i	t is provided	to me, I	will prov	ide the Plan	ning Depart	ment with the affidavit of publ	lication from
the publishe	r of the news	spaper.					
8. I understand	that this sign	ned and r	notarized A	Affidavit mu	st be submit	tted, along with the originals or	copies of all
postmarked	PS Form(s) 3	3877, to t	the Planni	ng Departme	nt prior to b	eing heard by the PB, ZBA, or	ARB.
1	D	1	1 1				
(print name)	7-2-1-1	UTA	Alt				
	_						
7 1 t	-		>				
(signature)							
Sworn to me thi	s 20m	day of	llung		, 20 24		
	7	day 01	/ (w	5	, 20 8 1		
111	1						
(Westchester County No	tary Public)			-			

JACQUELINE DONOGHUE

Notary Public - State of New York
NO. 01D06385516
Qualified in Bronx County 2023
My Commission Expires Jan 7, 2023

Town of Eastchester

January 11, 2024



TITLE No. TP 126266

### ARISTOTLE BOURNAZOS, P.C.

LAND SURVEYORS - PLANNERS

This is to certify that I have surveyed Lot No. 12 and a portion of Lot No. 11 as shown on " Subdivision Map of Green Vale, property of the Scarsdale Estates, " in the Town of Eastchester,

Westchester County, New York.

Filed in the Westchester County Clerk's Office Division of Land Records on Aug. 14, 1930 as Map No. 3698

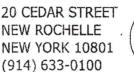
I have located all existing buildings and lines of possession and have shown their positions hereon

Survey completed: June 3, 2013

Map Drafted: June 10, 2013 on scale of one inch to 15 feet.

I hereby certify this survey to: TitlePro Agency, LLC

First American Title Insurance Company Alejandro Hari Cruz and Jennifer Emilie Cruz Wells Fargo Bank, N.A.



