

DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT

A regular meeting of the Zoning Board of Appeals was held on April 13, 2022. Present: Chairman Peter Hofmann, Bruce Gombos, Jeremy Gutman, Paul Monte and 1st Alternate Joseph Capasso, Dan Roemer/Building Inspector and Ms. Valerie Monastra/Village Consulting Planner. Excused: Trustee Liaison Michael Patino and Jon Maass.

Chairman Hofmann called the meeting to order.

1. 45 Northfield Avenue – Public Hearing for proposed plans to construct a new covered terrace and patio

45 Northfield Avenue ZBA submission is as follows:

Plan Submittal Form

Address: 45 NORTHFIELD AVENUE

Application #: _____

Project: PROPOSED COVERED TERRACE

Name: PADDY STENUSCHNEIDER / RANU JULKA

Email: arch329@gmail.com / ranu.julka@gmail.com

Phone: 914-693-5093 / 914-841-9009

Plans attached are being submitted for:

Building permit application 1 PDF copy & 2 paper copies ¼ scale
Amendment to an application or permit, 2 sealed copies
Final As Built to close permit, 1 sealed copy
Final survey to close permit, 1 sealed copy

Plans attached are submitted at the direction of the Building Inspector for review by the following board:

BOT- 1 PDF copy + 5 paper copies ¼ scale
PB - 1 PDF copy + 7 paper copies ¼ scale
✓ ZBA - 1 PDF copy + 4 paper copies ¼ scale
AHRB – 1 PDF copy + 2 paper copies ¼ scale

Received Stamp:



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GOTHAM

Padriac Steinschneider
Gotham Design & Community Development Ltd.
329 Broadway
Dobbs Ferry, New York 10522
(914) 693-5093 • Fax: (914) 693-5390
(914) 906-4802 cell • arch329@gmail.com

March 17, 2022

Dan Roemer, Building Inspector
Dobbs Ferry Building Department
112 Main Street
Dobbs Ferry, New York 10522



Re: Julka Residence
45 Northfield Avenue

Dear Mr. Roemer:

This letter is to submit a revised submission to the Zoning Board of Appeals for the proposed covered terrace for 45 Northfield Avenue. This is similar to what we presented at the ZBA meeting on January 12, 2022.

The Site Plan has been revised based on actual measurements taken at the site of the existing brick areas and the actual driveway. Previously, we relied upon the survey that had been prepared for this property, but that survey showed more paving for the driveway than is currently at the site. Most of the other information on the survey was correct. Our Site Plan now includes the actual dimensions on each of the existing paved areas, retaining wall, and shed.

The result is that the existing impervious site coverage is 3,361 square feet on the 6,875 square foot property, for a coverage of 48.88%. The OF-6 zoning district within which the property is located permits an impervious coverage of 54%. We have proposed removing part of the brick walk and a couple of the existing brick paved areas. This will reduce the existing impervious coverage to 2,771 square feet, which is a coverage of 40.3%. We are then proposing to add 584 square feet for the new covered terrace, for a total impervious coverage of 3,372 square feet, which is 49.04% and still compliant with the permitted impervious site coverage.

The existing building coverage on the property is 1,944 square feet, which is 28.27% of the 6,875 square feet site area. The OF-6 zoning district limits the building coverage permitted to 27%. We are proposing to add 584 square feet of roof structure above the terrace. This will increase the building coverage to 2,528 square feet, which is 36.77% of the lot area. A variance will be required to permit an increase in the permitted coverage from 27% to 36.77%. This exceeds the permitted limit by 9.77%, or 669 square feet, which is 584 square feet more building coverage than the existing.

The following documents have been submitted with this letter:

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Letter to Dan Roemer, Building Inspector
Re: Julka Residence - ZBA Application
March 17, 2022
Page two of two.

- A. A Plan Submittal Form indicating that this submission is for the Zoning Board of Appeals.
- B. A Notarized Application to Zoning Board of Appeals dated March 17, 2022.
- C. A Zoning Worksheet filled out for 45 Northfield Avenue.
- D. A sealed and signed copy of the Survey of the property prepared by Gerald T. O'Buckley dated January 18, 2022.
- E. A Short Environmental Assessment Form Part 1 dated December 22, 2021.
- F. A Notarized Affidavit of Notice dated March 17, 2022 together with a copy of the Letter to Neighbors and a list of the neighbors to whom the notice was sent.
- G. A copy of the Deed for 45 Northfield Avenue, Dobbs Ferry, New York.
- H. A rendering of the roofed terrace added to the subject property.
- I. A copy of the Denial Letter dated March 11, 2022 from Dan Roemer, Building Inspector.
- J. A set of five sheets of sealed and signed drawings prepared by Gotham Design and Community Development Ltd. under the supervision of Laura Wakefield, R.A. dated as prepared for the Zoning Board of Appeals, 01-18-2022, including the following:
 - Sheet CS "Cover Sheet"
 - Sheet EX-1 "Existing First Floor Plan, North, West, and South Elevations"
 - Sheet A-1 "Site Plan, Zoning Table"
 - Sheet A-2 "Proposed Plan, Roof Plan, and Details"
 - Sheet A-3 "Proposed North, West, South Elevations and Section"

A check for this application was previously submitted to the Village of Dobbs Ferry.

We look forward to reviewing this at the next meeting of the Zoning Board of Appeals.

Please let me know if you have any questions or if any additional information is required.
The previous sign placed on the property was removed. I am replacing that today.

Thank you for your time and attention.

Sincerely,


Paddy Steinschneider
As Agent for Ranu Julka, Owner

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**APPLICATION TO ZONING BOARD OF APPEALS
VILLAGE OF DOBBS FERRY**

Note: Four copies of the application must be filed with the Clerk of the Board, no later than 2:00 p.m., twenty-one (21) days prior to the date of the meeting.

RECEIVED

MAR 18 2022

DOBBS FERRY
BUILDING DEPARTMENT

Date Filed: MARCH 17, 2022

Applicant's Name: PADRIAC STEINISCHNEIDER Telephone: 914-693-5093

Property Location: 45 NORTHFIELD AVENUE

Sheet: 3.100 Block: B3 Lots/Parcel: 4

The undersigned applicant requests a hearing before the Zoning Board of Appeals based on the following: (check one)

☒ Appeals decision of Building Inspector _____ ☐ Special Permit

Every application or appeal must be accompanied by an accurate plot plan to scale showing location of all existing structures, and also drawings showing the exact location, dimensions, and the nature of all proposed structures. These requirements will ordinarily be best met with surveys and architect's drawings. The Board may require that surveys and/or drawings be prepared and signed by duly accredited surveyors, engineers, or architects. Applicant is required to show proof of title to or legal interest in the premises, by deed or contract of sale, or other document. This application or appeal is made pursuant to the authorization contained in the Building Zoning Ordinance:

Article: 300 Section: 24 Subdivisions: B

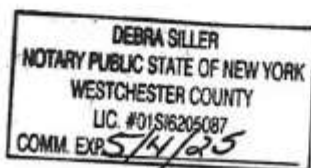
The basis of the relief sought by the undersigned pursuant to the provisions of the Building Zoning Ordinance is as follows: (Set forth briefly all pertinent facts and use additional sheets if necessary).

