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June 21, 2022

**AGENDA FOR ZONING BOARD OF APPEALS**

***PLEASE TAKE NOTICE:***

***THE* CITY OF YONKERS ZONING BOARD OF APPEALS *MEETING SCHEDULED FOR* TUESDAY, JUNE 21, 2022 AT 6:00 PM, *WILL BE HELD IN YONKERS CITY HALL, 40 SOUTH BROADWAY, 4TH FLOOR (building is handicapped accessible).***

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

**DECISIONS**

**# 5784 – Non-Conforming Use –** Andrew Romano, Esq., on behalf of Piermont Diner LLC, owner, on premises known as **120 Herriot Street**, Block: 175, Lot: 3, Zone: A (B23430)

**PENDING/CLOSED FOR PUBLIC DISCUSSION**

**# 5769 – Improvement and Intensification to a Non-Conforming Use & Area Variance –** James G. Dibbini, Esq., on behalf of Ghassem Khorassani, owner, on premises known as **527 aka 531 Van Cortlandt Park Avenue**, Block: 39, Lot: 59.60, Zone: A (B22793)

**OPEN CONTINUED HEARINGS**

**# 5727A – Area Variance –** Andrew Maniglia of Ginsburg Development, on behalf of Pier LLC 70, owner, on premises known as **70 Pier Street**, Block: 146, Lot: 1.4, Zone: M (B24085)

**# 5785 – Area Variance –** Andrew Romano, Esq., on behalf of Casino Hospitality LLC, owner, on premises known as **651 Bronx River Road**, Block: 5226, Lot: 17.21, Zone: BR (B28653)

**NEW HEARINGS**

**# 5786 – Area Variance –** Shahin Badaly, P.E., on behalf of David Vazquez, owner, to reconstruct existing exterior steps within the City right-of-way, whereas:

* *steps encroach in right-of-way;*

on premises known as **50 Elaine Terrace**, Block: 5460, Lot: 43, Zone: S-50 (B18682 amendment)

**# 5787 – Area Variance –** John Canning P.E., on behalf of Silver Bell Company LLC, owner, for parking lot and sidewalk reconstruction, with ADA upgrades, having:

* *Insufficient parking, Section 43-128, Table 43-4 (required 93 spaces, existing 84 spaces, proposed 76 spaces);*

on premises known as **1230 Nepperhan Avenue**, Block: 3182, Lot: 5, Zone: I (B23307)

**# 5788 – Use & Area Variance –** Stephen A. Veneruso, Esq., on behalf of Hampshire Management Company Number 30, LLC, owner, for construction of self-storage building, whereas:

* *Proposed use not permitted, Section 43-27, Table 43-1. Self-storage warehouses are not permitted in an OL Zone;*
* *Proposed use requires Special Use Permit, Section 43-27, Table 43-1. Self-storage warehouses require a special use permit in an I Zone;*
* *Exceeding maximum permitted floor area ratio, Section 43-27, Table 43-3 (required 0.8, proposed 1.89);*
* *Exceeding maximum permitted height (stories), Section 43-27, Table 43-3 (required 3, proposed 5);*
* *Exceeding maximum permitted height (feet), Section 43-27, Table 43-3 (required 45’, proposed 63’);*
* *Parking within the minimum front yard not permitted, Section 43-133(A)1;*
* *All parking spaces shall be located minimum of 5’-0” from any property line as per COY Zoning Code 43-44 B (5). (required 5.0’, proposed 4.3’);*
* *All parking spaces shall be located minimum of 5’-0” from any property line as per COY Zoning Code 43-44 B (5). (required 5.0’, proposed\_0.5’);*

on premises known as **1111 aka 1113 Central Park Avenue**, Block: 5425, Lot: 100, Zone: OL (B30224)

**# 5789 – Area Variance –** Stephen A. Veneruso, Esq., on behalf of CCNA Realty LLC, owner, to redesign and recreate parking lot, having:

* *Insufficient parking, Section 43-128, Table 43-4 (required 82, approved by ZBA Case No. 5696, 7/8/2020, proposed 74 spaces);*

on premises known as **470 Nepperhan Avenue**, Block: 2073, Lot: 1, Zone: I (B20313)

**# 5790 – Area Variance –** James Veneruso, Esq., on behalf of Mehranco Limited Liability Co., owner, to construct a new retail, self storage building, having:

* *Exceeding maximum permitted height, Section 43-27, Table 43-3 (required 48 ft., proposed 74.5 ft.);*
* *Parking within the minimum front yard not permitted, Section 43-133 (A)1;*
* *Insufficient loading spaces Ref. 43-128, Table 43-5 (required 5, proposed 4);*
* *Insufficient depth of retail space measured from the front of the structure, Ref. 43-36.M.(1) (required 60 ft. minimum, proposed 51.3 ft.);*
* *Parking within 10 ft. of a public right-of-way is not permitted, Ref. 43-134.A.(4). (proposed 2.4 ft.);*
* *Parking within 10 feet of a building on the same lot is not permitted, Reference Yonkers Zoning Ordinance 43-44.A.9.b.(proposed 1.5 ft.);*

on premises known as **1999 Central Park Avenue**, Block: 4385, Lot: 42.43, Zone: BR (B30132)

**# 5791 – Area Variance –** Kyle Pustola, on behalf of Hudson View Building #4 LLC, owner, for private café, food prep and office space on 4th floor and rooftop cafe, having:

* *Insufficient parking, Section 43-224, Table 43-10 (required 45 spaces, proposed 0 additional spaces);*

on premises known as **29 Wells Avenue**, Block: 2009, Lot: 1, Zone: D-IRT (B29483)

**# 5792 – Area Variance –** Andrew Romano, Esq., on behalf of Jose Serrano, owner, for interior alterations to create a small church, having:

* *Insufficient parking, Section 43-128, Table 43-4, (required: 9 spaces, proposed: 3 spaces, office credit);*

on premises known as **204 (206) Ashburton Avenue**, Block: 2042, Lot: 14, Zone: B (B23655)

**OFF AGENDA ITEMS**

Case #5696 470 Nepperhan Avenue Extension Request

Case #5642 750 Central Park Avenue Extension Request

**JOSEPH CIANCIULLI**

**CHAIRMAN, ZBA**