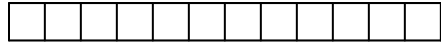


EVA BOUHASSIRA ARCHITECT PC



50 HAMILTON AVENUE HASTINGS-ON-HUDSON NY10706
Eva.Bouhassira.Architect@gmail.com PH 914-478-1223 FAX 866-290-9786

November 7 2019

**Members of the Zoning Board of Appeals
Village of Hastings on Hudson
7 Maple Avenue
Hastings on Hudson NY 10706**

**§ 295-55A Prohibition against Extension of Non-conformity
§ 295-69. One-Family Residence (R-7.5) Districts.**

Elm and Fraser Place hold a special place in the fabric of Hastings. They have a wonderful, well-preserved, original village texture, reminiscent of life in the 1900s, when most of the houses were built. The houses are spaced closely side-by-side, have either front or wraparound porches, steep roofs and finished attics. The lots are deep and have side driveways with garages in the rear. A number of houses were expanded and added to in the back, but the front views remain quite unchanged. Outside of a couple of exceptions, they are architecturally consistent and true to the period.

22 Elm Place is a classic central colonial house built in 1912 and situated on a level property. The first floor is raised 3.5 feet above grade. The living room on the east and the dining room/kitchen on the west side constitute the living space. When the homeowners, who are in their third decade living in Hastings, purchased the house, it came with a small closed front porch. Wishing to break out of this box, as well as gain more light in the dining room, they removed glazed screens and have been using it as an open porch. However, it's not anywhere near the size of porches on the street. There is a back kitchen door leading to a tiny back porch and steps.

Other than that, the house hasn't changed over the years. The homeowners have lived with one very small coat closet, a cramped powder room, a pretty dysfunctional kitchen and no easily usable outdoor dining space. The time has come to renovate and make the first floor more comfortable. We are proposing to build a small rear addition in order to gain a walk-in coat closet, as well as a comfortable powder room. It's also necessary to renovate the kitchen which has become outdated. In conjunction with the remodeled kitchen, the homeowners would like to create an outdoor dining area. Since the house is well above grade, the only way to do this without constantly having to negotiate six steps is to add a back porch on the level with the first floor.

We have tried different approaches and carefully gauged the size of the proposed back porch, so that it's functional but not too big. Most of the yard is still intended to remain as grass and plantings.

Although the lot coverage has increased, it should be noted that the deck is a permeable surface, compared to the stone patio which is impermeable. Elm Place is sloped and the houses are separated by retaining walls of different heights. The yard level at number 22 is lower compared to abutting properties to the South, 15 Villard and East, 26 Elm. The proposed porch is approximately at the level with those two adjacent yards. It is also separated by a garage from the house at 18 Elm. This helps the proposed porch to fit with its surroundings. It should also be noted that the lot at 5,050 SF is substantially smaller than 7,500 SF. The hypothetical coverage on a code-sized lot would actually be compliant, at 27.81% (building) and 33.6% (development).

This house, just like other houses in the vicinity, originally came with a garage. The garage was altered by the previous owner to accommodate progressively larger cars. Unfortunately, the alterations have exceeded the structural integrity of the former garage and it's now in need of repair.

