

David A. Barbuti, Architect, PC
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January 19, 2021

Legalization of a 10'x18' above ground pool
and surrounding wood deck at
48 Harney Road
Eastchester, New York
Zone- R6
S/B/L -57-6-30
ZBA case # 21-03

Dear Mr. Chairman and members of the Board;

After hearing the Board's concerns at the January 12, 2021 Zoning Board of Appeals meeting, I had a discussion with my client, and we have modified the existing plan in order to remove two (2) of the requested Variances (side and rear setbacks to the deck surrounding the pool).

The attached plan has reduced the deck size at the West side, eliminating the Variance request, and we have eliminated the deck at the rear of the pool (South side) in its entirety. The side yard setback to the Deck on the West side (right side) is now 5.2' proposed (5.0' min. required), and at the South side (rear) the setback is 5.2' proposed (5.0' min. required).

We will still be requesting a Rear yard setback Variance to the pool per Section 9-5(6) - no part of a swimming pool shall be closer than 10 ft. to a side and rear property line; *proposed 5.1 ft. at rear (a deficiency of 4.9 ft./49% variance).*

The applicant and owner shall comply with any reasonable conditions set forth by this Zoning Board of Appeals necessary.

If you should have any questions or comments, please feel free to contact my office at 914-909-5143.

Sincerely,



David A. Barbuti, R.A.



ZONING BOARD OF APPEALS APPLICATION

Project Name, If Applicable: RIDULFO
 Project Street Address: 48 HARNEY RD SCARSDALE, NY 10583
 Section: 57 Block: C Lot(s): 30 Zone: R4

Applicant: DAVID A. BARBUTI, RA.
 Address: 150 WHITE PLAINS RD, SUITE 103 TARRY TOWN, NY 10591
 Phone #: 914-760-1120 / 909-5143 Email: dave@barbutiarchitects.com

Owner: MR./MRS. RIDULFO
 Address: 48 HARNEY RD SCARSDALE, NY 10583
 Phone #: 914-557-0756 Email: BLAISECONSTRUCTIONCORP@GMAIL.COM

Architect/Engineer: DAVID A. BARBUTI, RA.
 Address: 150 WHITE PLAINS RD SUITE 103 TARRY TOWN, NY 10591
 Phone #: 914-760-1120 / 909-5143 Email: dave@barbutiarchitects.com

Attorney: —
 Address: _____
 Phone #: _____ Email: _____

Application is for:

- ☐ An interpretation of the Zoning Law or a determination of the Building Inspector
☒ 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: LEGALIZE 10' x 18' ABOVE Grd. Pool &

WOOD DECKS

Variance Requested:

1. SECTION 9-5(6) no part of a swimming pool shall be closer than 10' to side & rear property line:
 proposed 5.2' (DEFICIENCY of 4.8' or 49%).

ZONING COMPLIANCE TABLE
ONE- AND TWO-FAMILY RESIDENCES
(New Construction and Additions)

ZONE: R6

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				
Lot Area (sf)	4,698.0	6,000	4,698 EX	
Lot Frontage (ft)	60.0'	60.0	60.0 EX	
Yard Setbacks (ft):				
Front Yard	24.9'	30.0'	24.9 EX	
Rear Yard	38.5'	25.0'	38.5 EX	
First Side Yard	9.8'	10.0'	9.8 EX	
Second Side Yard	9.6'	10.0'	9.6 EX	
Side Yard Adjoining Street	—	—	—	—
PRINCIPAL BUILDING INFORMATION				
Gross Floor Area (sf)	3832±			
Building Height:				
Stories	2 STY	2 1/2 STY	2 STY EX	
Height to Principal Eave (ft)	20.0'±	23.0	20.0± EX	
Height to Highest Roof Ridge (ft)	28.0±	33.0	28.0± EX	
ACCESSORY STRUCTURES				
Detached Garage				
Setbacks:	N/A			
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.) <u>POOL</u>				
Setbacks:				
To Principal Building		10.0	23.3	
To Side Lot Line		10.0	17.7	
To Rear Lot Line		10.0	5.2'	YES
Building Height:				
Height to Principal Eave (ft)				
Height to Highest Ridge (ft)				
BUILDING COVERAGE				
Principal Building Coverage (sf)	1916.0 SF			
Principal Building Coverage (%)	28.6%	30%		
Accessory Building Coverage (sf)				
Accessory Building Coverage (%)		7%	724 SF 10.8%	
IMPERVIOUS SURFACE COVERAGE				
Impervious Surface Coverage (sf)	3096 SF			
Impervious Surface Coverage both (%)	46.2%			

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?