A VARIANCE TO PERMIT THE CONSTRUCTION OF A COVERED TERRACE, WHICH WILL INCREASE THE BUILDING COVERAGE FROM 28.11% TO 36.77% WHERE THE LIMIT IS 27%

AS AGENT FOR PADRIAC STEINISCHNEIDER
Applicant

STATE OF NEW YORK
COUNTY OF WESTCHESTER) ss:

On this 17TH day of MARCH, 2022 before me personally came PADRIAC STEINISCHNEIDER who came duly sworn deposes and says that he/she read the foregoing application and knows the content thereof and that the same is true to his/her own knowledge.



Debra Siller
Notary Public

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ZONING WORKSHEET

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MAR 18 2022

VILLAGE OF DUBBS FERRY
 BUILDING DEPARTMENT

Address	SBL	Zone	Use
45 NORTHFIELD AVENUE	3.100-83-4	OF-6	SINGLE FAMILY

Table 1: Floor Areas

Story	Existing Area	Existing Habitable Area	Area of Renovation	New Area
1ST FLOOR	1632	1632	0	
2ND FLOOR	1645	1668	0	
Porch Addition	0	0	0	584

Table 2: Building Dimensions

	Existing	Proposed	Minimum Allowable
Lot Area (ft. ²)	6875	6875	5000
Lot Width (ft.)	50	50	30
Lot Depth (ft.)	125	125	100
Coverage by Building (%)	28.11	36.77	27
Coverage by Impervious Surfaces (%)	48.88	49.04	51
Front Yard Set Back (ft.)	5.2	5.2	20
Rear Yard Set Back (ft.)	62	42	25
Side Yard Set Back, Each (ft.)	10	10	10
Side Yard Set Back, Both (ft.)	20.6	20.6	20

Table 3: Height

	Existing	Proposed	Allowed
Number of Stories	2	2	2.5
Grade to Ridge (OF+MDR-1)	0	13.5	30
Grade to Eave (OF+MDR-1)	0	10.5	28
Grade to Mid-point of Roof (All Other)			

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Short Environmental Assessment Form Part 1 – Project Information is as follows:

***Short Environmental Assessment Form
 Part 1 - Project Information***

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
45 Northfield Avenue,			
Name of Action or Project: 45 Northfield Avenue, Dobbs Ferry, New York 10522			
Project Location (describe, and attach a location map): Southwest corner of the intersection of Northfield Avenue and Moulton Avenue in the Village of Dobbs Ferry, Westchester County			
Brief Description of Proposed Action: Construction of a covered terrace with a site coverage of approximately 641 square feet			
Name of Applicant or Sponsor: Padriac Steischneider for Ranu Julka, Owner		Telephone: 914-693-5093 E-Mail: arch329@gmail.com	
Address: 329 Broadway			
City/PO: Dobbs Ferry	State: New York	Zip Code: 10522	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.1578 acres	
b. Total acreage to be physically disturbed?		0.1578 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.1578 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

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5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

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14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
On-site stormwater detention system: _____		

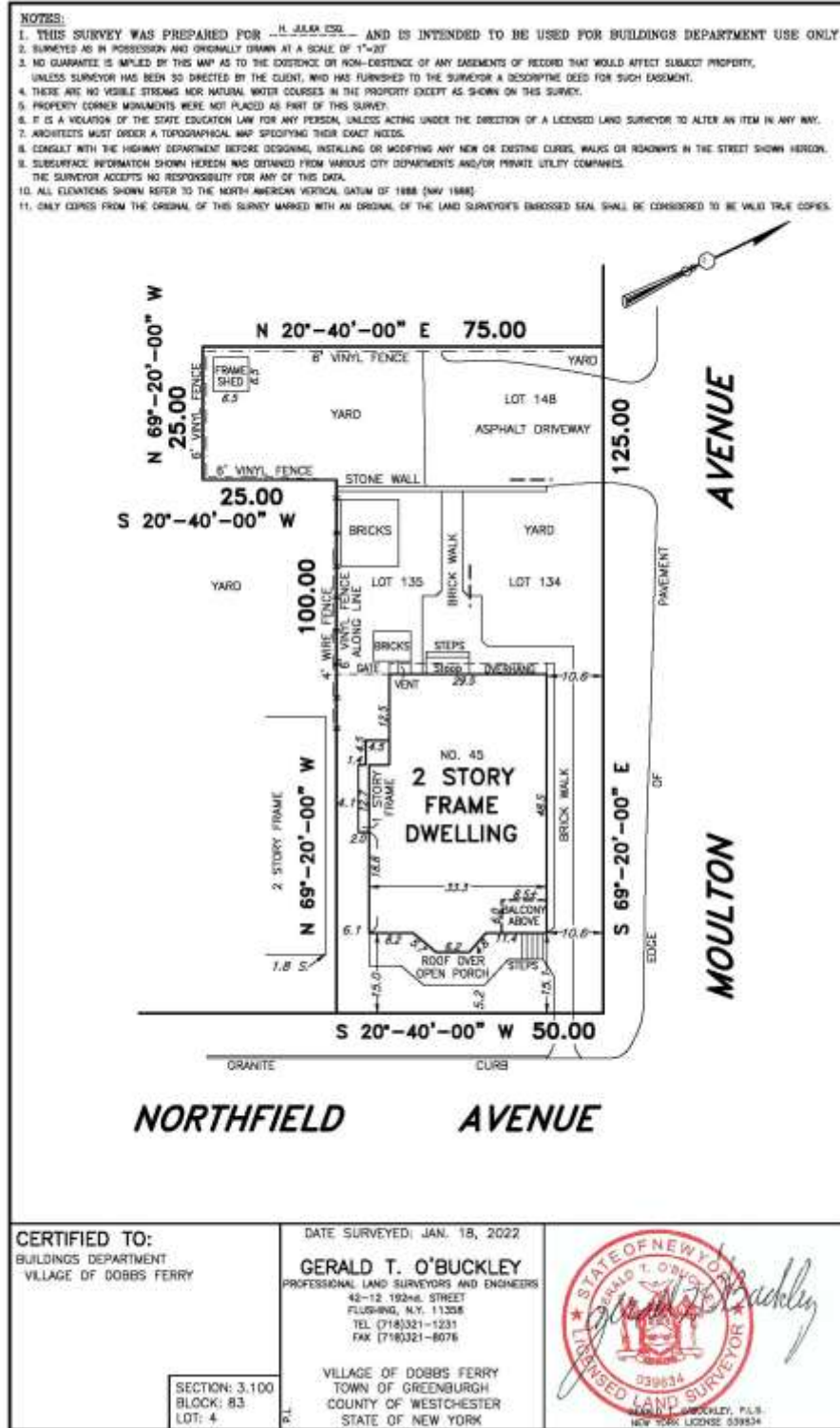
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Padriac Steinschneider</u> Date: <u>12-22-2021</u> Signature: _____ Title: <u>Agent for the Owner</u>		

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Revised survey is as follows:



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Denial letter dated March 11, 2022 from Mr. Dan Roemer/Building Inspector to Mr. Harvinder Julka is as follows:



VILLAGE OF DOBBS FERRY

Building Department

112 Main Street

Dobbs Ferry, New York 10522

TEL: (914) 231-8511 • Droemer@dobbsferry.com • FAX: (914) 693-3470

03/11/2022

Harvinder Julka
45 Northfield Ave.
Dobbs Ferry, NY 10522

Re: 45 Northfield Ave.

S/B/L 3,100-83-4

Dear Mr. Julka,

Pursuant to a review of the submitted proposed plans to construct a new covered terrace and patio, the following determinations were made.