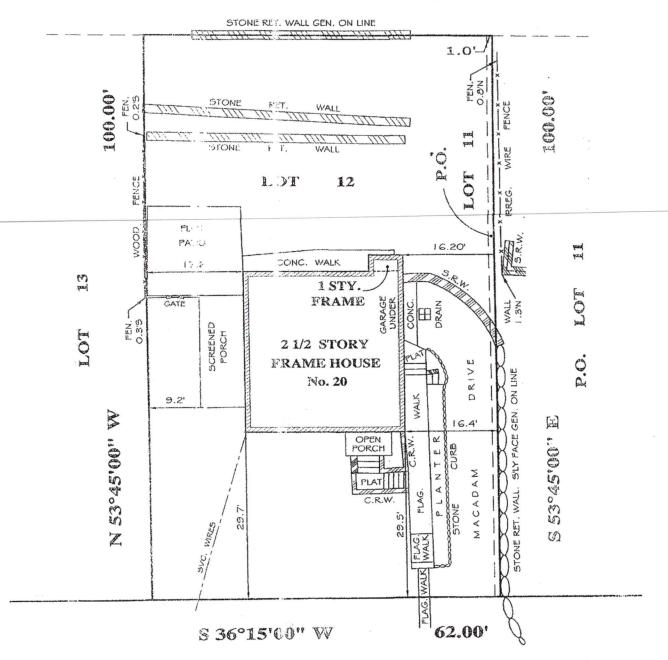






N 36°15'00" E

62.00



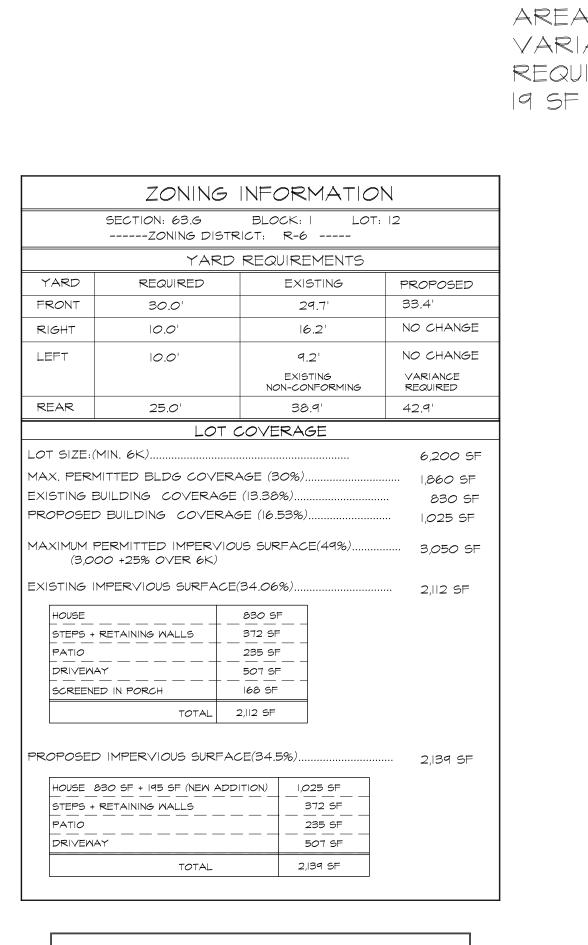
#### DRIVE DOGWOOD

Guarantees or certifications indicated hereon shall run only to the person for whom the survey is prepared, and on his behalf to the Title Company, Governmental Agency and Lending Institution listed hereon. Guarantees or curtifications are not transferable to additional Institutions or subsequent " DOGW20DR

