

ZONING BOARD OF APPEALS APPLICATION

Project Name, If Applicable: Bietsch Residence

Project Street Address: 3 Lucille Place, Bronxville, NY 10708

Section: 80.G **Block:** 1 **Lot(s):** 19.A **Zone:** R-7.5

Applicant: Maria T. Bietsch

Address: 3 Lucille Place, Bronxville, NY 10708

Phone #: (914) 772-0828 **Email:** e.bietsch4@gmail.com

Owner: Maria T. Bietsch

Address: 3 Lucille Place, Bronxville, NY 10708

Phone #: (914) 772-0828 **Email:** e.bietsch4@gmail.com

Architect/Engineer: Louis Campana AIA

Address: 8 Pasadena Road, Bronxville, NY 10708

Phone #: (914) 573-6804 **Email:** louis@louiscampanaarchitect.com

Attorney: _____

Address: _____

Phone #: _____ **Email:** _____

Application is for:

_____ An interpretation of the Zoning Law or a determination of the Building Inspector

x _____ Area variance(s)

_____ Use Variance

_____ Special Permit Use

Description of the proposed project and nature of the interpretation, variance(s) and/or special permit being sought: _____

_____ Driveway expansion, reduce curb cut to bring it into conformance (22')

_____ pavement width exceeds 20' maximum

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

*Short Environmental Assessment Form is available on the Town's website at www.eastchester.org.

ZONING COMPLIANCE TABLE ONE- AND TWO-FAMILY RESIDENCES

(New Construction and Additions)

ZONE: R-7.5

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 (even if already approved by the ZBA).

	Existing	Required/ Permitted	Proposed	Variance Required
LOT INFORMATION				
Lot Area (sf)	9,851.30	7,500	NO CHANGE	NO
Lot Frontage (ft)	-	75	NO CHANGE	NO
Yard Setbacks (ft):				
Front Yard	30'-4"	30'-0"	NO CHANGE	NO
Rear Yard	42'-5 3/8"	25'-0"	NO CHANGE	NO
First Side Yard	11'-10-13/16"	12'-0"	NO CHANGE	NO
Second Side Yard	10'-8 3/8"	12'-0"	NO CHANGE	NO
Side Yard Adjoining Street	-	14'-0"	NO CHANGE	NO
PRINCIPAL BUILDING INFORMATION				
Gross Floor Area (sf)	-	3,235.13	NO CHANGE	NO
Building Height:				
Stories	-	2 1/2	NO CHANGE	NO
Height to Principal Eave (ft)	-	23	NO CHANGE	NO
Height to Highest Roof Ridge (ft)	-	33	NO CHANGE	NO
ACCESSORY STRUCTURES				
Detached Garage				
Setbacks:				
To Principal Building				
To Side Lot Line				
To Rear Lot Line				
Building Height:				
Height to Principal Eave (ft)				
Height to Highest Ridge (ft)				
Other Accessory Structure (indicate type of structure – shed, pool, etc.)				
Type of Structure				
Setbacks:				
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				
Principal Building Coverage (sf)				
Principal Building Coverage (%)				
Accessory Building Coverage (sf)				
Accessory Building Coverage (%)				
IMPERVIOUS SURFACE COVERAGE				
Impervious Surface Coverage (sf)	4,215.50	3,962.82	4,721.05	YES
Impervious Surface Coverage both (%)	42.79%	40.23%	47.92%	-

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 (or were any variances approved by the ZBA) that are not listed on the table above?

☒ Yes ☐ No

If yes, describe all additional variances: Sec. 9-P.Variance for Impervious Surface Coverage

Sec. 13-J.4 - width of pavement

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

NOTICE OF DENIAL

To: MARIA T BIETSCH,
3 LUCILLE PLACE

BRONXVILLE, NY, 10708

SBL: 80.G/1/19.A
Application Date: 03/27/2024
NOD Date: 1 April 2024
Revision Dates: 8 May, 2024
Zone: R-7.5

For Property Located At: **3 LUCILLE PLACE**

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

1. As per Section 13-J-4, the maximum allowable width of a driveway is 20'. Your submission lists the width (at its widest point) at 37.31', an excess of 17.31', or 86.55%.
2. As per Section 9-P, the maximum impervious surface is 3,962.82 sq. ft. Your submission lists the area at 4,721.05 sq. ft., an excess of 758.23 sq. ft. or 19.13%.