The property is located in the OF-6 Zone. Requiring one variance.

1. The max lot coverage by building is 27%, the legal non-conforming lot coverage by building is 28.27%, the propose lot coverage by building is 36.77% thus requiring a variance for 8.50% building coverage.

For these reasons your proposal, as submitted, is denied pending zoning board review.

If you have any questions, please contact the Building Department at (914) 231-8511.

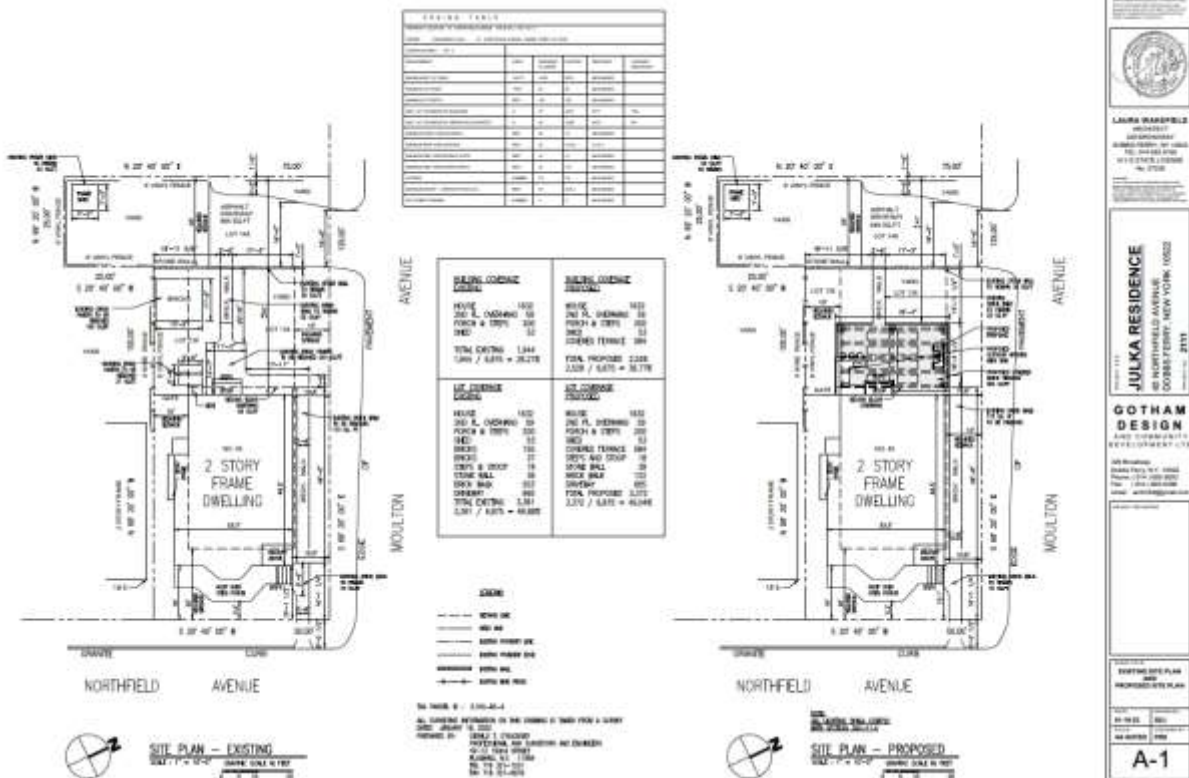
Respectfully,

A handwritten signature in dark ink, appearing to read "Dan Roemer", is written over a horizontal line.

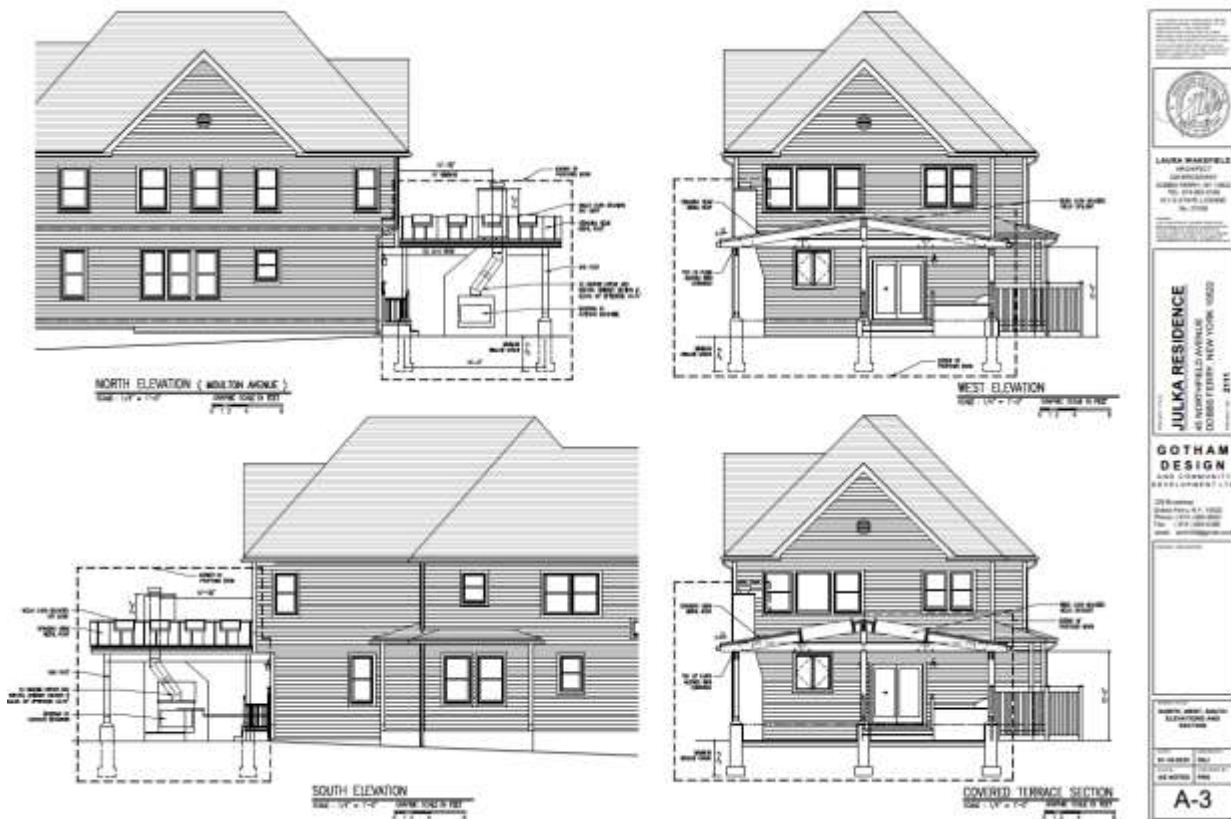
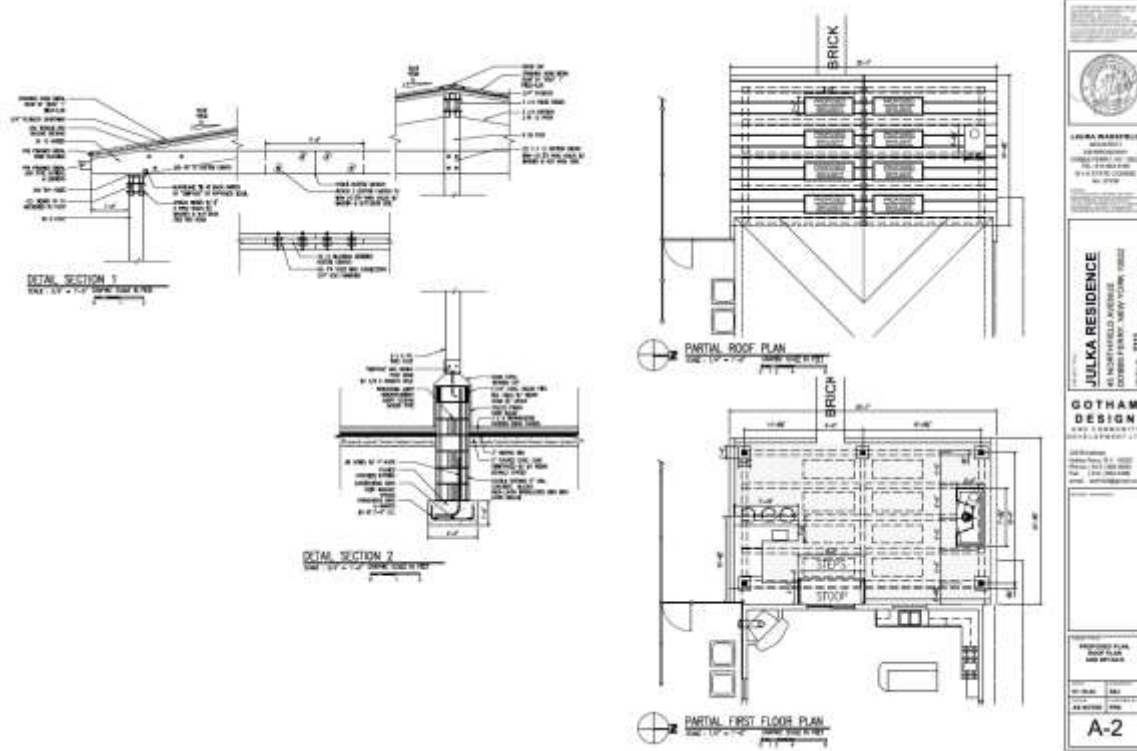
Dan Roemer
Building Inspector