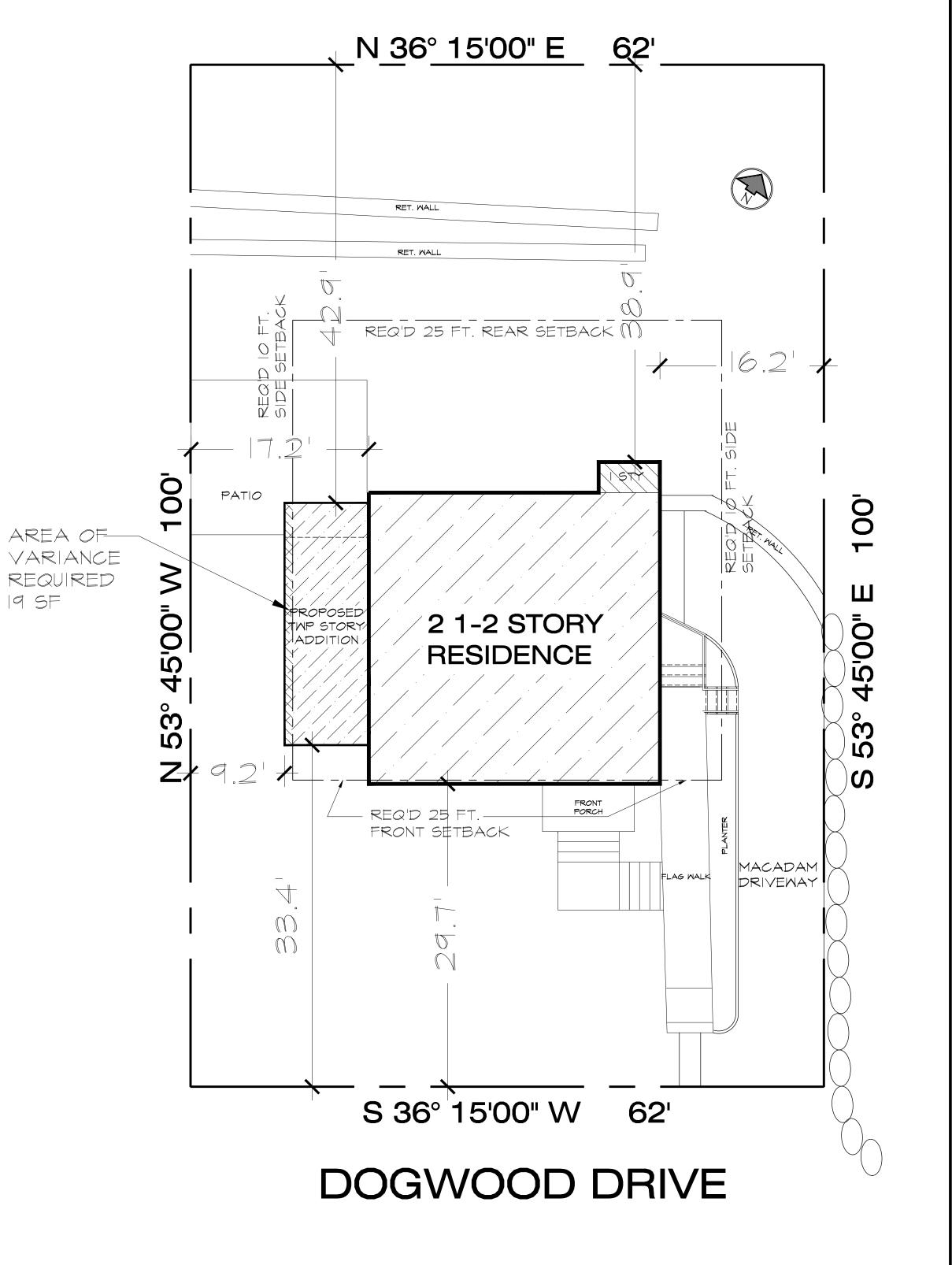
Unauthorized alteration or additions to this survey map is a violation of section 7209 sub-section 2, of the New York State Education Law. No guarantee is implied by this map as to the existence or non-existence of any easements of record that would affect subject property, unless surveyor has been furnished a complete copy of the title report.