☒ No

☐ Yes

If yes, describe all additional variances (provide attachment if necessary):

**TOWN OF EASTCHESTER
BUILDING & PLANNING DEPARTMENT**

40 Mill Road
Eastchester, NY 10709

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

building@eastchester.org
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, FEBRUARY 9TH., 2021, 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, or remotely using Zoom (see note below) on the application of:

MR/MRS. RIDOLFO (OWNER) / DAVID BARBUTI, RA.
(name of application/applicant)

AREA VARIANCE for:
(area variance(s), use variance, interpretation, and/or special permit approval)

related to: SECTION 9-5(6) - REAR YARD SETBACK to pool (10' req'd / 5.2' prop)
(describe the proposed project)

affecting the premises identified as Section 57, Block 6,
Lot(s) 30

on the Tax Map of the Town of Eastchester, New York and located at the following address:

48 HARNEY RD. EASTCHESTER, NY
(street address)

Note: The meeting may be conducted in person in Town Hall or remotely using Zoom. Please check the meeting agenda on the Town's website (www.eastchester.org) or call the Building & Planning Department prior to the meeting to verify the meeting forum. Application materials can be viewed from a link on the agenda. Please contact the Building & Planning Department if you have any questions.

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

Check One:

☐ Planning Board (PB)
☒ Zoning Board of Appeals (ZBA)
☐ Architectural Review Board (ARB)

Name and Location of Project:

RIDULFO
48 HARNEY RD EASTCHESTER, NY
Section 57, Block 6, Lot(s) 30

State of New York }
County of Westchester } ss:

I, _____, being duly sworn, depose and say as follows:

1. I am the agent, owner or legal representative of the referenced property.
2. I have prepared a list of property owners located within 200 feet of the boundaries of the referenced property, by street address and section, block and lot in accordance with the instructions provided in the PB, ZBA, and ARB Application Packages.
3. I understand that individual condominium owners must be included on the list of property owners and it is my responsibility to verify if any condominiums are located within the 200-foot radius.
4. I have sent a copy of the legal notice to each and every property owner within 200 feet of the boundaries of the referenced property post-dated no less than 10 days prior to a PB or ZBA meeting and no less than 5 days prior to an ARB meeting. The notices were sent using Certified Mail and I have obtained the Certificates of Mailing (Certified Mail Receipts) as proof of mailing (and as indicated in the PB, ZBA, and ARB Application Packages, did not request property owner signatures or return receipts).
5. I have attached the originals or copies of all Certificates of Mailing to this Affidavit.
6. I have arranged the publication of the Notice of Public Hearing in a newspaper of general circulation in the Town of Eastchester no less than 10 days prior to a PB or ZBA meeting and no less than 5 days prior to an ARB meeting.
7. As soon as it is provided to me, I will provide the Building & Planning Department with the affidavit of publication from the publisher of the newspaper.
8. I understand that this signed and notarized Affidavit must be submitted, along with the originals or copies of the Certified Mail Receipts, to the Building & Planning Department prior to being heard by the PB, ZBA, or ARB.

(print name)

(signature)

Sworn to me this _____ day of _____, 20____

(Westchester County Notary Public)

