



VILLAGE OF DOBBS FERRY
112 Main Street
Dobbs Ferry, New York 10522
TEL: (914) 231-8513 • FAX: (914) 693-3470

NOTICE

NOTICE IS HEREBY GIVEN that an application has been filed by 27 Main Street LLC to Appeal Building Inspector Decision and Interpretation of the Code and/or Zoning Regulations pursuant to Section 300-52.J(2) of the Village Code. This is a request for the Zoning Board of Appeals to overturn the decision made by the Building Inspector to require payment of \$10,000 as a recreation fee for the proposed residential unit that will result from the conversion of an existing commercial space to become a one bedroom apartment located in the existing building at 27 Main Street, shown on the assessment map as Sheet 3.80, Block 39, Lot 7.

NOTICE IS HEREBY FURTHER GIVEN that the Zoning Board of Appeals will hold a public hearing to consider the application on Wednesday evening, June 10, 2020 at eight o'clock p.m. The meeting will be held remotely via Zoom. The Zoom sign-in instructions for the meeting are posted on the agenda located on the Village calendar on the Village website at: www.dobbsferry.com. You may access the agenda by going to the meeting date on the calendar & clicking on the link for the Zoning Board of Appeals.

BY ORDER OF THE ZONING BOARD OF APPEALS

Dated: May 21, 2020

Elizabeth Dreaper
Village Clerk

APPLICATION TO THE ZONING BOARD OF APPEALS

This Application is made pursuant to the authorization contained in the Dobbs Ferry Village Code, as empowered by New York State Village Law.

MAY 21 2020

Date Filed: May 20, 2020

Fee Paid: _____

The Applicant is seeking the following:

Interpretation of the Code and/or Zoning Regulations: _____

Appeal to a Decision by the Building Inspector: X

Area Variance: _____ Use Variance: _____

Name of Project: 27 Main StreetAt the following address: 27 Main StreetAlso known as the following: 3.80-39-7 on the Village's Tax Map.Zoning Classification: DT Total Site Area: 4,000 sq.ft. - 0.09 acreApplicant's Name: Royal 27 Main Street LLCAddress: 27 Main Street, Dobbs Ferry, New York 10522Cell Phone: 917-335-6113 E-mail: Roya@royalconstructionsvc.comProperty Owner: Same as Applicant

Ownership Intentions: The Owner lives and works at this location and rents out the additional spaces. No change in ownership is being considered at this time.

Plans Prepared By: Sirus MiandoabiAddress: 27 Main Street, Dobbs Ferry, New York 10522Telephone: 914-274-8874 FAX: _____ Cell: 914-774-0343E-mail: Sirus@integralengrg.com

Character and Existing Use of Site: The existing property is improved by a mixed use building with 4 residential units and 3 commercial spaces.

Proposed Use of Site: To convert one of the spaces that was previously residential, but subsequently converted to commercial space, back to being a residential unit. This will increase the number of residential units in the building from 4 to 5 and reduce the number of commercial spaces in the building from 3 to 2. The building previously was in use as 8 residential units.

List the Sections of the Code from which Relief is Sought: 300-52.J.(2)

List Specific Variances Requested: No Variance are required for this action.

Provide a written description of the project including the pertinent facts and the basis of the relief sought by the Applicant pursuant to the provisions of the Dobbs Ferry Village Zoning Ordinance and Land Use Regulations. The following should be addressed:

This is a request for the Zoning Board of Appeals to overturn the decision made by the Building Inspector to require payment of \$10,000 as a recreation fee for the proposed residential unit that will result from the conversion of an existing commercial space to become a one bedroom apartment for the owner's daughter.

The existing building was previously in use as a multi-family structure with 8 apartments. The building was poorly maintained and eventually deteriorated to the point that the Village condemned the building. The then owner did not pay the real estate taxes on the building and it was taken by the Town of Greenburgh. The property was auctioned off and the current owners were the ones who purchased it from the Town. They invested a significant amount of money in the restoration of the building and modified it from 8 residential units to 4 residential units and 3 commercial spaces. They have never found a tenant for the lower level commercial space. The owner currently lives in one of the apartments above with her daughter. The owner has now assumed care for her mother and would like to convert the commercial space on the level below the street to be a one bedroom unit for her daughter.