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Mr. Paddy Steinschneider/Gotham Design and Hanu and Harvinder Julka/Homeowners were present to represent the application.

Mr. Steinschneider apologized for some of the confusion at the January meeting. Mr. Steinschneider said the survey that they had was not accurate and that was pointed out to him at the meeting. Mr. Steinschneider said he worked with Mr. Roemer and he has the correct survey and numbers now, so there should be no confusion with it.

Mr. Steinschneider discussed the proposed application and displayed the following slides:

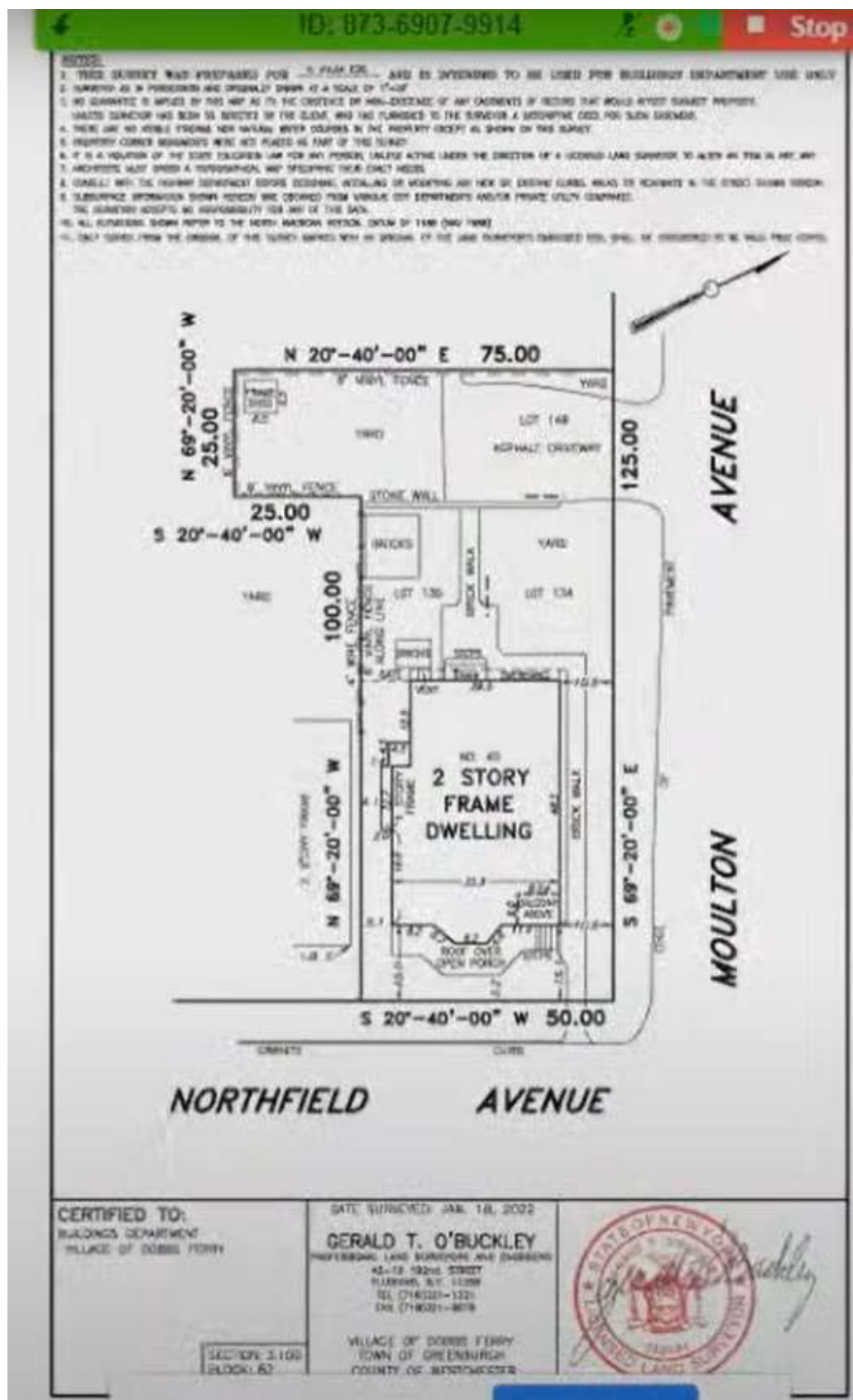
Julka Residence 45 Northfield Avenue Dobbs Ferry



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ZONING TABLE					
PROPERTY LOCATION: 40 NORTHFIELD AVENUE, SUDDEN 37B-4					
OWNER: HANSEN, JAMES W. NORTHFIELD AVENUE, SUDDEN 37B-4					
ZONING DISTRICT: 30-4					
REQUIREMENT	UNIT	PERMITTED ALLOWED	EXISTING	PROPOSED	VARIANCE REQUESTED
MINIMUM LOT AREA	SQ. FT.	1,000	875	UNCHANGED	
MINIMUM LOT WIDTH	FEET	30	30	UNCHANGED	
MINIMUM LOT DEPTH	FEET	60	13	UNCHANGED	
MAX. LOT COVERAGE BY BUILDINGS	%	35	30.7	30.7	YES
MAX. LOT COVERAGE BY IMPERVIOUS SURFACES	%	35	40.9	40.9	NO
MINIMUM FRONT YARD SETBACK	FEET	20	15	UNCHANGED	
MINIMUM REAR YARD SETBACK	FEET	25	35.5	41.3	
MINIMUM SIDE YARD SETBACK, EACH	FEET	10	4	UNCHANGED	
MINIMUM SIDE YARD SETBACK, BOTH	FEET	20	16.7	UNCHANGED	
STORIES	NUMBER	3.5	2	UNCHANGED	
MAXIMUM HEIGHT (GABLE TOP 2 IN. 3 IN.)	FEET	35	30.1	UNCHANGED	
10' STREET PARKING	NUMBER	2	2	UNCHANGED	

