



**TOWN OF GREENBURGH
ZONING BOARD OF APPEALS Meeting Results**

Thursday, April 20, 2023 – 7:00 P.M.

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TOWN OF GREENBURGH

2023 APR 25 P 3:37

The Meeting of the Zoning Board of Appeals (ZBA) of the Town of Greenburgh was held on April 20, 2023 in Greenburgh Town Hall and online via Zoom. Chairperson Bunting-Smith called the meeting to order at 7:13 P.M.

Members Present: Chairperson Eve Bunting-Smith, Diane Ueberle, Kristi Knecht, William Bland, Pauline Mosley, Shauna Denkensohn (via Zoom)

Absent: Louis Crichlow

Staff: Garrett Duquesne, AICP, Commissioner Community Dev. & Conservation
Ed Lieberman Esq., Deputy Town Attorney
Elizabeth Gerrity, Assistant Building Inspector (via Zoom)
Kyra Jones, Secretary to the Zoning Board of Appeals

1. Case No. ZBA 22-05: Orly Gez, Clarendon Place (P.O. Scarsdale, NY) – Appeal of Building Inspector Determination; Area Variances

The Applicant is appealing a determination of the Building Inspector that variances are required. In the alternative, if its appeal is denied, the Applicant requests area variances from Section 285-15(B)(1) of the Zoning Ordinance to reduce the minimum lot area from 7,500 sq. ft. (required) to 6,105 sq. ft. (proposed); from Section 285-15(B)(2) of the Zoning Ordinance to reduce the minimum lot width from 75 ft. (required) to 62.5 ft. (proposed); and from Section 285-40(C)(6) of the Zoning Ordinance, in order to construct a one-family home on a lot that has been reduced in area and/or width by voluntary act of an owner that owned land adjoining the lot in question so as to become nonconforming as to size. The property is located in the R-7.5 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 8.460-324-8 & 9.

ON A MOTION BY MS. Bunting-Smith, SECONDED BY MS. Knecht, THE BOARD VOTED TO DENY THE APPLICANT'S REQUEST TO REOPEN THE HEARING OF THE CASE THAT WAS CLOSED FOR DECISION ONLY. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. BLAND: AYE

ON A MOTION BY MS. Bunting-Smith, SECONDED BY MS. Knecht, THE BOARD VOTED TO DENY THE APPLICANT'S APPEAL FROM THE DECISION OF THE BUILDING INSPECTOR REQUIRING VARIANCES. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. BLAND: AYE

ON A MOTION BY MS. Bunting-Smith, SECONDED BY MS. Knecht, THE BOARD VOTED TO DENY THE REQUESTED VARIANCES. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. BLAND: AYE

2. Case No. ZBA 22-15: Marian Woods, Inc., 152 Ridge Road (P.O. Hartsdale, NY 10530) – Area Variances

Applicant is applying for area variances from Section 285-15B(4)(b) of the Zoning Ordinance to reduce the side yard setback from 18 ft. (required) to 15.6 ft. (proposed); from Section 285-39D(2)(a) to increase the maximum Floor Area Ratio (F.A.R.) from 7,162 sq. ft. (permitted) to 13,440 sq. ft. (proposed); from Section 285-39C(9)(c) to reduce the street frontage from 25 ft. (required) to 0 ft. (proposed); and from Section 285-30C(8) to subdivide an improved lot in a manner that does not conform to the Zoning regulations regarding the existing building and other spaces related thereto, in connection with a proposed 2 lot subdivision. The property is located in the R-20 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 8.241-181-4.2.

ON A MOTION BY MS. KNECHT, SECONDED BY UEBERLE, THE BOARD VOTED TO GRANT THE APPLICANT'S REQUEST FOR ADJOURNMENT TO THE JULY 20, 2023 MEETING. VOTING WAS AS FOLLOWS: CHAIRPERSON

BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. BLAND: AYE, MS. MOSLEY: AYE

3. Case No. ZBA 23-04: Dren Idrizi, 452 Ardsley Road (P.O. Scarsdale, NY) – Area Variances

The Applicant is requesting area variances from Section 285-12B(5)(b) of the Code of the Town of Greenburgh to reduce the minimum setback from a driveway to a side lot line from 16 ft. (required), 0 ft. (existing), to 0 ft. (proposed); and from Section 285-38B to increase the maximum driveway width from 30 ft. (permitted) to 37.25 ft. (proposed), in order to legalize and expand a non-conforming driveway at an existing home on the subject property. The property is located in the R-20 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 8.460-318-17.

ON A MOTION BY CHAIRPERSON BUNTING-SMITH, SECONDED BY MS. DENKENSOHN, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCES. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. BLAND: AYE, MS. MOSLEY: AYE

4. Case No. ZBA 23-05: United Refrigeration, 420 Saw Mill River Road (P.O. Elmsford, NY) – Area Variances

The Applicant is requesting area variances from Section 285-31B(6) of the Code of the Town of Greenburgh to increase the maximum height of a principal building from 25 ft. (permitted) to 73 ft. (proposed); from Section 285-31B(6) to increase the maximum number of stories of a principal building from 2 stories (permitted) to 3 stories (proposed); and from Section 285-38E to reduce the number of parking spaces from 121 spaces (required) to 34 spaces (proposed), in order to add two stories to the height of the existing building on the subject property. The property is located in the IB - Intermediate Business District and is designated on the Town Tax Map as Parcel Lot ID: 7.120-19-21.