The owner is appealing to the Zoning Board of Appeals to agree that there are unusual circumstances applicable to this application and to determine that the \$10,000 fee that is normally required for the creation of a new residential unit should not apply here. The recreation fee requirement was in place when the owner bought this building. Had the owner renovated the building as 8 units, there would not have been any recreation fee required. Instead, the owner improved the character and value of the building reducing the number of units from 8 to 4. No "reimbursement" is paid to a building owner who reduces the number of residential units in a building, although the logic that says that a recreation fee is required when a new unit is created due to the increased demand on the Village's facilities would also suggest that the demands on the Village's facilities are reduced when the number of units is reduced.

The request is to reapportion the about of space in an existing mixed use building such that the number of commercial spaces is reduced by one and the number of residential units is increased by one. However, at all times, the intensity of use of the building and its demands has been less than the 8 units that were in the building when it was purchased by this owner.

NOTES: Every application must be accompanied by an accurate plot plan drawn to scale showing the location of all existing structures and also drawings showing the exact location, dimensions, and nature of all proposed structures.

The Zoning Board of Appeals may require that surveys and/or drawings be prepared and signed by duly accredited surveyors, engineers, architects, or other qualified professionals.

Every application must include proof of title to or legal interest in the premises by deed, contract of sale, or other document.

An Environmental Assessment Form (EAF), prepared in accordance with New York SEQRA, must be submitted with this application.

A Dobbs Ferry Coastal Assessment Form (CAF) must be prepared and submitted with this application, unless a CAF has been submitted to the Planning Board.

When required by its Land Use Regulations, the Village of Dobbs Ferry shall cause a Notice to be advertized in the official newspaper and/or posted throughout the Village.

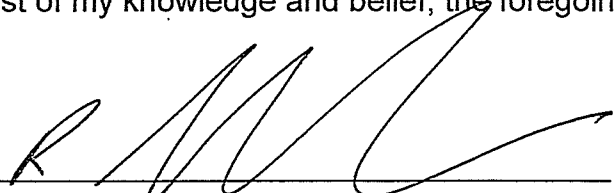
The Applicant is responsible for mailing a copy of the Notice to all Affected Persons and/or Property Owners and for filing a List of Affected Persons and/or Property Owners (Attachment 2) and an Affirmation of Mailing (Attachment 3).

The Applicant is responsible for placing a sign provided by the Village on the site to notice that the matter is pending before the Zoning Board of Appeals.

An application for a building permit to convert the existing commercial space to a residential unit, with the EAF, CAF, and survey attached has already been submitted to the Village. A Notice will be mailed to affected Persons and Property Owners. A sign will be installed at the subject property that the matter is pending before the Zoning Board of Appeals.

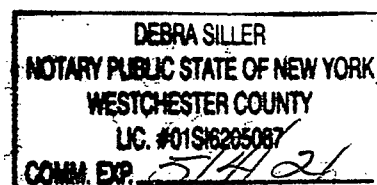
State of New York)
County of Westchester) ss:
Village of Dobbs Ferry)

I, Roya Miandoabi , being duly sworn, depose and state that I reside at 27 Main Street, Dobbs Ferry, New York 10522 , that I am the authorized owner of the property subject to this Application, and that, to the best of my knowledge and belief, the foregoing answers and statements are true.


(Signature)

SWORN TO BEFORE ME THIS 20TH DAY
OF MAY , 20 20





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

Note: Eight 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.