BUILDING COVERAGE
EXISTING

HOUSE 1632
 2ND FL. OVERHANG 59
 PORCH & STEPS 200
 SHED 53

 TOTAL EXISTING 1,944
 1,944 / 6,875 = 28.27%

BUILDING COVERAGE
PROPOSED

HOUSE 1632
 2ND FL. OVERHANG 59
 PORCH & STEPS 200
 SHED 53
 COVERED TERRACE 584

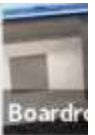
 TOTAL PROPOSED 2,528
 2,528 / 6,875 = 36.77%

LOT COVERAGE
EXISTING

HOUSE 1632
 2ND FL. OVERHANG 59
 PORCH & STEPS 200
 SHED 53
 BRICKS 155
 BRICKS 37
 STEPS & STOOP 18
 STONE WALL 39
 BRICK WALK 503
 DRIVEWAY 665
 TOTAL EXISTING 3,361
 3,361 / 6,875 = 48.88%

LOT COVERAGE
PROPOSED

HOUSE 1632
 2ND FL. OVERHANG 59
 PORCH & STEPS 200
 SHED 53
 COVERED TERRACE 584
 STEPS AND STOOP 18
 STONE WALL 39
 BRICK WALK 122
 DRIVEWAY 665
 TOTAL PROPOSED 3,372
 3,372 / 6,875 = 49.04%