THIS CASE WAS ADJOURNED FOR ALL PURPOSES TO THE MEETING OF MAY 18, 2023.

5. Case No. ZBA 23-06: Dr. & Mrs. A. Rabadi, 23 Castle Walk (P.O. Scarsdale, NY) – Area Variances

The Applicant is requesting area variances from Section 285-12B(5)(b) of the Code of the Town of Greenburgh to reduce the minimum setback from a driveway to a side lot line from 16 ft. (required) to 1.08 ft. (proposed); from Section 285-38B to increase the maximum driveway width from 30 ft. (permitted) to 43.18 ft. (proposed); from Section 285-39D(2)(a) to increase the maximum Floor Area Ratio (F.A.R.) from 5,000 sf. (permitted) to 5,576 sf. (proposed); and from Section 285-12B(3)(d) to increase the maximum impervious surface coverage from 29% (permitted) to 34.10% (proposed), in order to construct a single-story addition and alter a driveway to an existing home on the subject property. The property is located in the R-20 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 8.530-363-19.6.

THIS CASE WAS ADJOURNED FOR ALL PURPOSES TO THE MEETING OF MAY 18, 2023.

6. Case No. ZBA 23-07: Raymour & Flanigan Furniture, 50 Tarrytown Road (P.O. White Plains, NY 10607) – Area Variance

The Applicant is seeking an area variance from Section 285-38E of the Code of the Town of Greenburgh to reduce the number of off-street parking spaces from 350 spaces (required) to 116 spaces (proposed), in order to convert 23,000 sq. ft. of storage to retail space in an existing furniture store, on the subject property. The property is located in the DS - Design Shopping District and is designated on the Town Tax Map as Parcel Lot ID: 7.490-304-1.

ON A MOTION BY MS. KNECHT, SECONDED BY DENKENSOHN, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCE. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. BLAND: AYE, MS. MOSLEY: AYE

7. Case No. ZBA 23-08: Forty Mill Realty, LLC & Ten Saw Mill Realty, LLC, 34-40, 50, 00, & 10 Saw Mill River Road (P.O. Elmsford, NY) – Area Variances

The Applicants are requesting area variances from Section 285-32B(5)(c) of the Code of the Town of Greenburgh to reduce the distance from accessory building-1 to rear lot line from 25 ft. (required) to 17ft. (proposed); from Section 285-32B(5)(c) to reduce the distance from accessory building-2 to the rear lot line from 25 ft. (required) to 4 ft. (proposed); from Section 285-38E to reduce the minimum number of off-street parking spaces from 24 spaces (required) to 12 spaces (proposed); from 285-32B(5)(b) to reduce minimum distance from off-street parking to south side lot line from 25 ft. (required) to 2 ft. (proposed); from Section 285-32B(5)(c) to reduce minimum distance from off-street parking to rear lot line, from 25 ft. (required) to 7 ft. (proposed); from Section 285-32B(5)(b) to reduce minimum distance from off-street parking to the north side lot line from 25 ft. (required) to 21 ft. (proposed); from 285-32A(3)(b) to reduce minimum distance of a storage unit to the front lot line from 25 ft. (required) to 0 ft. (proposed); from Section 285-32A(3)(b) to reduce minimum distance of a storage unit to the south lot line from 25 ft. (required) to 0 ft. (proposed); from Section 285-32A(3)(b) to reduce minimum distance of a storage unit to the rear lot line from 25 ft. (required) to 0 ft. (proposed); from Section 285-38H(2) to reduce the front landscape buffer from 10 ft. (required) to 0 ft. (proposed); from Section 285-38H(2) to reduce the south landscape buffer from 10 ft. (required) to 0 ft. (proposed); and from Section 285-38H(2) to reduce the rear landscape buffer from 10 ft. (required) to 0 ft. (proposed), in order to continue operation of a stone and masonry facility on the subject property. The property is located in the LI - Light Industrial District and is designated on the Town Tax Map as Parcel Lot ID: 8.610-421-72,73,74,75,76,77,78,79.

THIS CASE WAS ADJOURNED FOR ALL PURPOSES TO THE MEETING OF MAY 18, 2023.

8. Case No. ZBA 23-09: Padraig McGourty, 5 Hillcrest Avenue (P.O. Ardsley, NY) – Area Variance

The Applicant is seeking an area variance from Section 285-39C(9)(c) of the Code of the Town of Greenburgh to reduce frontage on a street suitably improved to Town road standards from 26 ft. (required) to 20 ft. (proposed), in order to subdivide the subject property. The property is located in the R-7.5 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 8.380-271-54.

ON A MOTION BY MR. BLAND, SECONDED BY MS. DENKENSOHN, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCE. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. BLAND: AYE, MS. MOSLEY: AYE

DATE FOR NEXT MEETING

The next regularly scheduled meeting of the Greenburgh Zoning Board of Appeals will be held on Thursday, May 18, 2023 beginning at 7:00 pm.

Respectfully Submitted,



Garrett Duquesne, AICP
Commissioner, Department of Community Development & Conservation

