



January 14, 2022  
\*revised

## **AGENDA FOR ZONING BOARD OF APPEALS**

### **PLEASE TAKE NOTICE:**

***THE CITY OF YONKERS ZONING BOARD OF APPEALS MEETING SCHEDULED FOR TUESDAY, JANUARY 18, 2022 AT 6:00 PM, WILL BE HELD IN THE AUDITORIUM at SAUNDERS HIGH SCHOOL (183 Palmer Road, Yonkers, NY 10701).***

***PLEASE BE SURE TO CHECK OUR WEBSITE FOR INFORMATION AND UPDATES [WWW.YONKERSNY.GOV](http://WWW.YONKERSNY.GOV).***

***CURRENT CDC GUIDELINES SHALL CONTINUE TO BE OBSERVED REGARDING ATTENDANCE BY THE PUBLIC.***

### **DECISIONS**

**# 5767 – Area Variance** – Andrew Romano, Esq., on behalf of Sherena Doldron, owner, on premises known as **26 Cornell Avenue**, Block: 111, Lot: 22.32, Zone: A (B28235)

**# 5768 – Improvement and Intensification to a Non-Conforming Use** – Andrew Romano, Esq., on behalf of 51 Lawrence Street LLC, owner, on premises known as **51 Lawrence Street**, Block: 116, Lot: 11.14, Zone: A (B26857)

**# 5770 – Area Variance** – Diane B. Kolev, Esq., on behalf of Macquesten Development LLC, owner, on premises known as **36-38, & 32 Main Street; 1-3 Riverdale Avenue**, Block: 501, Lot: 18, 19, 20, 22, 23 Zone: D-MX (B28828)

**# 5771 – Improvement to a Non-Conforming Use & Area Variance** – Andrew Romano, Esq., on behalf of Suahuil Valerio, owner, on premises known as **46 aka 48 Ridge Drive**, Block: 95, Lot: 44, Zone: S-50 (B28271)

### **PENDING/CLOSED FOR PUBLIC DISCUSSION**

**# 5758 – Area Variance** – Steven A. Accinelli, Esq., on behalf of The Plant Powerhouse LLC, owner, on premises known as **45 Water Grant Street**, Block: 2635, Lot: 1, Zone: IP (B27856)

**# 5759 – Area Variance** – Daniel D. Tartaglia, Esq., on behalf of Verus Development LLC, contract vendee, on premises known as **345 McLean Avenue**, Block: 59, Lot: 75, Zone: A (B27461)

**# 5760 – Area Variance** – Jacob E. Amir, Esq., on behalf of Dagro Associates II LLC, owner, on premises known as **165 North Broadway**, Block: 2094, Lot: 25, Zone: BA (B23338)

## **OPEN CONTINUED HEARINGS**

# 5772 – **Area Variance** – Andrew Romano, Esq., on behalf of Joseph Weiburg, owner, on premises known as **453 Bronxville Road**, Block: 5603, Lot: 7, Zone: S-60 (A206)

## **NEW HEARINGS**

# 5727A – **Area Variance** – Andrew Maniglia of Ginsburg Development, on behalf of Pier LLC 70, owner, to construct a multiple dwelling over ground floor amenities and interior parking having:

- *Exceeding maximum permitted height, Section 43-27, Table 43-3 (required 36 ft., proposed 49 ft.);*
- *Insufficient side yard, Section 43-27, Table 43-3 (required 16 ft./32 ft. total, proposed 0 ft. /0 ft. total);*
- *Insufficient rear yard, Section 43-27, Table 43-3 (required 25 ft., proposed 0 ft.);*
- *Insufficient front yard, Section 43-27, Table 43-3 (required 25 ft., proposed 0 ft.);*
- *Insufficient parking, Section 43-128, Table 43-4 (required 67 spaces, proposed 35 spaces);*
- *Parking aisle width (Reference Yonkers Zoning Ordinance 43-134.A.12), for 90 degree parking (required: 24'-0, proposed: 22 ft. at Pier St.);*
- *Exceeding maximum permitted building coverage, Section 43-27, Table 43-3 (required 40 percent, proposed 100 percent);*
- *Exceeding maximum F.A.R., Section 43-27, Table 43-3 (required: 1.25, proposed: 1.75);*

on premises known as **70 Pier Street**, Block: 146, Lot: 1.4, Zone: M (B24085)

# 5769 – **Improvement and Intensification to a Non-Conforming Use & Area Variance** – Shahin Badaly, P.E., on behalf of Ghassem Khorassani, owner, for addition of exterior parking lot, whereas:

- *Improvement to a non-conforming use requires Zoning Board of Appeals approval (Reference Yonkers Zoning Ordinance 43-21.G);*
- *A non-conforming use shall not be enlarged, intensified, altered, structurally or extended without Zoning Board of Appeals approval (Reference Section 43-21.B.1 & 43-21.B.2);*
- *Fences and walls, including retaining walls, must not exceed 4 feet in height in a required front yard setback/ proposed 6';*

on premises known as **527 aka 531 Van Cortlandt Park Avenue**, Block: 39, Lot: 59.60, Zone: A (B22793)

# 5773 – **Area Variance** – Stephen A. Veneruso, Esq., on behalf of Laurie Hawkes, owner, for an extension of existing stone wall, whereas:

- *Retaining walls must not exceed 4 feet in height in a required front yard setback or in any other required yard setback abutting a street (Reference Yonkers Zoning Ordinance 43-41.D.3.a);*

on premises known as **56 Dellwood Road**, Block: 5593, Lot: 86, Zone: S-75 (B24133)

# 5774 – **Area Variance** – Steven A. Accinelli, Esq., on behalf of NOAM ONE LLC, owner, to construct a new 98 unit, 8 story residential building with 120 off-street parking spaces, having:

- *Insufficient side-front yard, Section 43-27, Table 43-3 (required 20 ft., proposed zero ft.);*
- *Insufficient rear yard, Section 43-27, Table 43-3 (required 25 ft., proposed zero ft.);*
- *Parking within 5 feet of all property lines not permitted, Reference Yonkers Zoning Ordinance 43-44.A.9.b. (proposed one foot);*
- *Parking within 10 feet of a building on the same lot is not permitted, Reference Yonkers Zoning Ordinance 43-44.A.9.b. (proposed zero ft.);*
- *Fences and walls, including retaining walls, must not exceed 4 feet in height in a required front yard setback or in any other required yard setback abutting a street and 6 feet in height within any other required yard setback (Reference Yonkers Zoning Ordinance 43-41.D.3.a). (proposed higher than 4 ft. in front and side-front yards ; and higher than 6 ft. in rear and side yards);*

on premises known as **57 Locust Hill Avenue**, Block: 2020, Lot: 1, Zone: A (B28896)

# 5775 – **Area Variance** – Shahin Badaly, P.E., on behalf of Hudson Walk LLC, owner, to construct new 5 story, 16 unit building, having:

- *Insufficient drive aisle width section 43-121.D.(1), illustration no. 28 (required 20'-30'; proposed 12');*

on premises known as **409 Warburton Avenue**, Block: 2121, Lot: 15, Zone: M (B29215)

**OFF AGENDA ITEMS**

Case # 5567 & 5631	18 Trinity Street	Extension Request
Case #5673	155 South Broadway	Extension Request
Case #5751	155 Warburton Ave	Amend Approval
Case #5571	1282 Midland Ave aka 838 Kimball	Extension Request

**JOSEPH CIANCIULLI**  
**CHAIRMAN, ZBA**