**BATTAGLIA J &
R -
18 TUDOR LA
SCARSDALE, NY 10583**

**BADER B &
I -
21 DOWNER AVE
SCARSDALE, NY 10583**

**SIGURDSSON, EINAR -
23 DOWNER AVE
SCARSDALE, NY 10583**

**LEVEN ANDREW &
DIANE -
22 TUDOR LA
SCARSDALE, NY 10583**

**WEBER PAUL R -
24 TUDOR LA
SCARSDALE, NY 10583**

**SUMMERFIELD BROOK INC -
78 BROOK ST
SCARSDALE, NY 10583**

**MIGDAL DAVID &
SHERRI -
55 WOODRUFF AVE
SCARSDALE, NY 10583**

**BLINDMAN, STANLEY -
12 TUDOR LA
SCARSDALE, NY 10583**

**MONACO IV LOUIS -
3 TUDOR LA
SCARSDALE, NY 10583**

**AMOROSO M &
M -
17 TUDOR LA
SCARSDALE, NY 10583**

**RENZO SALVATORE -
19 TUDOR LA
SCARSDALE, NY 10583**

**RIDULFO LUCY -
48 HARNEY RD
SCARSDALE, NY 10583**

**BEADES BRIAN -
21 TUDOR LA
SCARSDALE, NY 10583**

**LAGANA F -
72 WOODRUFF AVE
SCARSDALE, NY 10583**

**ARTICLE 4TH DISISTO -
74 WOODRUFF AVE
SCARSDALE, NY 10583**

**LAMONACA A &
L -
13 TUDOR LA
SCARSDALE, NY 10583**

**EFTHIMIOU T -
46 HARNEY RD
SCARSDALE, NY 10583**

**DULANI DEEPAK -
2 ALIDA ST
SCARSDALE, NY 10583**

**DAURIA N &
A -
51 WOODRUFF AVE
SCARSDALE, NY 10583**

**FERRARA ANTHONY -
22 ALIDA ST
SCARSDALE, NY 10583**

**BODAN CATHERINE -
19 DOWNER AVE
SCARSDALE, NY 10583**

**LAMONACA A &
L -
15 TUDOR LA
SCARSDALE, NY 10583**

**HENEGHAN SEAN -
11 TUDOR LA
SCARSDALE, NY 10583**

**FASCIGLIONE V &
B -
43 WOODRUFF AVE
SCARSDALE, NY 10583**

**LIAPI ELENI -
26 TUDOR LA
SCARSDALE, NY 10583**

**CHIARELLO JOHN -
72 BROOK ST
SCARSDALE, NY 10583**

**YANG, YOSETA HUI CHIH -
76 BROOK ST
SCARSDALE, NY 10583**

**TOWN OF EASTCHESTER -
SCARSDALE, NY 10583**

**KILKEARY M &
A -
10 TUDOR LA
SCARSDALE, NY 10583**

**GUERRIERO SALVATORE -
62 BROOK ST
SCARSDALE, NY 10583**

DI SISTO M -
75 BROOK ST
SCARSDALE, NY 10583

ROSS JAMES &
AMY -
76 WOODRUFF AVE
SCARSDALE, NY 10583

SHERWIN RICHARD -
25 TUDOR LA
SCARSDALE, NY 10583

CHEUNG J &
H -
59 WOODRUFF AVE
SCARSDALE, NY 10583

MCCULLOUGH JOHN F -
17 DOWNER AVE
SCARSDALE, NY 10583

CAGGIANO, THOMAS -
14 TUDOR LA
SCARSDALE, NY 10583

LOBASSO C &
V -
16 TUDOR LA
SCARSDALE, NY 10583

MC CARTHY JOSEPH -
20 TUDOR LA
SCARSDALE, NY 10583

DISISTO M J -
38 HARNEY RD
SCARSDALE, NY 10583

ALTOBELLO G &
A -
42 HARNEY RD
SCARSDALE, NY 10583

SHALA LUAN -
66 BROOK ST
SCARSDALE, NY 10583

YAMANOUCHI, KATSUYUKI -
47 WOODRUFF AVE
SCARSDALE, NY 10583

Tax Parcel Maps

Address: 48 HARNEY RD

Print Key: 57./6/30

SBL: 05700000060300000000



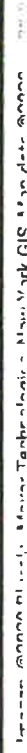
Disclaimer:

This tax parcel map is provided as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact the assessor's office of the municipality.









Google Maps 48 Harney Rd

SUBJECT PROPERTY



Google Maps 46 Harney Rd

DWELLING - RIGHT SIDE



Google Maps 62 Brook St

A large, two-story brown house with white trim and a dormer, situated on a street corner. The house has a prominent front porch and a balcony. A large green bush is in the foreground, and a sidewalk leads to the entrance. The sky is blue with clouds.