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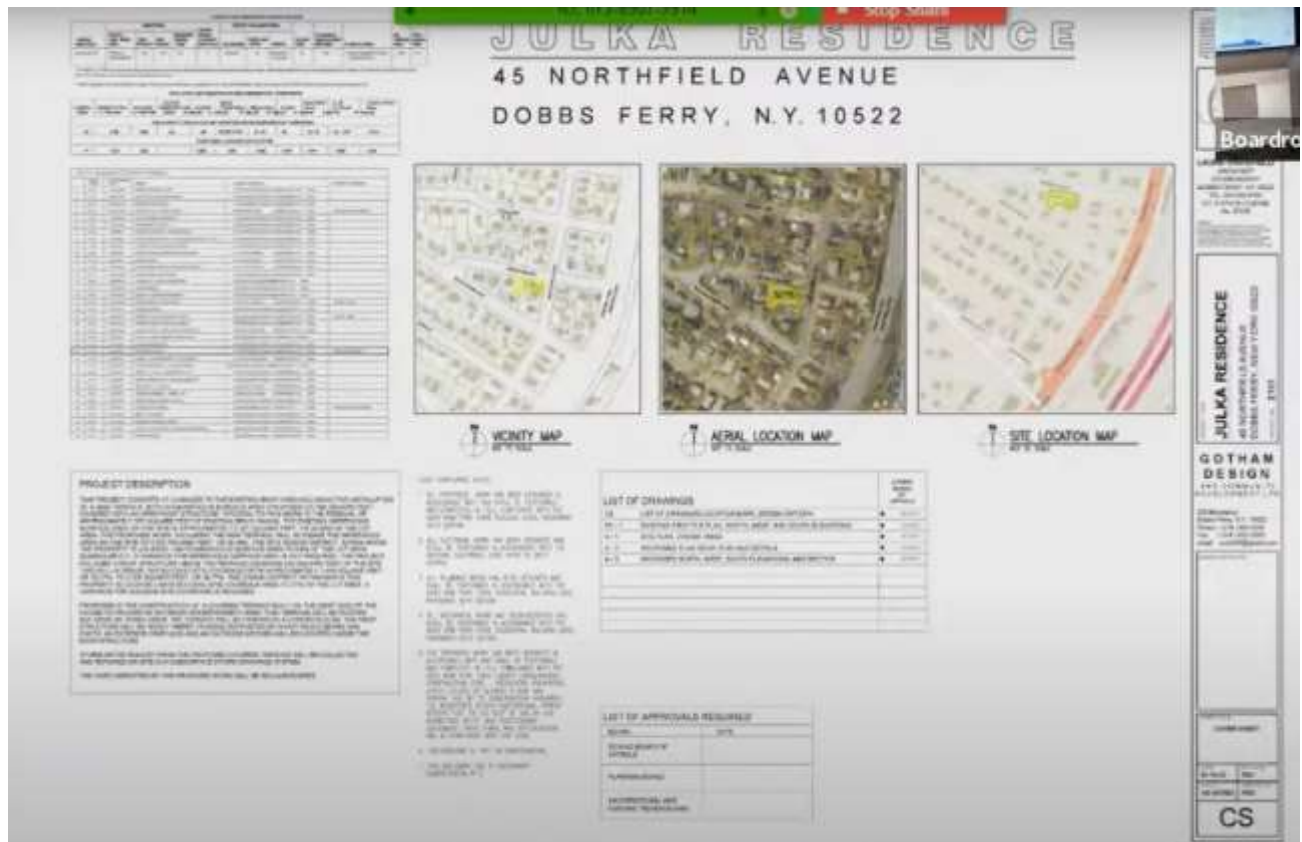
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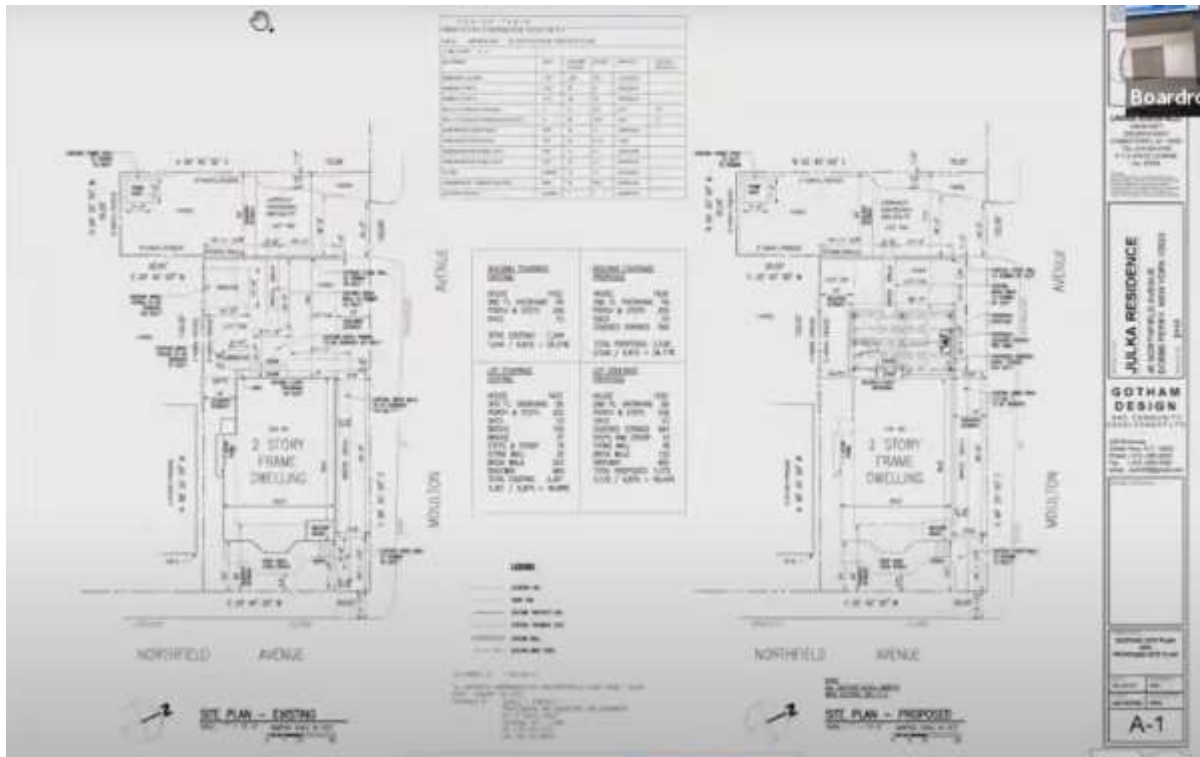
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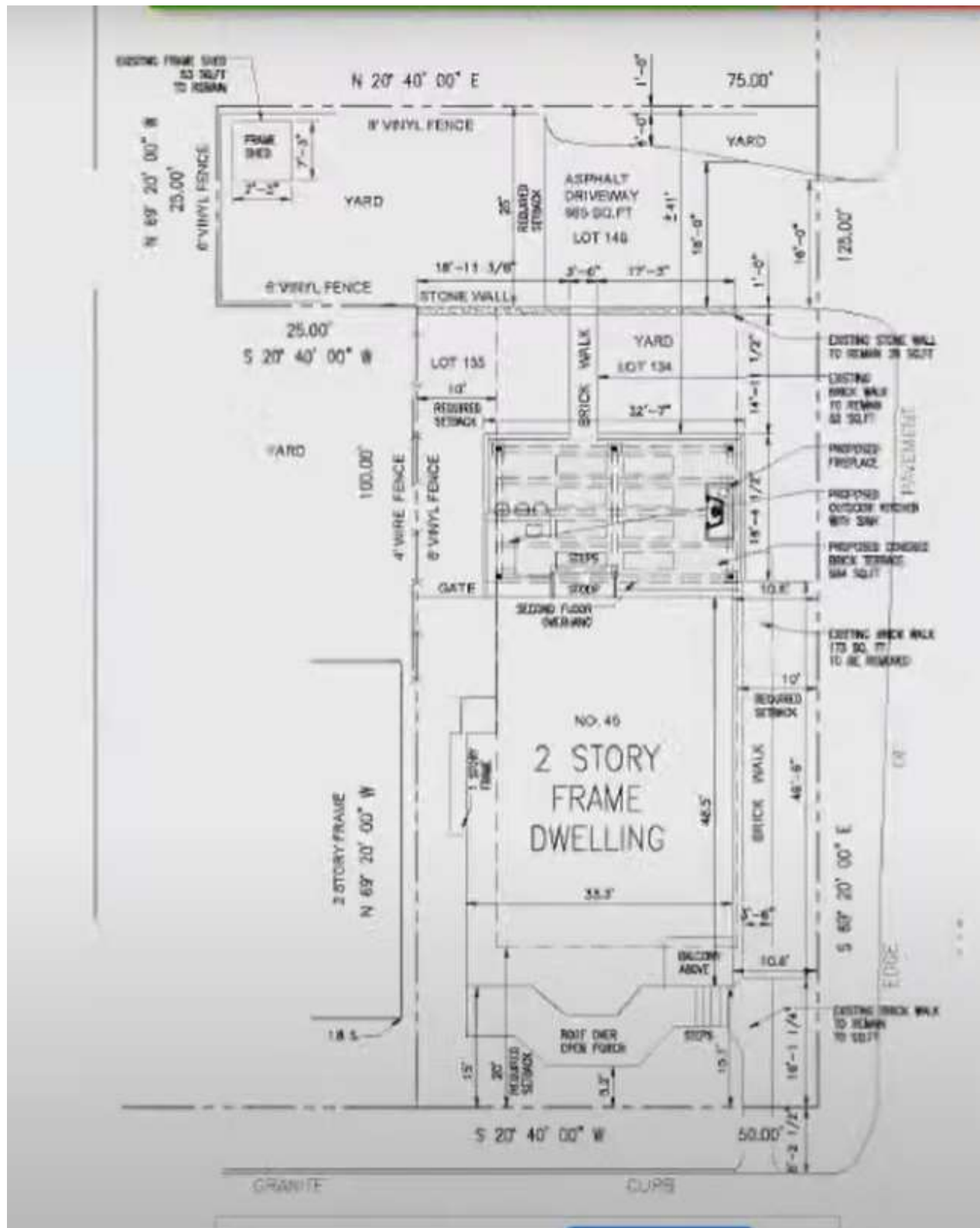
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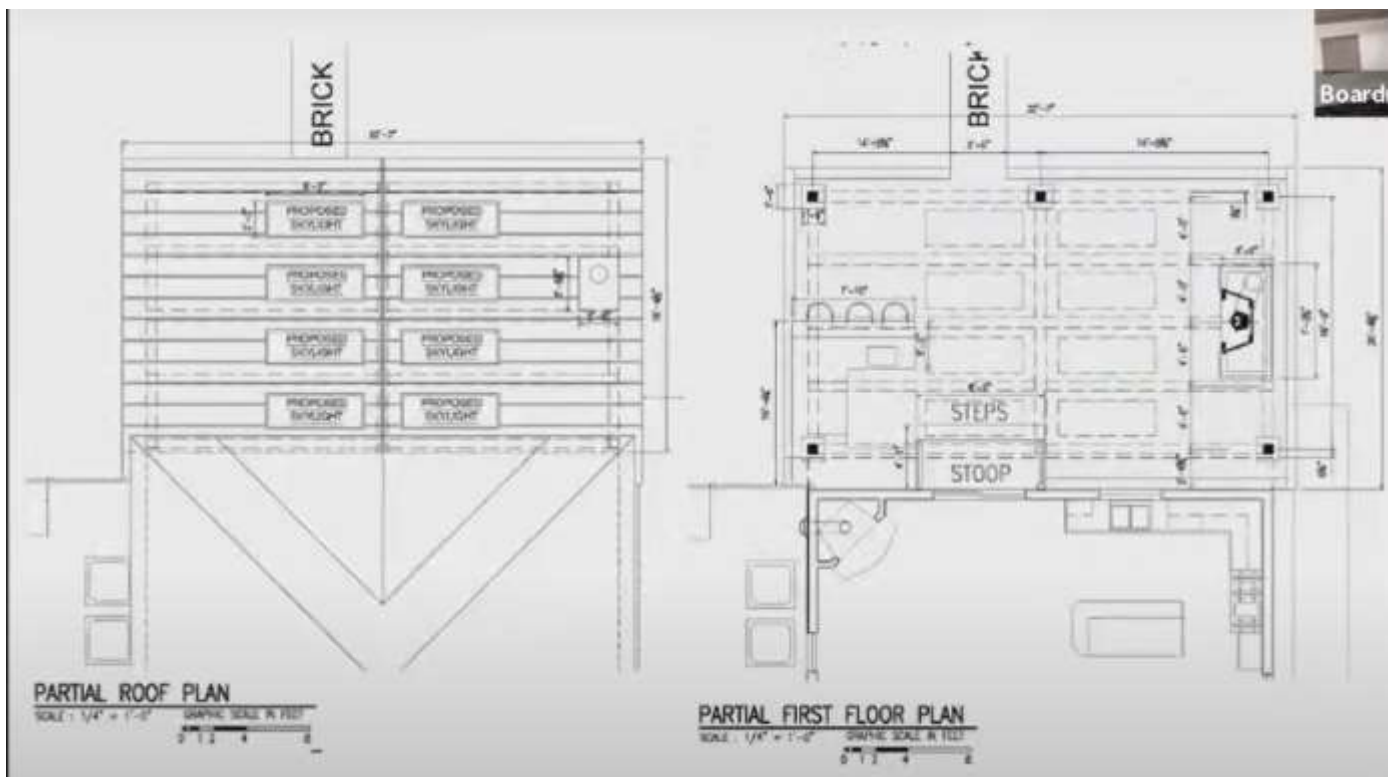