Date Filed: 4.30.2020

Applicant's Name: Royal 27 Mains Title Telephone: 917.335.6113

Property Location: 27 Main Street

Sheet: 4, Block: 404, Lots/Parcel: 35

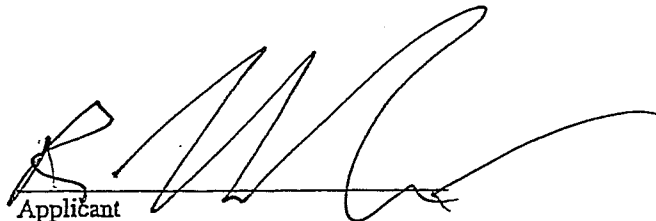
The undersigned applicant requests a hearing before the Zoning Board of Appeals based on the following:
(check one)

☒ 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:

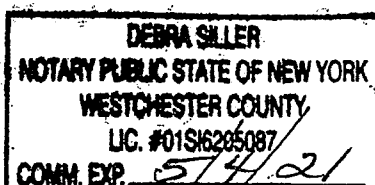
Article: _____ Section: _____ Subdivisions: _____

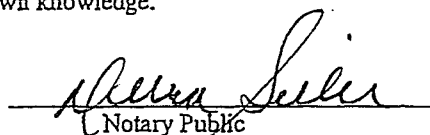
The basis of the relief sought by the undersigned pursuant to the provisions of the Building Zoning Ordinance is as follows: (Set forth briefly all pertinent facts and use additional sheets if necessary).


Applicant

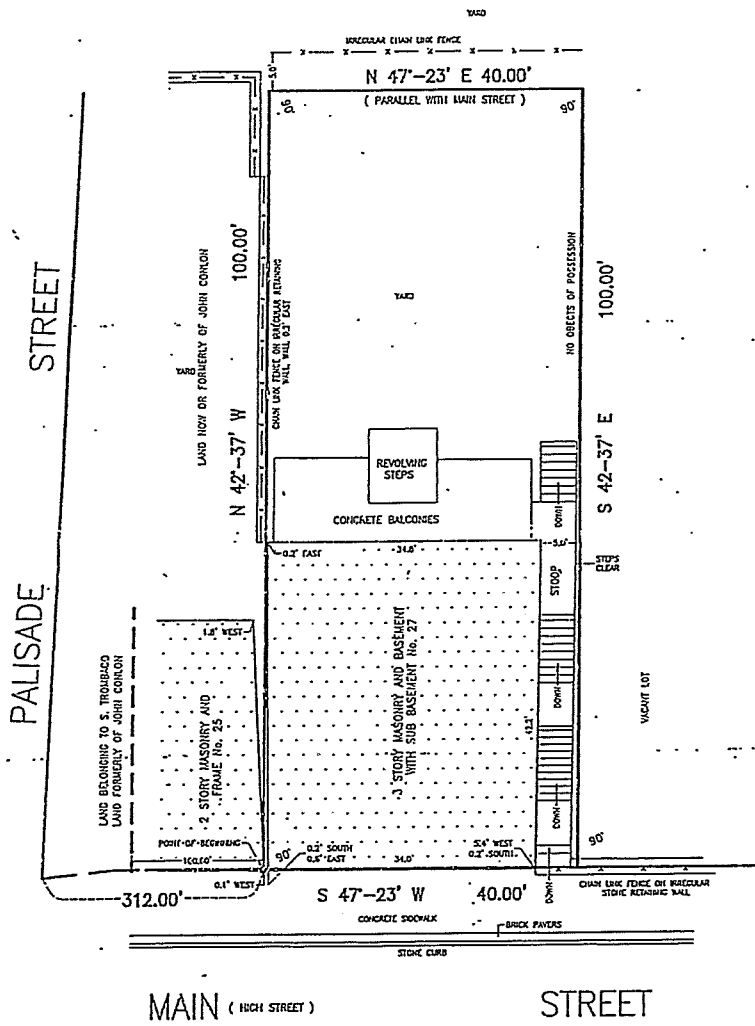
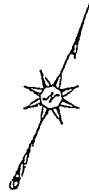
STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:

On this 30th day of MAY, 2020 before me personally came _____,
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.