Dimensions shown from structures to property lines are not intended to be used for construction of fences, structures or other improvements.  $^{-1}$ 



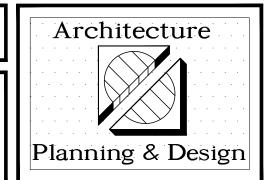


	DRAWING LIST
SY-001	SITE PLAN, ZONING INFO
A-101	DEMO & PROPOSED FIRST FLOOR PLAN
A-102	DEMO & PROPOSED SECOND FLOOR PLAN
A-200	PROPOSED VS EXISTING ELEVATIONS
A-201	PROPOSED VS EXISTING ELEVATIONS



Leonard H. Brandes · ARCHITECT

TWO SPENCER PLACE SCARSDALE 914-472-8421 SUITE 12 NEW YORK 10583 NCARB Certified



	R	EVISIONS	
No.	Date	Revisions	
Drav	vn By:	E.B.	

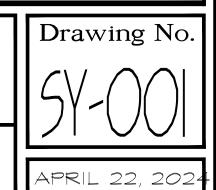
Project. 20 DOGNOOD RESIDENCE

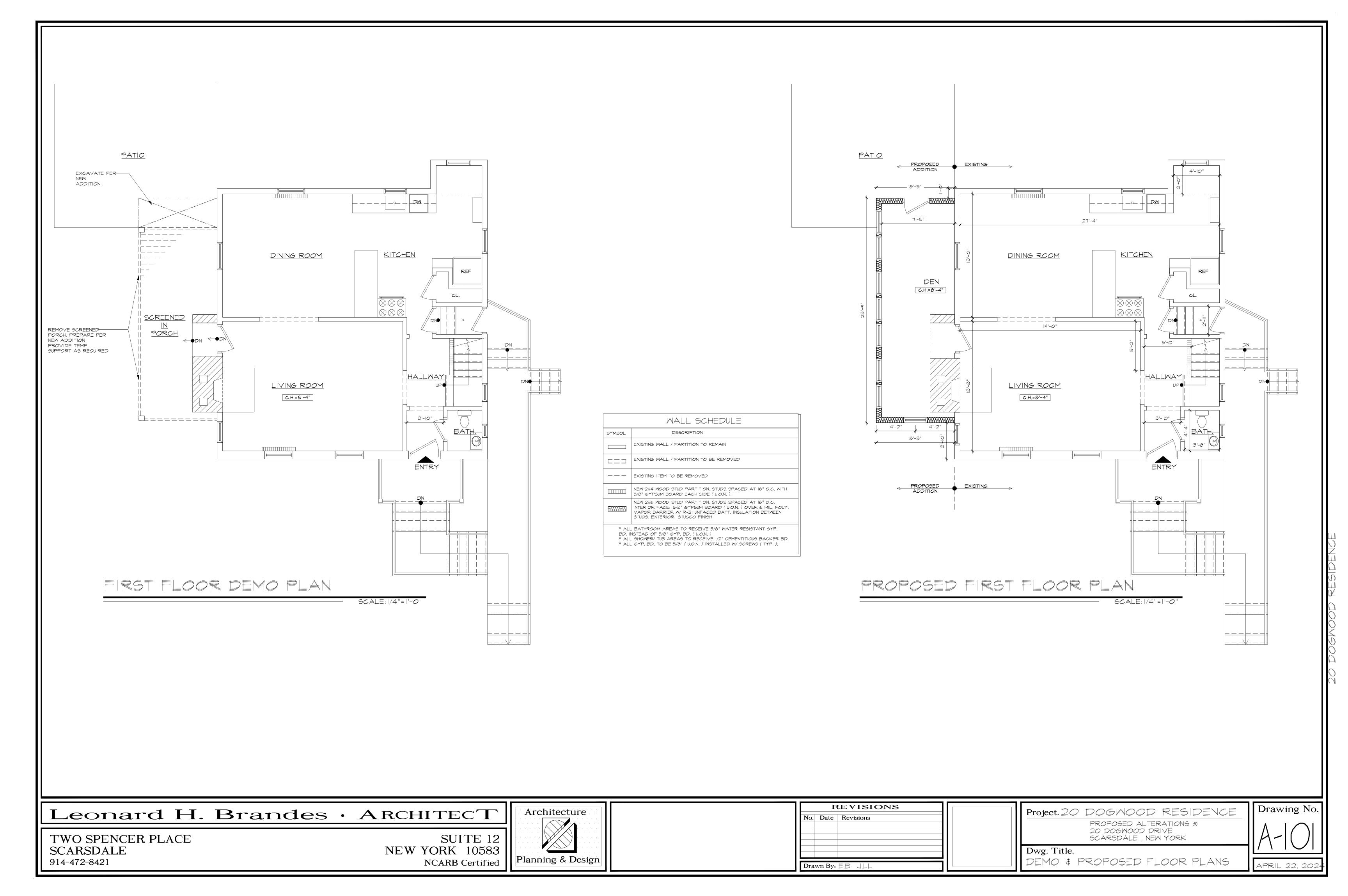
PROPOSED ALTERATIONS @

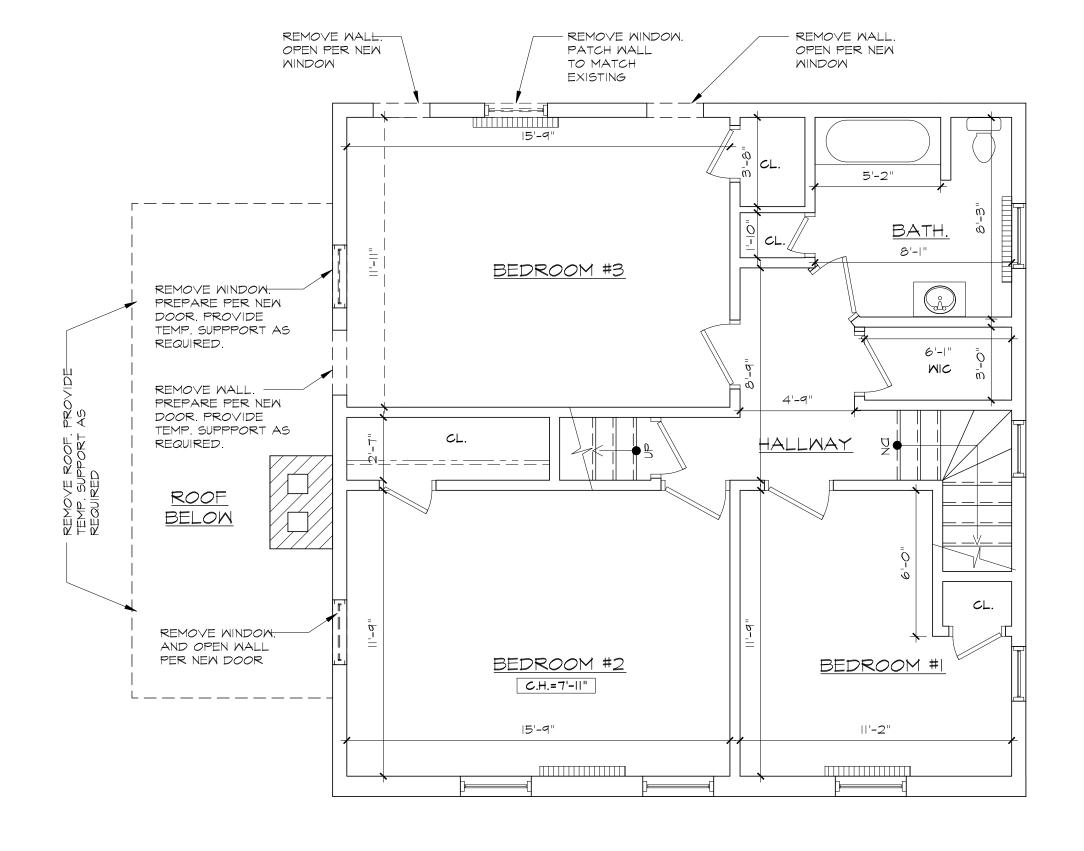
20 DOGNOOD DRIVE

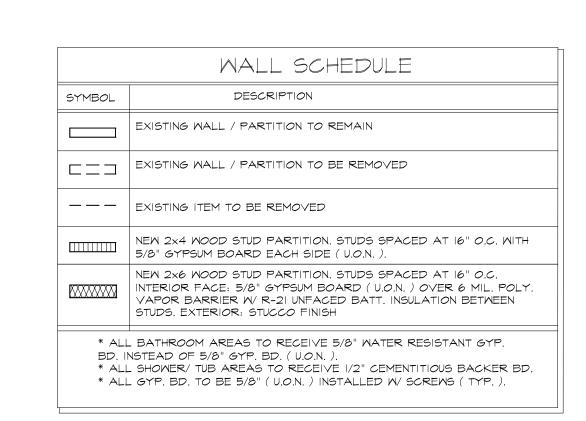
SCARSDALE, NEW YORK

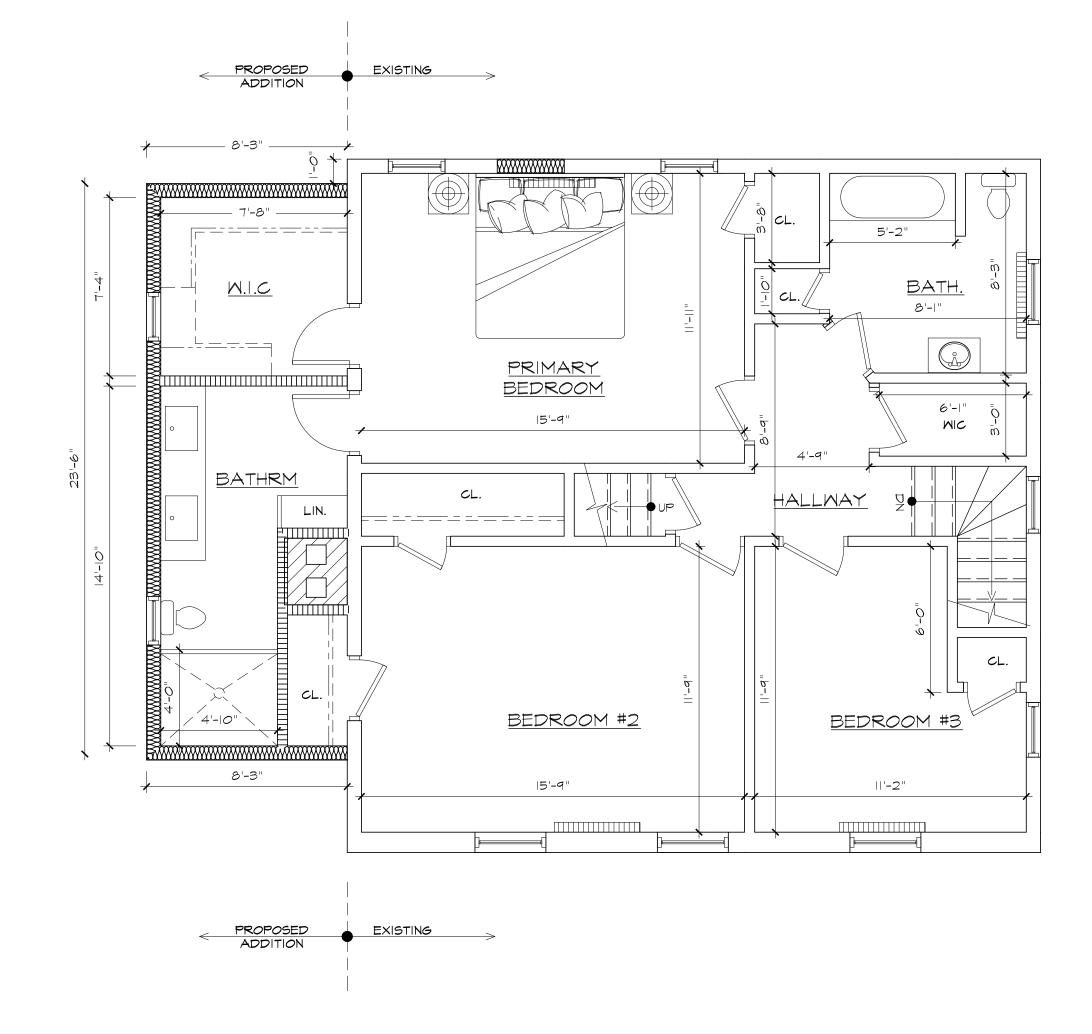
Dwg. Title.