Carlo Valente - Building Inspector

Project: 3 Lucille Place, Bronxville NY 10708

Date: 04.02.22

Attn: Mrs. Wolfson
Town of Eastchester Building and Planning Department
40 Mill Road Eastchester, NY 10709

LOUIS CAMPANA

— ARCHITECTS

Dear Mrs. Wolfson,

Herewith is an application to the Town of Eastchester Zoning Board of Appeals proposing a driveway expansion at 3 Lucille Place. As viewed on the site plan and attached areal photograph, the lot is awkward in shaped and is at the terminus of a cul-de-sac. The dwelling is serviced by an existing detached 2 car garage that is primarily used for equipment and storage of recreational vehicles among other items regularly stored in a garage. The Property Owner's have two daughters, one of which has already begun driving and another who will be driving within the next few years. And the current driveway is insufficient for the families needs. The arch and diameter of the cul-de-sac including the properties location along its arch creates an uncomfortable and unsafe back-up while exiting the property and the size of the cul-de-sac prevents on street parking which is very cumbersome when guests are visiting.

The driveway expansion requires two variances. The first variance the applicant seeks is for impervious coverage. The existing impervious coverage currently exceeds the max allowable by 252 square feet and we are proposing to increase that by an additional 506 square feet. This results in a total impervious coverage of 4,721.05 sf or a 16% variance.

The second variance the applicant seeks is for driveway width. The regulations allow for 20'-0" max driveway width and we seek a variance to increase a portion of the width to 37'-3 3/4" or a 46.4% variance at its widest point. The reason for widening a portion of the driveway to 37'-3 3/4" is to allow a parking space along side of the garage and to keep the off street parking as far from the front property line as possible.

The Applicant is proposing to reduce the width of the existing non-conforming curb cut to bring it into conformity with the zoning regulations (22'-0"). This omits the need for a third variance.

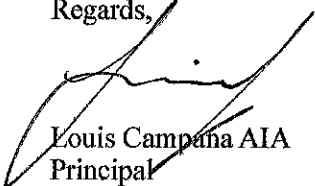


Test for Area Variances

1. There will not be an undesirable change to the character of the neighborhood and no burden placed on neighboring properties as a result of granting relief. The proposed driveway expansion will prevent the need to park cars within the cul-de-sac (when allowable by town code) resulting in a safer condition for the applicant and neighbors on the opposite side of the street. The driveway configuration creates an additional parking space along side of the garage keeping it as far away from the front property line as possible.
2. The benefit to the owner cannot be achieved by some other method feasible to pursue other than an area variance because any expansion will result in a variance for additional impervious coverage. We believe that the proposed action results in the least amount of new impervious coverage based on many configurations considered.
3. The requested area variance is not substantial. We explored other driveway configurations and the proposed plan results in the least amount of additional coverage and width. If a turn-around was introduced (parking spot situated perpendicular to the existing driveway) it will increase the driveway width by an additional 8'-0".
4. The proposed variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood because the proposed improvements are consistent with other properties in the neighborhood and we are including a drainage system to accommodate the entire driveway. Currently there is no drainage for the existing driveway so we believe that this action is a betterment to the immediate neighborhood and environment by mitigating water runoff into the street and onto neighboring properties.
5. The alleged difficulty may be considered self-created due to the increase in impervious coverage however, the awkward shape of the lot and the properties location along the arch of the cul-de-sac creates awkward conditions for the applicant and family.

We look forward to presenting the project to the board at the next meeting. If you need any further information please feel free to contact me at any time.

Regards,



Louis Campana AIA
Principal



**TOWN OF EASTCHESTER
BUILDING & PLANNING DEPARTMENT**

40 Mill Road
Eastchester, NY 10709

Phone: (914) 771-3317
Fax: (914) 771-3322

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:

_____ Tuesday _____, May 14th _____, 20 24 _____, at 7:00 _____, 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:

_____ Maria T. Bietsch _____
(name of application/applicant)

for:

_____ Area Variance _____
(area variance(s), use variance, interpretation, site plan, subdivision, architectural review and/or special permit approval)

related to: _____ Driveway expansion, reduce curb cut to bring it into conformance (22') _____
(describe the proposed project)

affecting the premises identified as the following Section(s), Block(s) and Lot(s) on the Tax Map of the Town of Eastchester:

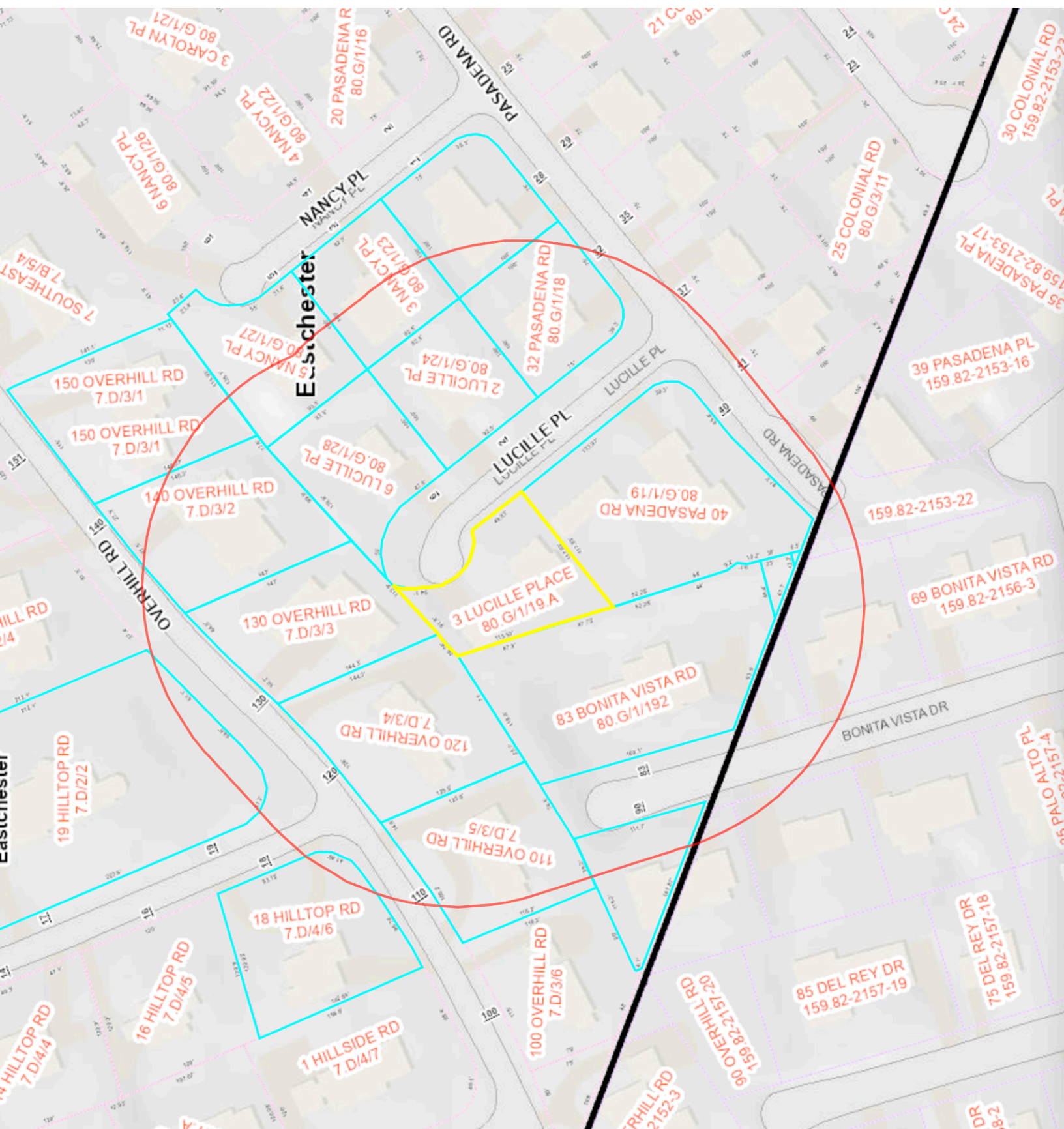
Section: 80.G Block: 1 Lot: 19.A

and located at the following address:

_____ 3 Lucille Place, Bronxville, NY 10708 _____
(street address)

Notes:

1. Visit the town's website (www.eastchester.org) 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 or lherbert@eastchester.org. Applications are available for review electronically by clicking the link at the top of the agenda and physically in the Building & 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.



THE Eastchester REVIEW

Affidavit of Publication

STATE OF NEW YORK }

COUNTY OF WESTCHESTER }

I, Nancy Kaplan, duly swear that I am the Assistant to the Publisher of The Eastchester Review, a weekly community based newspaper in White Plains, New York, and further swear that the attached legal notice ran in said newspaper on the following dates:

May 3, 2024

The text of the notice as published in said newspaper is as set forth in annexed exhibit. This newspaper has been designated by the clerk of Westchester County for this purpose.



Nancy Kaplan

Assistant to the Publisher of the Eastchester Review

Sworn to before me on this 3rd day of May, 2024.



Notary's signature:

STEVEN KAPLAN
Notary Public, State of New York
No. 02KA4824403
Qualified in Westchester County
Commission Expires Sept. 30, 2026

NY Secy of State (SSNY) on 4/5/2024 Office location: Westchester County, SSNY

Articles of Organization were filed with Secretary of State of New York (SSNY) on 03/18/2024. Office location: Westchester County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail a copy of any process against the LLC to: 2 Monto Dr, Cortlandt Manor, NY 10567. Purpose: any lawful purpose.

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