Notary Public

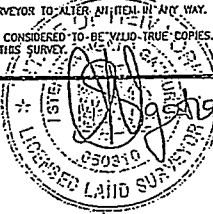
SCALE 1" = 16'
0 1 2 3
ORIGINAL SIZE IN INCHES



NOTES:
THIS SURVEY WAS PREPARED ONLY FOR ROYA MANDOUER AND IS TO BE USED FOR CERTIFICATE OF OCCUPANCY PURPOSES ONLY AND NOT FOR TITLE.
NO GUARANTEE IS IMPLIED BY THIS MAP AS TO THE EXISTENCE OR NONEXISTENCE OF ANY EASEMENTS OF RECORD THAT WOULD AFFECT SUBJECT PROPERTY, UNLESS
THEY HAVE BEEN FURNISHED WITH A COMPLETE COPY OF TITLE REPORT.
THIS MAP WAS MADE AT A SCALE OF 1" = 16' WHEN ORIGINALLY DRAWN.
PROPERTY CORNER MONUMENTS WERE NOT PLACED AS PART OF THIS SURVEY.
IT IS A VIOLATION OF THE STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR TO ALTER OR REPRODUCE IN ANY WAY,
ARCHITECTS MUST ORDER A TOPOGRAPHICAL MAP SPECIFYING THEIR EXACT NEEDS.
ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
THIS IS TO CERTIFY THAT THERE ARE NO VISIBLE STREAMS NOR NATURAL WATER COURSES IN THE PROPERTY EXCEPT AS SHOWN ON THIS SURVEY.

CERTIFIED TO:
SURVEY FOR CERTIFICATE OF OCCUPANCY

DATE SURVEYED: DECEMBER 1st, 2012
S.N. GATHURA
PROFESSIONAL LAND SURVEYORS
1545 ARCHER ROAD #611
DROCK N.Y. 10462
TELEPHONE 917-457-5372
FAX 718-206-2814
PREPARED BY ADRIAN LAISA
VILLAGE OF DOBBS FERRY
TOWN OF GREENBURGH
COUNTY OF WESTCHESTER
STATE OF NEW YORK



STEPHEN H. GATHURA P.L.S.
NEW YORK LICENSE 650310

TAX MAP	FILED MAP
SECTION 7	SECTION
BLOCK 404	BLOCK
LOT 35	LOT



VILLAGE OF DOBBS FERRY

Building Department
112 Main Street, Dobbs Ferry, NY 10522

Brian Cook
Building Inspector

Phone: (914) 231-8500
Fax: (914) 693-3470
Hours:
M - TH 8:30 AM - 4:00 PM
F 8:00 AM - 12:00 PM

CERTIFICATE OF OCCUPANCY

Certificate No.:	<u>CO-5146-1</u>	Parcel ID	<u>3.80-39-7 (07/04/0404//35)</u>
Date Issued	<u>02/06/2013</u>	Location (Zoning)	<u>27 Main St. (H)</u>
Permit Number	<u>11-5146</u>	Occupancy Type	<u>R-2 Apartment, dormitory, monastery</u>

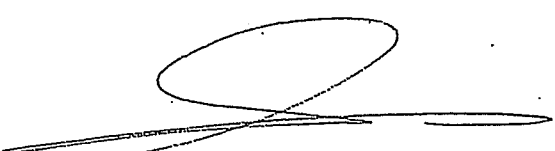
This certifies that the building on Tax Map Number: 3.80-39-7 (07/04/0404//35) and Location: 27 Main St. conforms substantially with the approved plans and specifications of Building Permit Number: 11-5146 dated: 08/23/2011 and to all the requirements of the Building Zone Ordinance of the Village of Dobbs Ferry, New York.

Project description for which this certificate is issued:

Re-model and renovate the existing house, to include 2 retail spaces and 4 residential units.
Add fire sprinklers.

I swear (or affirm) that I am the duly authorized agent or owner of the premises mentioned in this Certificate and that to best of my knowledge all work has been completed, according to all requirements of the Village of Dobbs Ferry, New York.