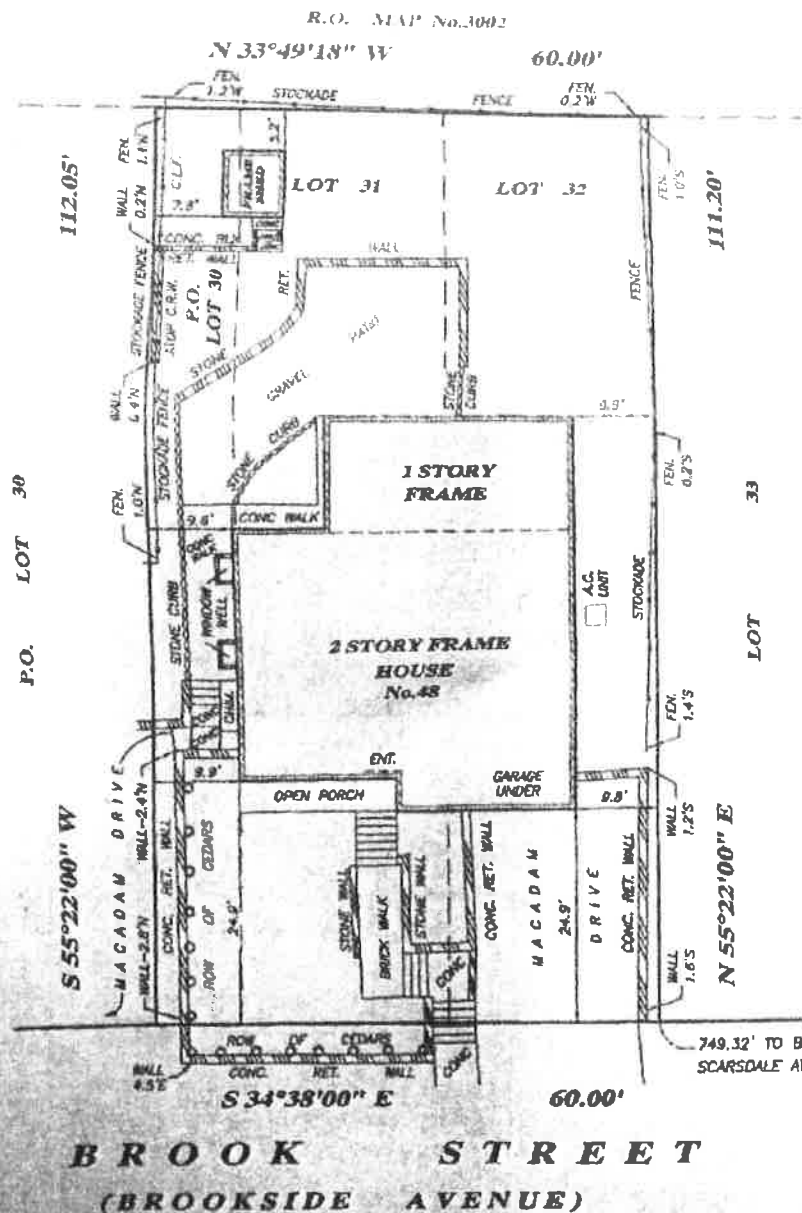
Google Maps 17 Tudor Ln

DWELLING- to REAR.





ARISTOTLE BOURNAZOS, P.C.
 200 WEST 100TH STREET
 NEW YORK, N.Y. 10025
 (212) 351-1000
 (212) 351-1001
 (212) 351-1002
 (212) 351-1003
 (212) 351-1004
 (212) 351-1005
 (212) 351-1006
 (212) 351-1007
 (212) 351-1008
 (212) 351-1009
 (212) 351-1010



AREA OF PROPERTY=6,598 SQ. FT.

LOT COVERAGE

AREA OF HOUSE, PORCH & SHED=1,916 SQ. FT.
" " CHIMNEY & WINDOW WELL=28 SQ. FT.
" " A.C. UNIT & STEPS=72 SQ. FT.
" " PLAYS. & WALKS=292 SQ. FT.
" " DRIVEWAY=603 SQ. FT.
" " WALLS & CURBS=185 SQ. FT.
TOTAL AREA=3,096 SQ. FT.

Unauthorized alteration or additions to this survey map are 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.