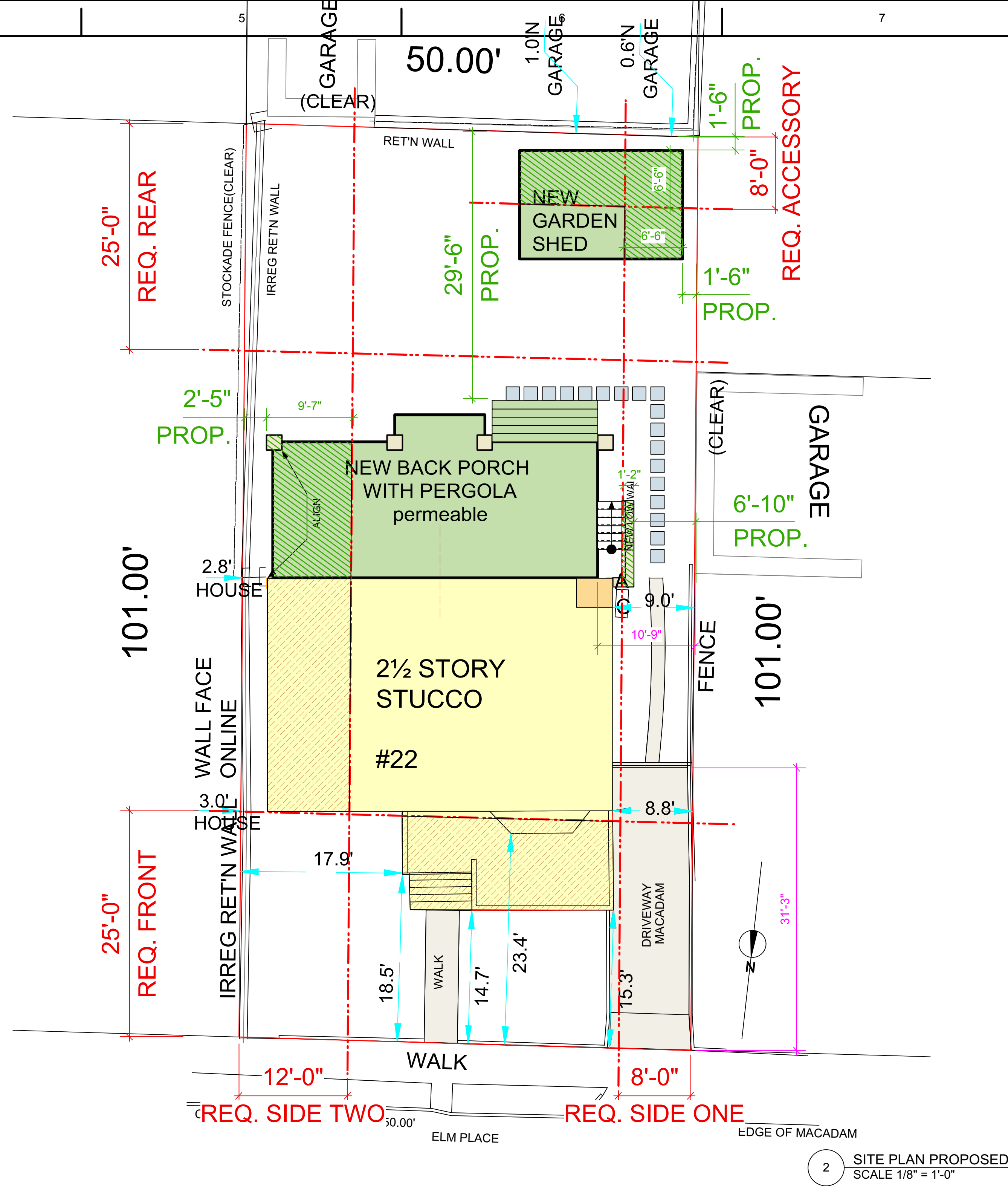
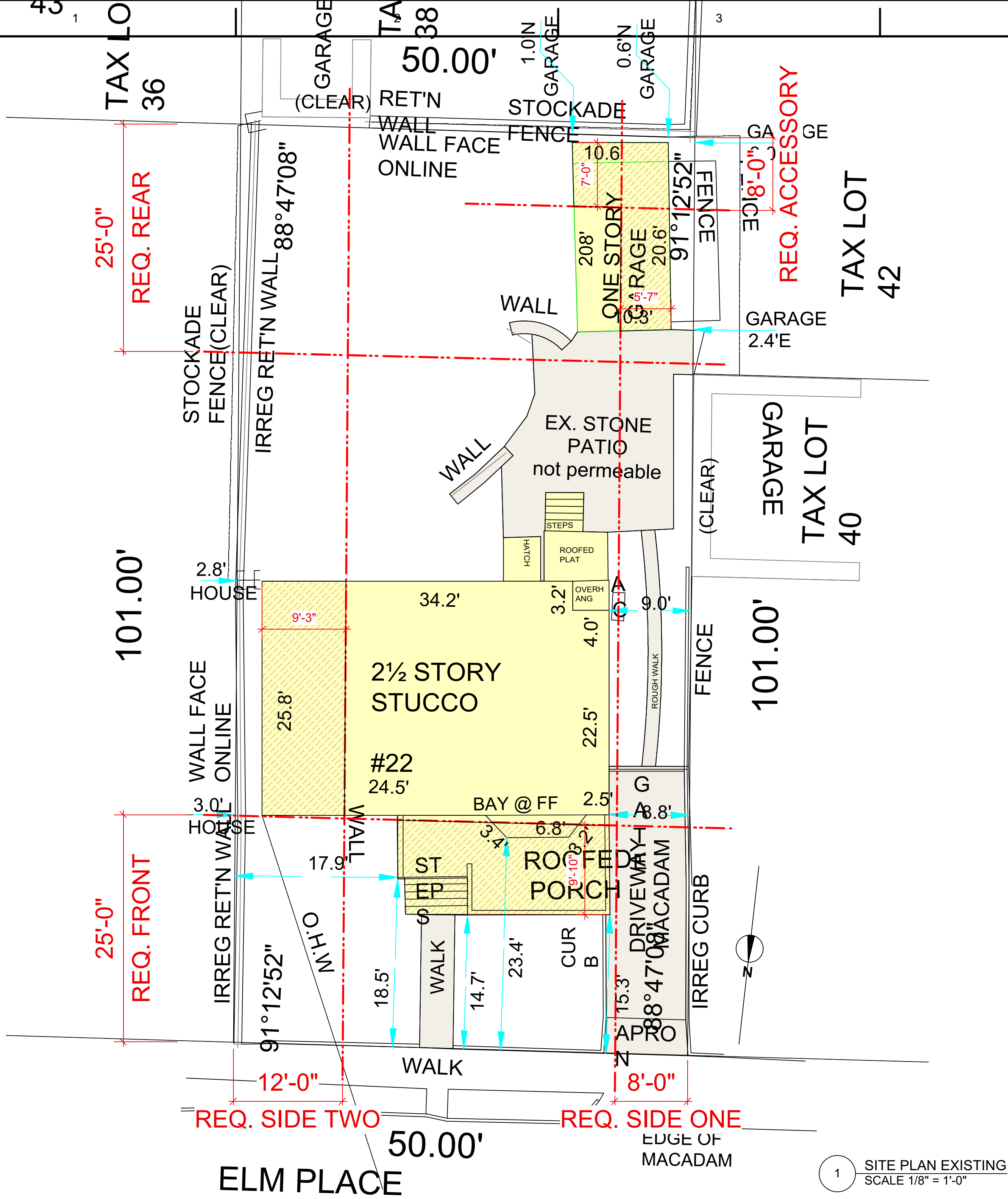
The owners do not intend to use the structure for an automobile any longer. There are two parking spaces in the driveway. However, it still serves several important storage functions: the family needs to store several bikes and a kayak built by one of their sons. They also have gardening and yard supplies. Therefore, we'd like to retain the spirit of this grandfathered structure which currently measures 10'-4" x 20'-10", or 217 SF and replace it with a very similar structure, 12'-0" x 18'-0" or 216 SF, e.g. the same square footage. Additionally, we'd like to rotate it 90 degrees and thus orient it in a way where it allows for more open space. While the allowed height is 15', the shed is 13' tall.

