



**TOWN of GREENBURGH
ZONING BOARD OF APPEALS
MEETING RESULTS
THURSDAY, December 15, 2022 MEETING**

Eve Bunting-Smith,
Chairperson

The Meeting of the Zoning Board of Appeals (ZBA) of the Town of Greenburgh was held on December 15, 2022 in Greenburgh Town Hall and online via Zoom. Vice Chairperson Knecht called the meeting to order at 7:10 P.M.

Members Present: Vice Chairperson Kristi Knecht, William Bland, Diane Ueberle, Louis Crichlow, Shauna Denko

Absent: Chairperson Eve Bunting-Smith, Rohan Harrison

Staff: Garrett Duquesne, AICP, Commissioner Community Dev. & Conservation
Ed Lieberman Esq., Deputy Town Attorney
Anthony Zacarolli, Deputy Building Inspector

OLD CASES

1. **Case No. ZBA 22-05** Orly Gez, *Clarendon Place (P.O. Scarsdale, N.Y.) – 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) to reduce the minimum lot width from 75 ft. (required) to 62.5 ft. (proposed), in order to construct a one-family home. The property is located in an R-7.5 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 8.460-324-8 & 9

THIS CASE WAS NOT HEARD AND WAS ADJOURNED FOR ALL PURPOSES TO JANUARY 19, 2023.

NEW CASES

2. **Case No. ZBA 22-31** Alice McPherson, *18 Argyle Road (P.O. Scarsdale, N.Y.) – Area Variance*

The Applicant is requesting an area variance from Section 285-36G(3) of the Zoning Ordinance to construct a pool and associated decking in a side yard, when swimming pools may be located in a rear yard only. The subject property is located in an R-7.5 One-Family Residence District and is designated on the Town Tax Map as Parcel ID: 8.460-323-2.

ON A MOTION BY MS. DENKENSOHN, SECONDED BY MR. CRICHLAW, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCE APPLICATION. VOTING WAS AS FOLLOWS: VICE CHAIRPERSON KNECHT: AYE, MR. CRICHLAW: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MR. BLAND: AYE

3. **Case No. ZBA 22-32** Carolyn Jones, *53 Riverview Avenue (P.O. Ardsley, N.Y.) – Area Variance*

The Applicant is requesting an area variance from Section 285-12B(4)(c) of the Zoning Ordinance to reduce the setback total of two side yards from 40 ft. (required) to 28.33 ft. (proposed), in order to construct an enclosed deck on the subject property. The property is located in an R-20 One-Family Residence District and is designated on the Town Tax Map as parcel ID: 8.380-271-11.

ON A MOTION BY MR. BLAND, SECONDED BY MR. CRICHLAW, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCE APPLICATION. VOTING WAS AS FOLLOWS: VICE CHAIRPERSON KNECHT: AYE, MR. CRICHLAW: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MR. BLAND: AYE

4. **Case No. ZBA 22-33** Michael and Beth Sadicario, 4 Fort Hill Road (P.O. Scarsdale, N.Y.) – Area Variance

The Applicant is requesting an area variance from Section 285-12B(3)(d) of the Zoning Ordinance to permit impervious coverage of 35.6% (existing/proposed) where a maximum of 29% is permitted, in order to legalize an existing patio on the subject property. The property is located in an R-20 One-Family Residence District and is designated on the Town Tax Map as parcel ID: 8.460-326-35.

ON A MOTION BY MR. CRICHLAW, SECONDED BY MR. BLAND, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCE APPLICATION. VOTING WAS AS FOLLOWS: VICE CHAIRPERSON KNECHT: AYE, MR. CRICHLAW: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MR. BLAND: AYE

5. **Case No. ZBA 22-34** Sang Hoon Yoo, 11 Scarsdale Farm Road (P.O. Scarsdale, N.Y.) – Area Variance

The Applicant is requesting an area variance from Section 285-12B(5)(b) of the Zoning Ordinance to reduce side yard setback from the driveway from 16 ft. (required) to 6.78 ft. (proposed), in order to expand the existing driveway. The property is located in an R-20 One-Family Residence District and is designated on the Town Tax Map as parcel ID: 8.460-319-13.

ON A MOTION BY MS. DENKENSOHN, SECONDED BY MR. CRICHLAW, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCE APPLICATION. VOTING WAS AS FOLLOWS: VICE CHAIRPERSON KNECHT: AYE, MR. CRICHLAW: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MR. BLAND: AYE

6. **Case No. ZBA 22-35** Kin and Pauline Lee, 305 N. Clayton Road (P.O. Scarsdale, N.Y.) – Area Variances

The Applicant is requesting area variances from Section 285-38B of the Zoning Ordinance to allow an increase in the maximum permitted width (30 ft.) of a driveway to 36.3 ft. (proposed), and from Section 285-11B(5)(b) of the Zoning Ordinance to reduce the setback from the driveway to the side lot line from 18 ft. (required) to 11 ft. (proposed) in order to relocate an existing driveway. The property is located in an R-30 One-Family Residence District and is designated on the Town Tax Map as parcel ID: 8.400-281-32.