PROPOSED 2ND FLOOR PLAN

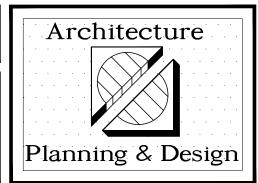
SCALE: |/4"=|'-0"

2ND FLOOR DEMO PLAN

SCALE: 1/4"=1'-0"

# Leonard H. Brandes · ARCHITECT

TWO SPENCER PLACE SCARSDALE 914-472-8421 SUITE 12 NEW YORK 10583 NCARB Certified



F	REVISIONS	
No. Date	Revisions	
Drawn By:	FB .III	

Project. 20 DOGNOOD RESIDENCE

PROPOSED ALTERATIONS @

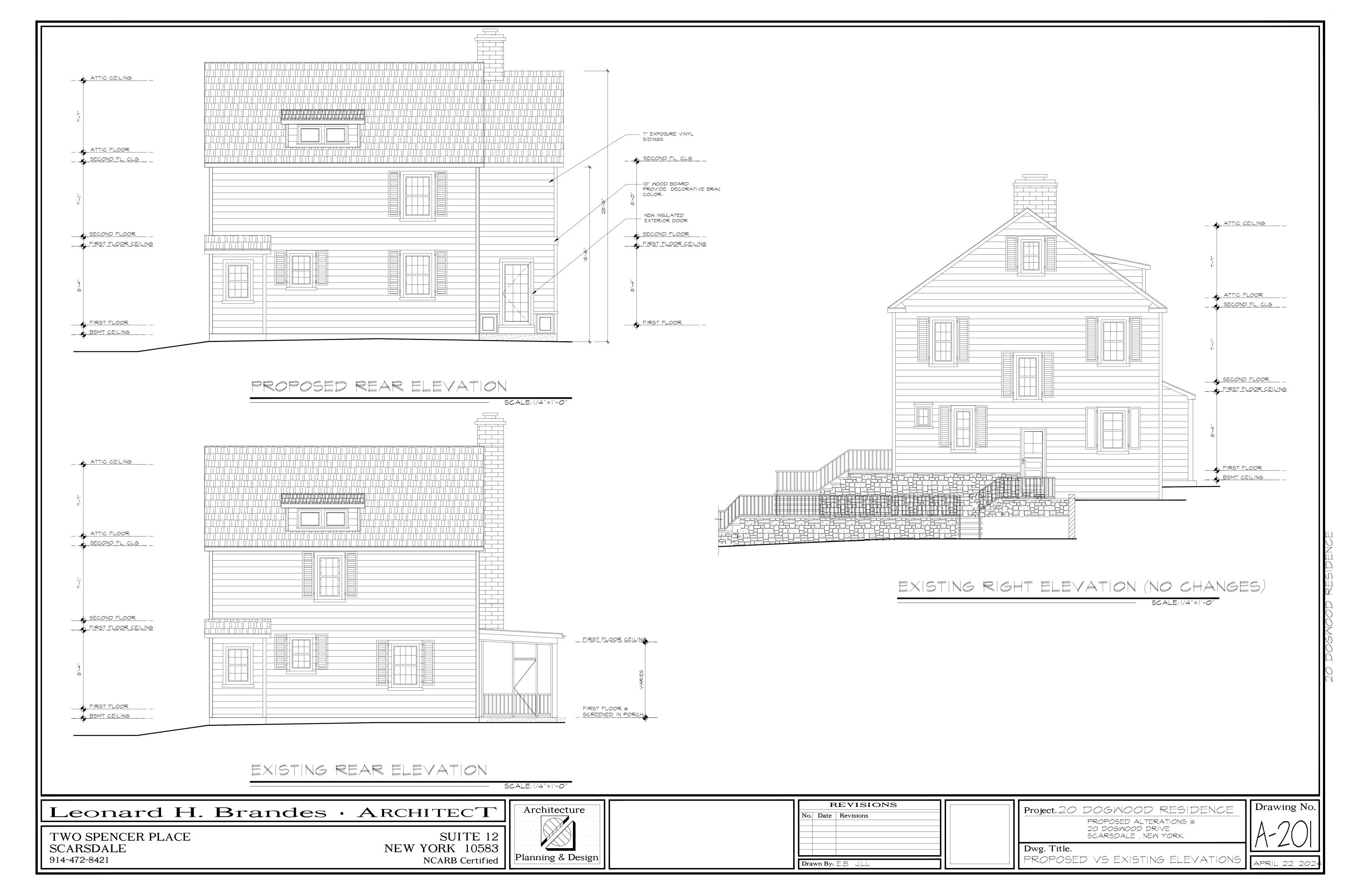
20 DOGNOOD DRIVE

SCARSDALE, NEW YORK

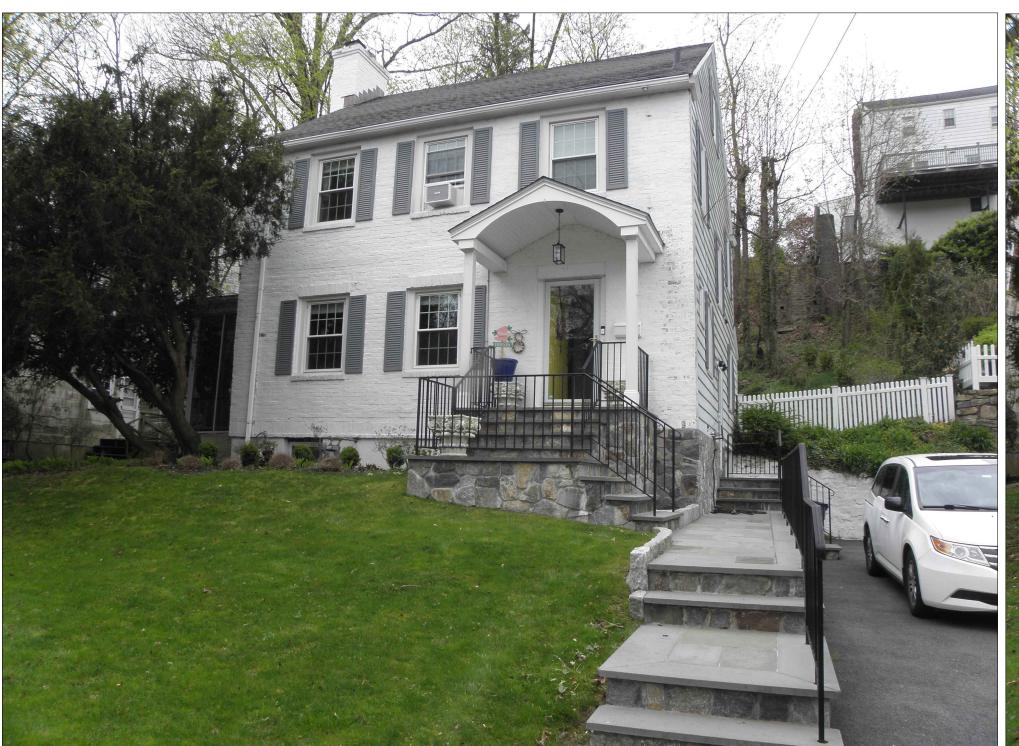
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DEMO & PROPOSED FLOOR PLANS