The current shed is set 0.6' back from the rear lot line and 2'-4" from the side lot line. We're proposing to locate the new structure to be 1'-6" from the rear and side lines. This allows for basic maintenance tasks, and preserves as much open yard as possible. Situating the shed in this way makes it consistent not only with its predecessor, but also with the other garages and sheds on the surrounding lots. One only has to look at the two lots abutting this one: 18 Elm and 15 Villard. Those garage sheds (as shown in photos and on the survey) are located at, respectively, 0 inches and 10 inches from the abutting lot lines. Similar examples can be seen at other nearby properties. Given the shape of the lots and the desire to preserve open backyard space, this makes perfect sense.

We firmly believe that the proposed changes won't produce an undesirable change and do not have an adverse impact on the physical or environmental conditions in the neighborhood. The changes are in character with nearby properties. Due to the size and configuration of the house and lot, this benefit cannot be achieved by feasible alternatives, and the difficulty is not self-created. The variance is not substantial, since a deck doesn't impact the open space the way house additions sometimes do. Therefore we respectfully request your approval.

Thank you for your review, time and consideration.
Respectfully submitted,

Eva Klein Bouhassira, RA



ALTERATION
/ ADDITION
Kitchen,
Powder room,
Attic Bath,
Deck, Shed

EXISTING NON-CONFORMING

PROPOSED NON-CONFORMING

FUCHS WALSH
RESIDENCE
22 ELM PLACE
HASTINGS ON HUDSON
NY 10706

EVA BOUHASSIRA
ARCHITECT PC
50 HAMILTON AVENUE
HASTINGS-ON-HUDSON NY 10706
914-478-1223

2 11/07/2019 ISSUED FOR ZBA
1 06/07/2019 EXISTING CONDITIONS

No. Date Issue Notes

Drawing Title

ZONING
ANALYSIS

Project Manager

Project ID

Drawn By

Scale

Reviewed By

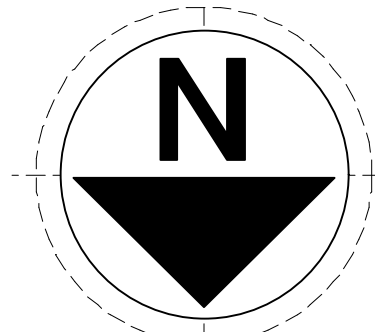
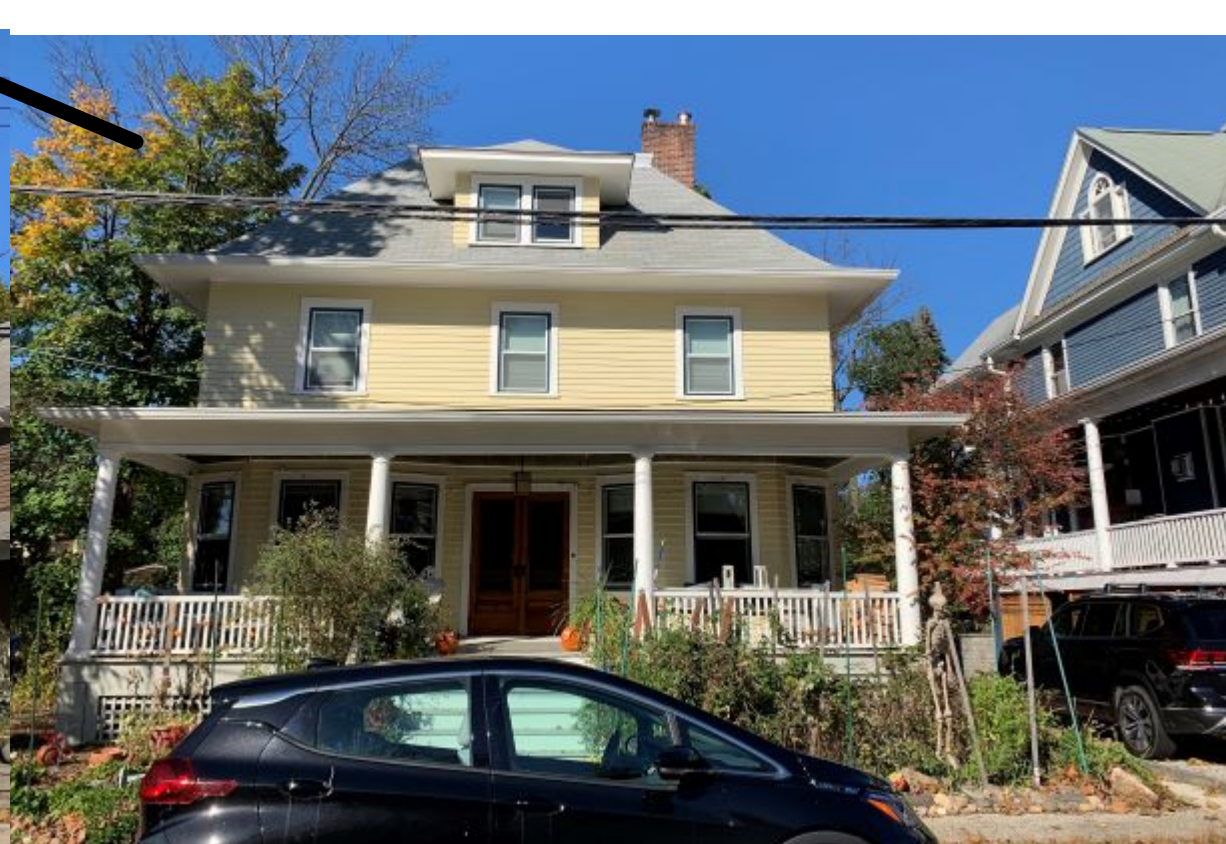
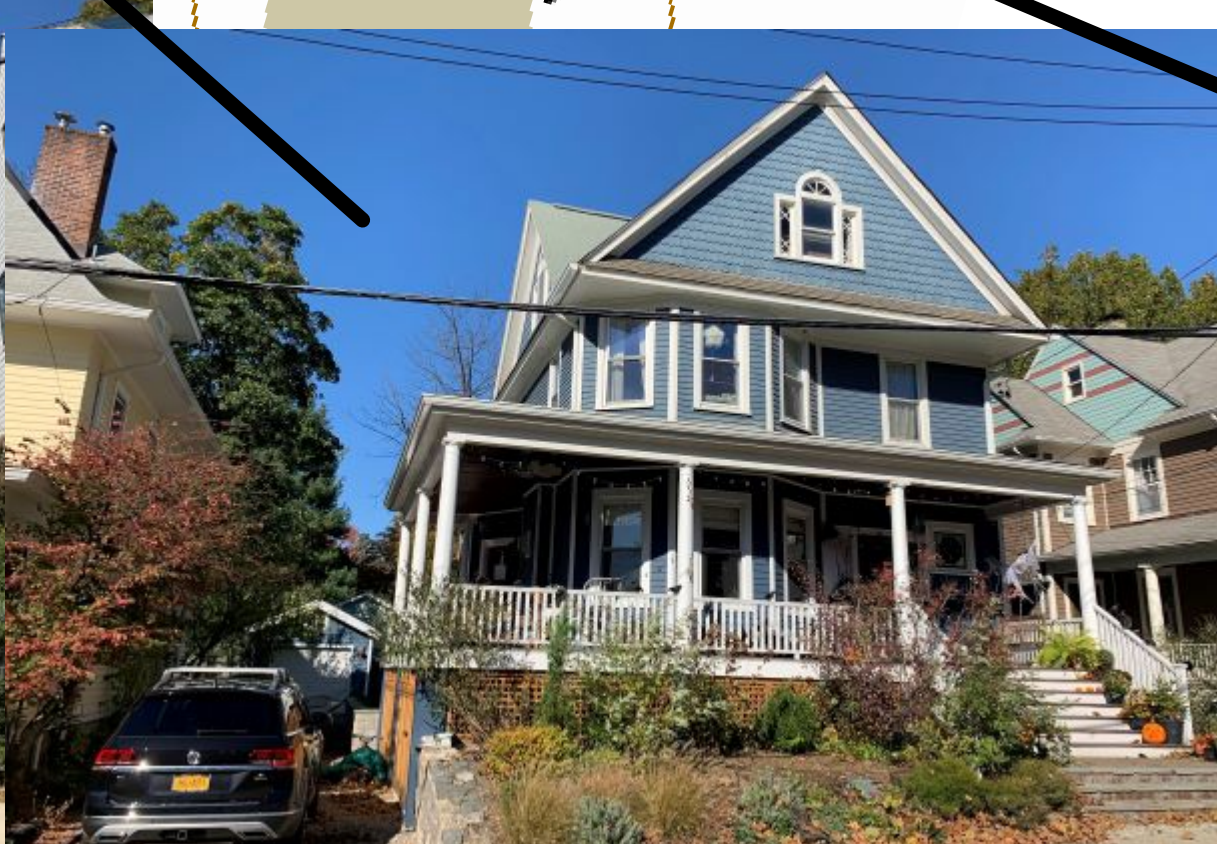
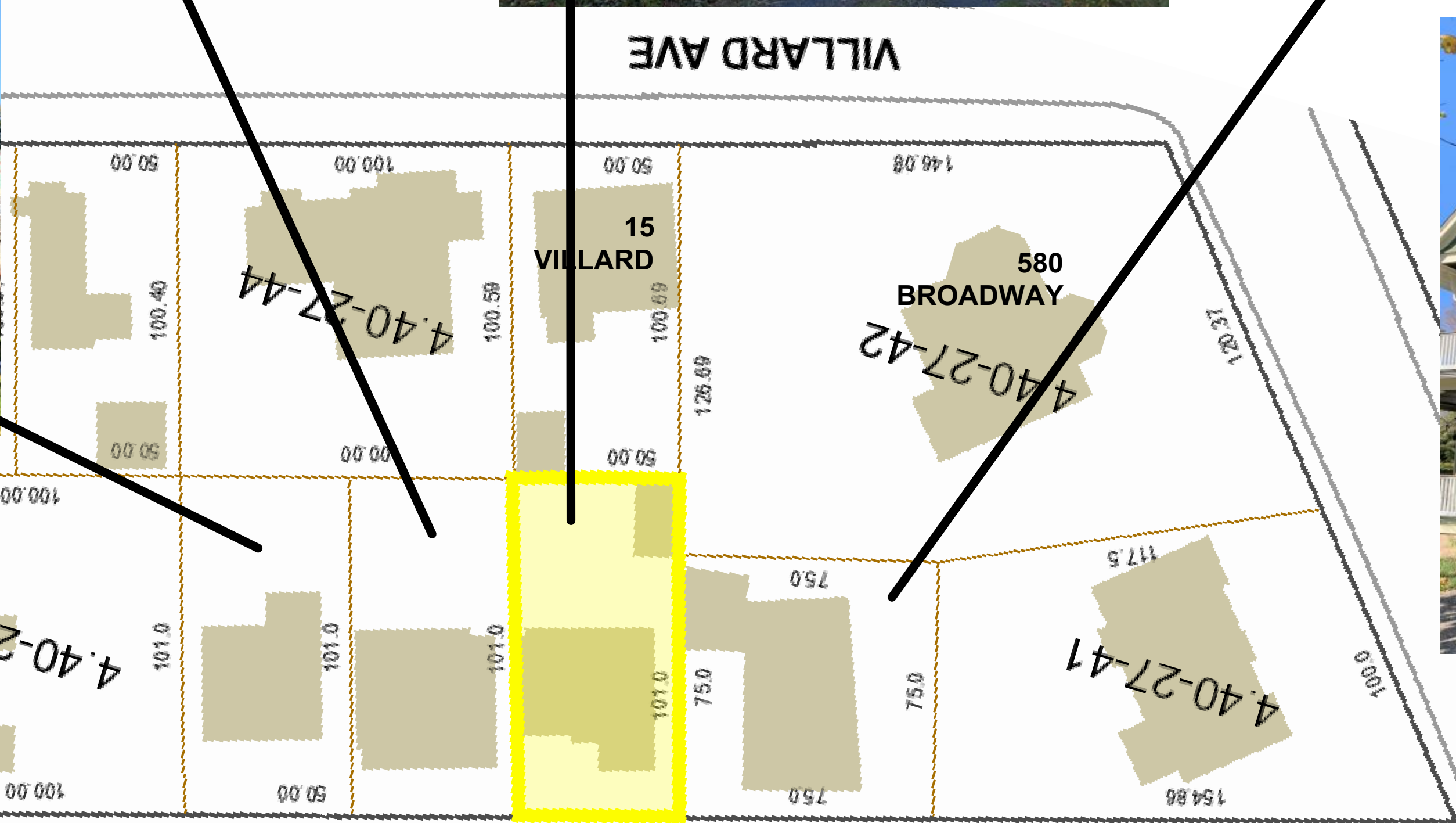
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Date