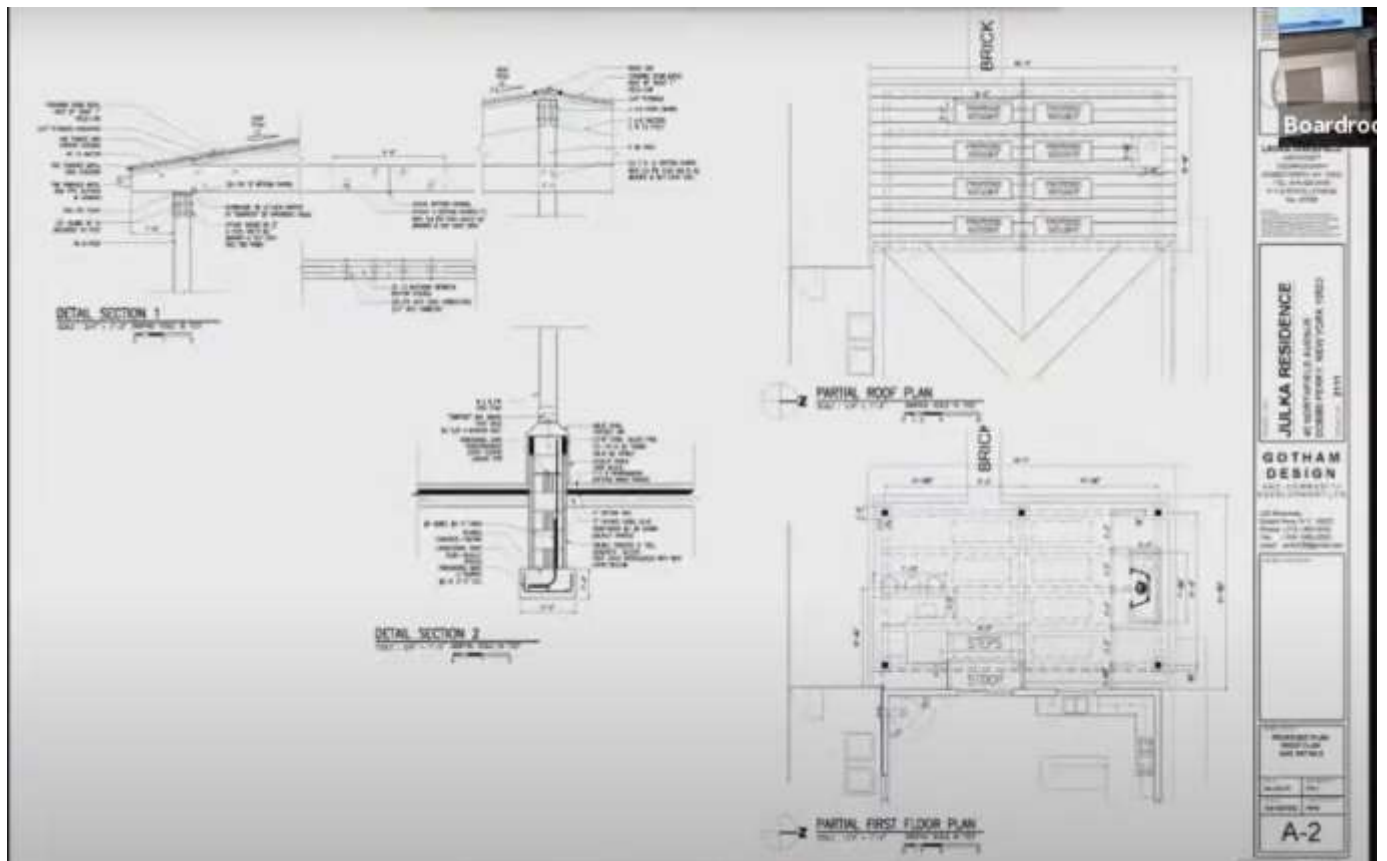
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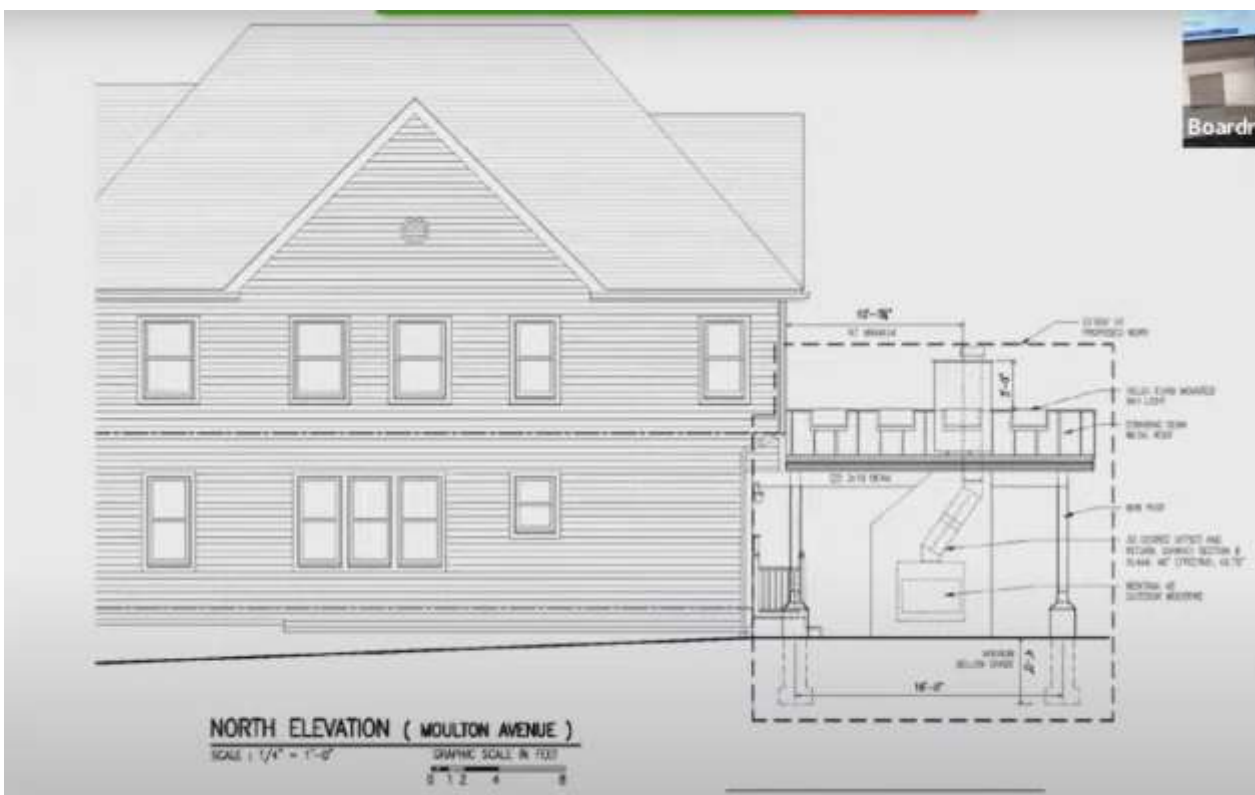
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A discussion was held and Mr. Steinschneider and Mr. Julka addressed questions from the Board.