APPROVAL SUBJECT TO ALL REQUIREMENTS OF THE VILLAGE OF DOBBS FERRY, NY


Signature of Applicant

ISSUED BY:


Building & Planning Inspector

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



500133435DED0030

Westchester County Recording & Endorsement Page

Submitter Information

Name: Town of Greenburgh Phone: 914-993-1546
Address 1: 177 Hillside Avenue Fax: 914-993-1656
Address 2: Email: efranzese@greenburghny.com
City/State/Zip: Greenburgh NY 10607 Reference for Submitter: Royal 27 Main Street, LLC

Document Details

Control Number: 500133435 Document Type: Deed (DED)
Package ID: 2010011300217001001 Document Page Count: 2 Total Page Count: 3

Parties

☐ Additional Parties on Continuation page

2nd PARTY

1st PARTY
1: GREENBURGH TOWN OF - Corporation 1: ROYAL 27 MAIN ST LLC - Corporation
2: 2:

Property

☐ Additional Properties on Continuation page

Street Address: 27 MAIN STREET Tax Designation: 04-0404-35
City/Town: GREENBURGH Village: DOBBS FERRY

Cross-References

☐ Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

1: RP-5217 2: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
Page Fee: \$15.00
Cross-Reference Fee: \$0.00
Mortgage Affidavit Filing Fee: \$0.00
RP-5217 Filing Fee: \$250.00
TP-584 Filing Fee: \$5.00
Total Recording Fees Paid: \$310.00

Transfer Taxes

Consideration: \$239,500.00
Transfer Tax: \$958.00
Mansion Tax: \$0.00
Transfer Tax Number: 6064

Mortgage Taxes

Document Date:
Mortgage Amount:
Basic: \$0.00
Westchester: \$0.00
Additional: \$0.00
MTA: \$0.00
Special: \$0.00
Yonkers: \$0.00
Total Mortgage Tax: \$0.00

Dwelling Type: Exempt: ☐
Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 01/21/2010 at 02:51 PM
Control Number: 500133435
Witness my hand and official seal

Timothy C. Idoni

Timothy C. Idoni
Westchester County Clerk

Record and Return To

☐ Pick-up at County Clerk's office

Royal 27 Main Street LLC
271 Sprain Road

Scarsdale, NY 10583
Attn: Roya Miandoabi

PROJECT I.D. NUMBER

617.21
Appendix CState Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only**PART I-PROJECT INFORMATION** (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR <i>Royal 27 Main St LLC</i>	2. PROJECT NAME <i>27 Main Street</i>
3. PROJECT LOCATION: Municipality <i>Dobbs Ferry</i> County _____	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc. or provide map) <i>27 Main Street</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/Alteration	
6. DESCRIBE PROJECT BRIEFLY: 	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly.	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other Describe: <i>Commercial Residential</i>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/Sponsor Name: _____ Date: _____	
Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

OVER

PART II-ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly.	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly.	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly.	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.	
C6. Long term, short term, cumulative, or other affects not identified in C1-C5? Explain briefly.	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA? <input type="checkbox"/> Yes <input type="checkbox"/> No	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly.	

PART III--DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D or Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
<hr/> <div style="text-align: center;">Name of Lead Agency</div>	
<hr/> <div style="text-align: center;">Print or Type Name of Responsible Officer in Lead Agency</div>	<hr/> <div style="text-align: center;">Title of Responsible Officer</div>
<hr/> <div style="text-align: center;">Signature of Responsible Officer in Lead Agency</div>	<hr/> <div style="text-align: center;">Signature of Preparer (If different from responsible officer)</div>
<hr/> <div style="text-align: center;">Date</div>	

(Note: In the event of joint tenancy, the singular will be construed as necessary)
The following documents must be submitted or the application will not be accepted:

- | | | |
|----|-------------------------------------------------------------------------|-------------------------------------|
| 1. | Copy of deed or contract of sale | <input checked="" type="checkbox"/> |
| 2. | Application completely filled out | <input checked="" type="checkbox"/> |
| 3. | Environmental Assessment form | <input type="checkbox"/> |
| 4. | Survey of property | <input checked="" type="checkbox"/> |
| 5. | Plans showing profiles of proposed alteration/addition | <input checked="" type="checkbox"/> |
| 6. | Copy of denial from Building Inspector or Architectural Board of Review | <input type="checkbox"/> |

Note: Certification of noticing to area property owners must be submitted to the Village Clerk's Office no later than 2:00 p.m. on the Friday preceding the meeting.