File Name

ZONING ANALYSIS						
22 ELM PLACE FUCHS WALSH RESIDENCE						
ZONE R-7.5 Chapter 295 Article IX District Use and Area Regulation						
ZONING RULE	DESCRIPTION	CODE REQUIREMENT	EXISTING	CURRENT COMPLIANCE	PROPOSED COMPLIANCE	NOTES
§ 295-69. One-Family Residence (R-7.5) Districts.						
295-69.E	Lot size and width	75 ft wide	50 ft	no	N/A	
		7,500 SF	5,050 SF	no	N/A	
295-69.F (1) (a)	Front yard	25 ft	14.7'	no	14.7'	no change
295-69.F (1) (b)	Rear yard	25 ft	49'-10"	yes	29'-6"	complies
	Accessory rear	8 ft	0.6'	no	1'-6"	variance
295-69.F (1) (c)	Two side yards	20 ft	11'-4"	no	9'-3"	variance
	Side yard #1 West	8 ft	8'-8"	yes	6'-10"	variance
	Side yard #2 East	12 ft	2'-8"	no	2'-5"	variance
	Accessory side	8 ft	2'-4"	no	1'-6"	variance
295-69.F (1) (d)	Max height	35 ft	36 ft	no	36 ft	no change
	Stories	2 1/2 story	2 1/2 story	yes	2 1/2 story	no change
	Accessory	15 / 12 ft	10'-3"	yes	13'-0"	complies
295-69.F (2) (a) (1)	Building coverage	30% of lot	1,515	30%		
	house		1,005	no change	1,005	
	front porch and steps		230	no change	230	
	back porch and Bilco		76	remove	0	
	new back porch			add	635	
	ex. garage		217	remove	0	
	new shed			add	216	
			1,528		2,086	
			30.26%		41.31%	variance
295-69.F (2) (a) (2)	Development coverage	40% of lot	2,020	40%		
	structures (see above)		1,528		2,086	
	front walk		55	no change	55	
	macadam driveway		270	no change	270	
	rough walk - semiperm.		40	smaller	35	
	stone patio and walls		391	remove	0	
	new basement steps			add	36	
	new stepping stones			add	40	
			2,284		2,522	
			45.23%		49.94%	variance