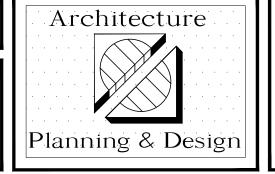




# Leonard H. Brandes · ARCHITECT

TWO SPENCER PLACE SCARSDALE 914-472-8421

SUITE 12 NEW YORK 10583 NCARB Certified

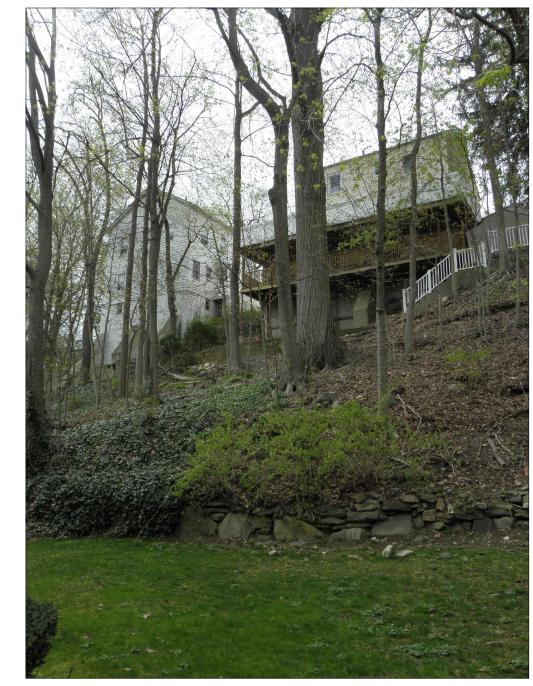


	REVISIONS		
No.	Date	Revisions	
	-		-

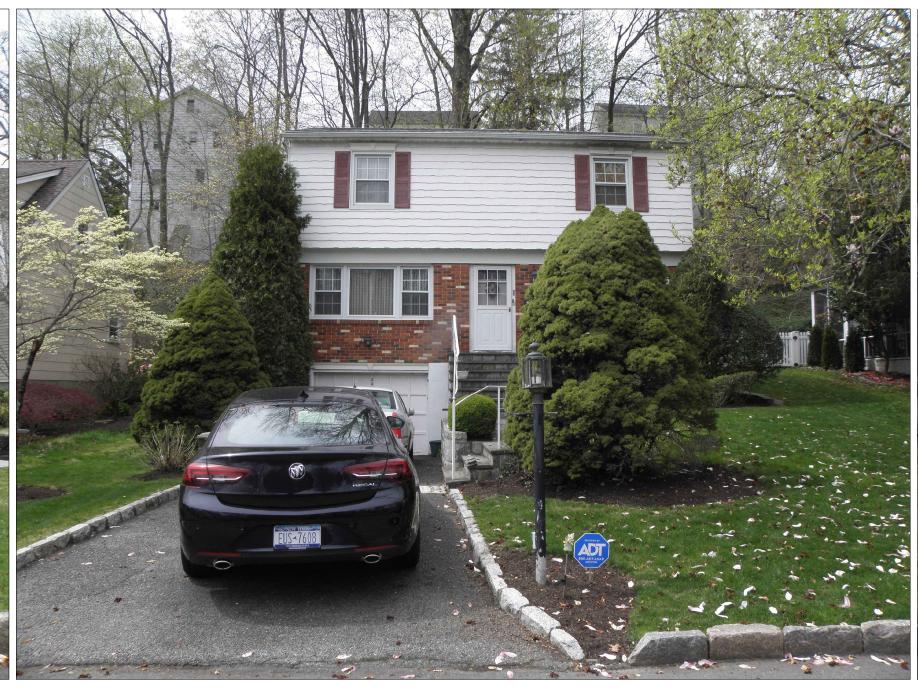
Project.20 DOGWOOD RESIDENCE PROPOSED ALTERATIONS @ 20 DOGWOOD DRIVE SCARSDALE , NEW YORK

Dwg. Title. PHOTOS OF EXISTING HOUSE

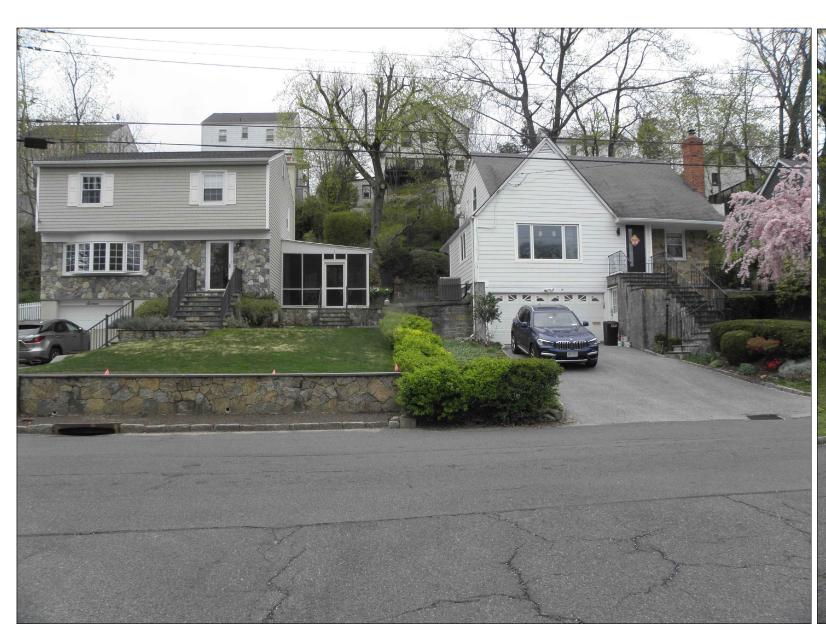












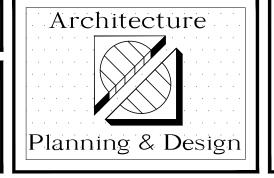






Leonard H. Brandes · ARCHITECT

TWO SPENCER PLACE SCARSDALE 914-472-8421 SUITE 12 NEW YORK 10583 NCARB Certified



REVISIONS	
No. Date Revisions	11
	$\mathbf{H}$
Drawn By: E.B.	<b>7</b>

Project.20 DOGWOOD RESIDENCE

PROPOSED ALTERATIONS @
20 DOGWOOD DRIVE
SCARSDALE, NEW YORK

Dwg. Title.
PHOTOS OF NEIGHBOR HOUSES