ON A MOTION BY VICE CHAIRPERSON KNECHT, SECONDED BY MR. CRICHLAW, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCE APPLICATION. VOTING WAS AS FOLLOWS: VICE CHAIRPERSON KNECHT: AYE, MR. CRICHLAW: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MR. BLAND: AYE

7. **Case No. ZBA 22-36** Terence Gallagher, 1000 Dobbs Ferry Road (P.O. White Plains, N.Y.) – Area Variances

The Applicant is requesting area variances from Section 285-14B(4)(b) of the Zoning Ordinance to decrease the minimum required setback (12 ft.) from the principal building to the northerly side yard to 11.66 ft. (existing and proposed); from Section 285-14B(4)(c) of the Zoning Ordinance to reduce the two side yard setbacks from 26 ft. (required) to 21.83 ft. (existing and proposed); and from Section 285-42C(1) of the Zoning Ordinance to enlarge a nonconforming structure to increase such nonconformance, in order to construct a deck, porch and related improvements on the subject property. The property is located in an R-10 One-Family Residence District and is designated on the Town Tax Map as parcel ID: 8.110-60-4.

ON A MOTION BY MS. DENKENSOHN, SECONDED BY MR. CRICHLAW, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCE APPLICATION. VOTING WAS AS FOLLOWS: VICE CHAIRPERSON KNECHT: AYE, MR. CRICHLAW: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MR. BLAND: AYE

8. **Case No. ZBA 22-37** Tarrytown Road Partners, 212 Tarrytown Road (P.O. White Plains, N.Y.) – Area Variance

The Applicant is requesting an area variance from Section 240-3C(9) of the Code of the Town of Greenburgh to install a third canopy sign on the subject lot, where only two wall signs are permitted. The

property is located in the DS Design Shopping District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 7.490-303-3.

CASE WAS ADJOURNED FOR ALL PURPOSES TO JANUARY 19, 2023

9. **Case No. ZBA 22-38** S&J Service Center, 245 S Central Avenue (P.O. Hartsdale, N.Y.) – *Area Variances*
The Applicant is requesting area variances from Section 285-29.1C(3) of the Zoning Ordinance to decrease the distance from a detached accessory structure to the front yard from 20 ft. (required) to 10.66 ft. (proposed); and from Section 285-40B(4) of the Zoning Ordinance to increase the height of an accessory structure from 12 ft. (permitted) to 18 ft. (proposed), to construct a canopy over fuel pumps on the subject property. The property is located in the CA Central Avenue Mixed-Use Impact District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.290-225-2.

CASE WAS ADJOURNED FOR ALL PURPOSES TO JANUARY 19, 2023. MS. UEBERLE RECUSED HERSELF FROM THIS CASE.

10. **Case No. ZBA 22-39** Secor Woods Subdivision, 245 Secor Woods Road (P.O. Hartsdale, N.Y.) – *Area Variance*
The Applicant is requesting an area variance from Section 285-15B(5)(b) of the Zoning Ordinance to reduce the setback of one side yard from 10 ft. (minimum required) to 2.5 ft. (proposed), in connection with a driveway proposed as part of a 4-lot subdivision. The property is located in an R-7.5 One-Family Residence District and is designated on the Town Tax Map as parcel ID: 8.170-103-6, 7, 8, 9.

ON A MOTION BY VICE CHAIRPERSON KNECHT, SECONDED BY MR. CRICHLAW, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCE APPLICATION. VOTING WAS AS FOLLOWS: VICE CHAIRPERSON KNECHT: AYE, MR. CRICHLAW: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MR. BLAND: AYE

11. **Case No. ZBA 22-40** Kimona Hanson, 128 Florence Avenue (P.O. White Plains, N.Y.) – *Use Variance*
The Applicant is requesting a use variance to permit the construction of a two-family residence in the R-5/LTF One-Family/Limited Two-Family Residential District on property designated on the tax map of the Town of Greenburgh as Parcel ID: 7.140-229-1.

CASE WAS ADJOURNED FOR ALL PURPOSES TO JANUARY 19, 2023.

Respectfully Submitted,



Aaron Schmidt
Deputy Commissioner, Department of Community Development & Conservation