**FUCHS WALSH
RESIDENCE**
22 ELM PLACE
HASTINGS ON HUDSON
NY 10706

**EVA BOUHASSIRA
ARCHITECT P C**
50 HAMILTON AVENUE
HASTINGS-ON-HUDSON NY 10706
914-478-1223

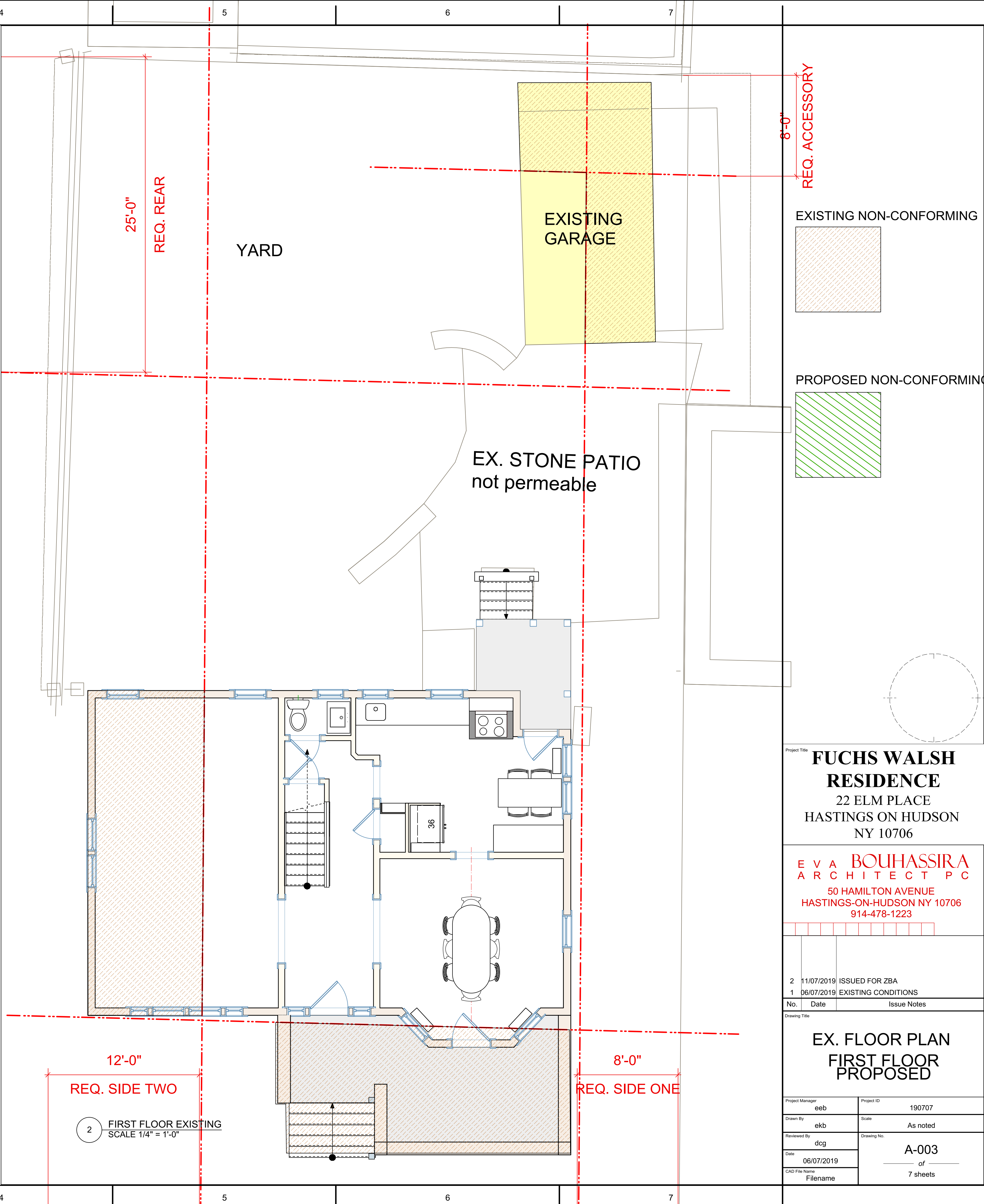
2 11/07/2019 ISSUED FOR ZBA
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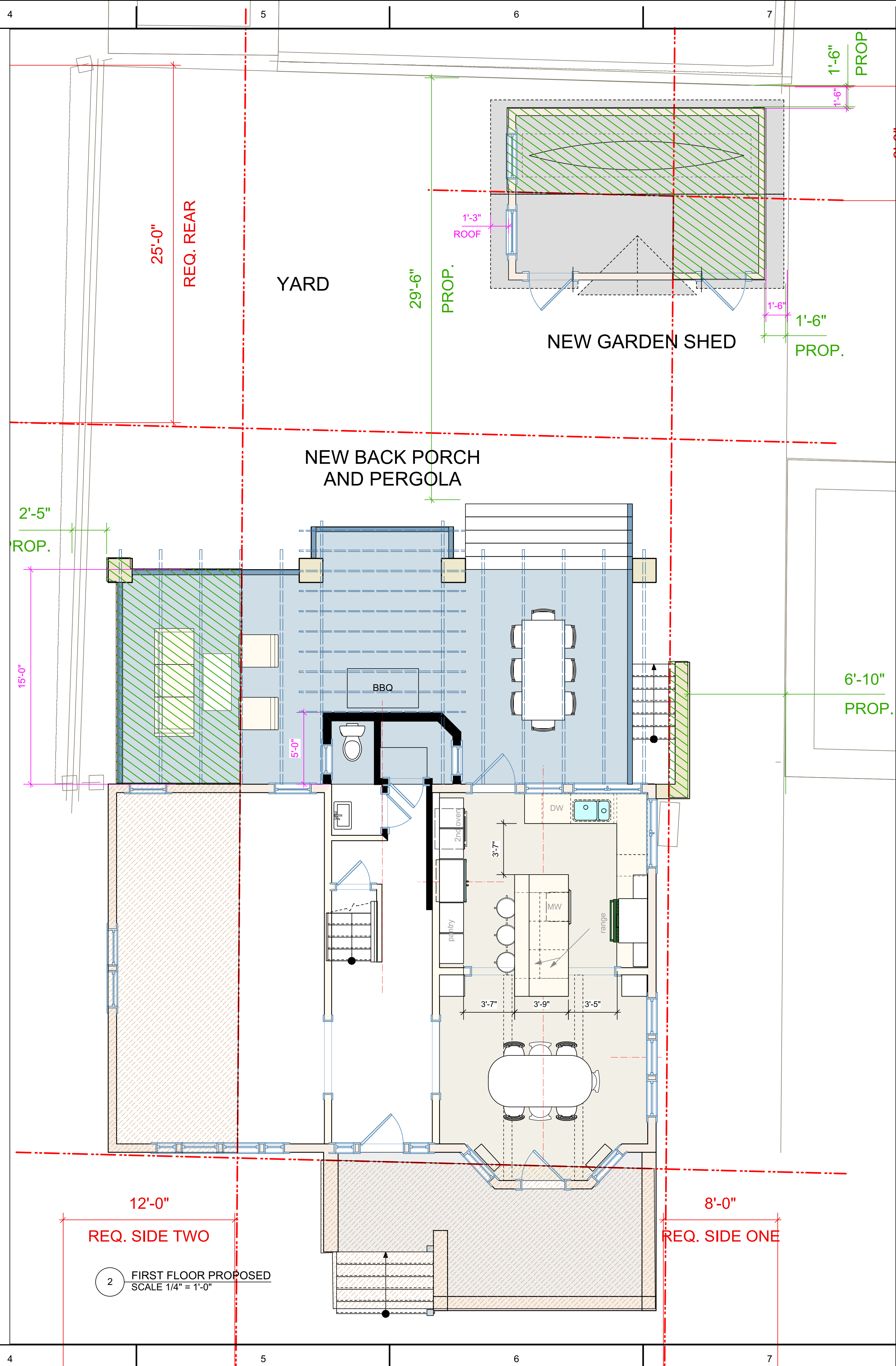
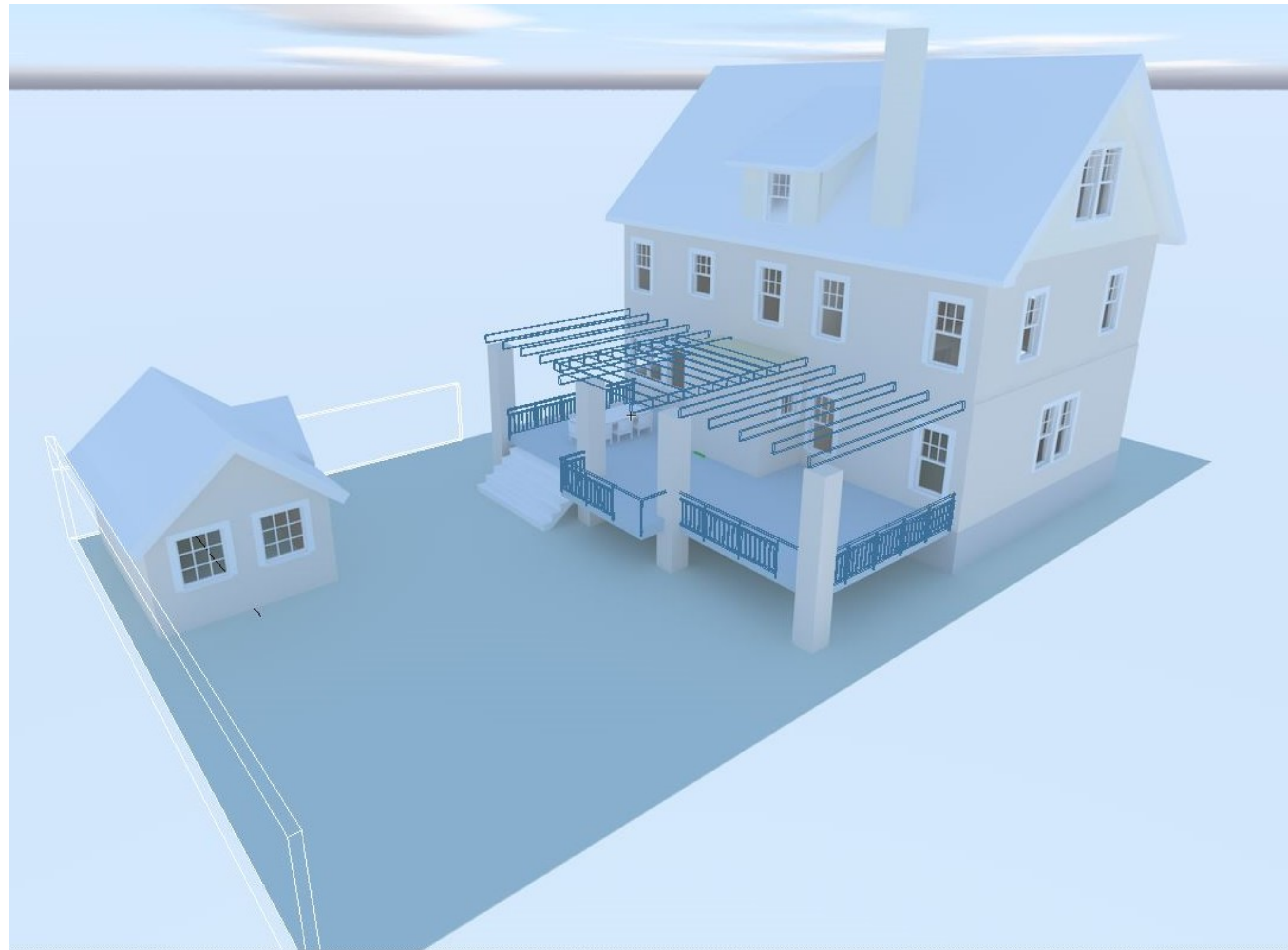