No one from the public addressed the Board.

Motion by Chairman Hofmann, seconded by Mr. Gombos to close the public hearing for 45 Northfield Avenue for proposed plans to construct a new covered terrace and patio.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

Motion by Chairman Hofmann, seconded by Mr. Gombos to deny the application of 45 Northfield Avenue for proposed plans to construct a new covered terrace and patio, because it is a substantial variance and is out of character with the neighborhood in terms of lot coverage

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CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	4 AYE	0 NAY	1 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

Our Planner is directed to prepare a written decision reflecting the deliberations and vote of the Zoning Board on this matter. The written decision will be signed by the Chair and filed with the Village Clerk with a copy attached to tonight's meeting minutes.

Motion by Chairman Hofmann, seconded by Mr. Gombos to close the meeting.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

The meeting closed at 8:45 p.m.

DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT

RESOLUTION 4-2022

**RESOLUTION OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF DOBBS FERRY IN THE MATTER OF THE APPEAL AND APPLICATION OF
HARVINDER JULKA (“OWNER”) OF PROPERTY LOCATED AT 45 NORTHFIELD AVENUE, DOBBS
FERRY, N.Y., (“PROPERTY”) WHICH APPEAL IS FROM A DECISION OF THE BUILDING
INSPECTOR OF THE VILLAGE OF DOBBS FERRY AFFECTING THE PREMISE DESIGNATED ON
THE TAX ASSESSMENT MAPS OF THE VILLAGE OF DOBBS FERRY AS SECTION 3.100, BLOCK
83, LOT 4 IN THE OF-6 ,ONE-FAMILY RESIDENTIAL 6 ZONING DISTRICT**

WHEREAS, this application involves property located at 45 Northfield Avenue Village of Dobbs Ferry, County of Westchester and State of New York and designated as Section Block and Lot 3.100-83-4, in the OF-6, One-Family 6, Zoning District; and

WHEREAS, the Owner sought relief from the Chapter 300, Zoning and Land Use, of the Village of Dobbs Ferry, New York and requests a variance to construct a new covered terrace and patio; and

WHEREAS, in accordance with Article 8 of the Environmental Conservation Law (SEQRA) and the implementing regulations (6 NYCRR Part 617), the Zoning Board of Appeals (“ZBA”) has considered all of the impacts of the action and has determined that the Proposed Action is a Type II because it consists of the construction or expansion of a single-family residence on an approved lot (6 NYCRR § 617.5(c)(11)); and

WHEREAS, the Zoning Board of Appeals has reviewed the application materials including the following:

1. Zoning Board of Appeals application dated December 22, 2021;
2. Building Inspector denial letter dated March 11, 2022;
3. Survey prepared by Gerald T. O'Buckley dated October 28, 2021;
4. Site Plans and Architectural drawings by Gotham Design and Community Development Ltd. (Sheets CS, A-1 through A-3 and EX-1) dated January 18, 2022;
5. Visual Perspective undated; and

WHEREAS, the Owner is seeking a maximum lot coverage by building of 36.77% where the maximum lot coverage in Table B-1, Chapter 300, Zoning and Land Use, is 27% and the lot has a legal non-confirming lot coverage by building of 28.27%; and

WHEREAS, pursuant to the applicable provisions of law and after due notice and publication, a public hearing was held on January 12, 2022, at which time all those wishing to be heard were given the opportunity to be heard, and the public hearing was closed on April 13, 2022; and

WHEREAS, members of the ZBA are familiar with the property and its location; and

NOW, THEREFORE, BE IT RESOLVED, the Zoning Board of Appeals has investigated this application and has given its full consideration to the testimony presented at the hearing and hereby finds that based upon the findings, reasoning, and conditions set forth below the application to the Zoning Board of Appeals for the requested variance is denied:

1. In accordance with Section 7-712-b of the New York State Village Law and Section 300-24 of the Zoning and Land Use chapter of the Village of Dobbs Ferry, the ZBA must determine whether the benefit to the Applicant, if the variance is granted, outweighs the detriment to the health, safety, and welfare of the

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neighborhood and community. In rendering its determination and decision, the Zoning Board of Appeals finds the following:

A. Whether an undesirable change will be produced in the character of the neighborhood or be detrimental to nearby properties.

The ZBA finds that the benefits to the property do not outweigh the possible detriment to the neighborhood. The current house is already over the maximum building coverage for the OF-6 zoning district and the proposed terrace would increase the non-conformity. The property owner would be able to construct the proposed patio without the terrace. The board finds the construction of the terrace would create a lot coverage by building that is not characteristic of the neighborhood. The applicant has not demonstrated in any way that the requested lot coverage variance would be typical of, or in keeping with, neighboring properties.

B. Whether the benefit sought can be achieved by some method other than an area variance.

The property owner would be able to construct the proposed patio without the terrace and still provide the extra space from family and other gatherings. The ZBA finds that there are other alternatives to accommodate bad weather gatherings that does not require the construction of a permanent terrace.

C. Whether the variance is substantial.

The ZBA finds the requested variances as substantial because the property owner is requesting to expand an already non-conforming lot coverage by building by an additional 8.5%, for a total lot coverage by building of 36.77%, where 27% is the maximum in the OF-6 zoning district.

D. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The ZBA finds that the proposed terrace would create an adverse effect on the physical or environmental conditions in the neighborhood from the granting of the requested variance because it would not contextually fit into the neighborhood and no other neighboring property contains a similar lot coverage by building. The ZBA also finds the proposed terrace has a visual appearance of a large extension of the existing structure and not an object in the yard.

E. Whether the alleged difficulty was self-created.

The ZBA finds the proposed variance is a self-created difficulty because the Applicant is requesting a terrace over a proposed patio for shelter in bad weather, but the Applicant is still able to hold family and other gatherings without the terrace and has non-permanent options in bad weather.

2. All construction shall comply with all requirements of the Building Department and any other department, agency or board having jurisdiction.

This order was duly made by the Zoning Board of Appeals on the 13 day of April 2022.

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Motion by: Chairman Hofmann

Seconded by Mr. Gombos

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	4 AYE	0 NAY	1 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

I hereby attest that the application was approved by the Zoning Board of Appeals at its April 13, 2022, meeting, and that I have been authorized to sign this Resolution by decision of the Zoning Board of Appeals.



Peter Hofmann, Chairman

Date: May 5, 2022