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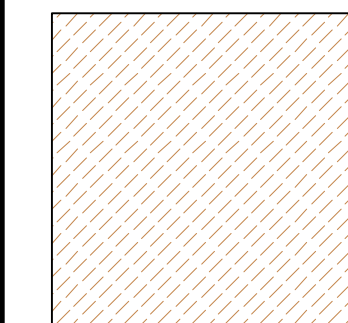
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Reviewed By	dsg	Drawing No.	A-002S
Date	06/07/2019		of
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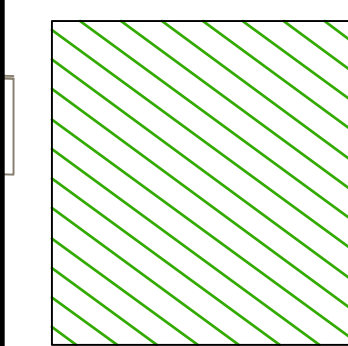




EXISTING NON-CONFORMING



PROPOSED NON-CONFORMING



**FUCHS WALSH
RESIDENCE**
22 ELM PLACE
HASTINGS ON HUDSON
NY 10706

**EVA BOUHASSIRA
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914-478-1223

2	11/07/2019	ISSUED FOR ZBA
1	06/07/2019	EXISTING CONDITIONS

No.	Date	Issue Notes
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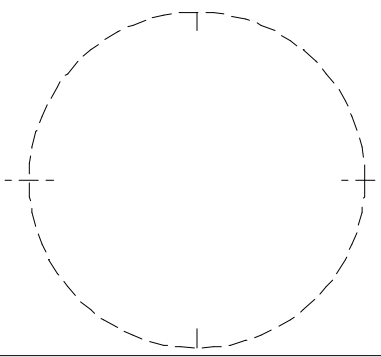
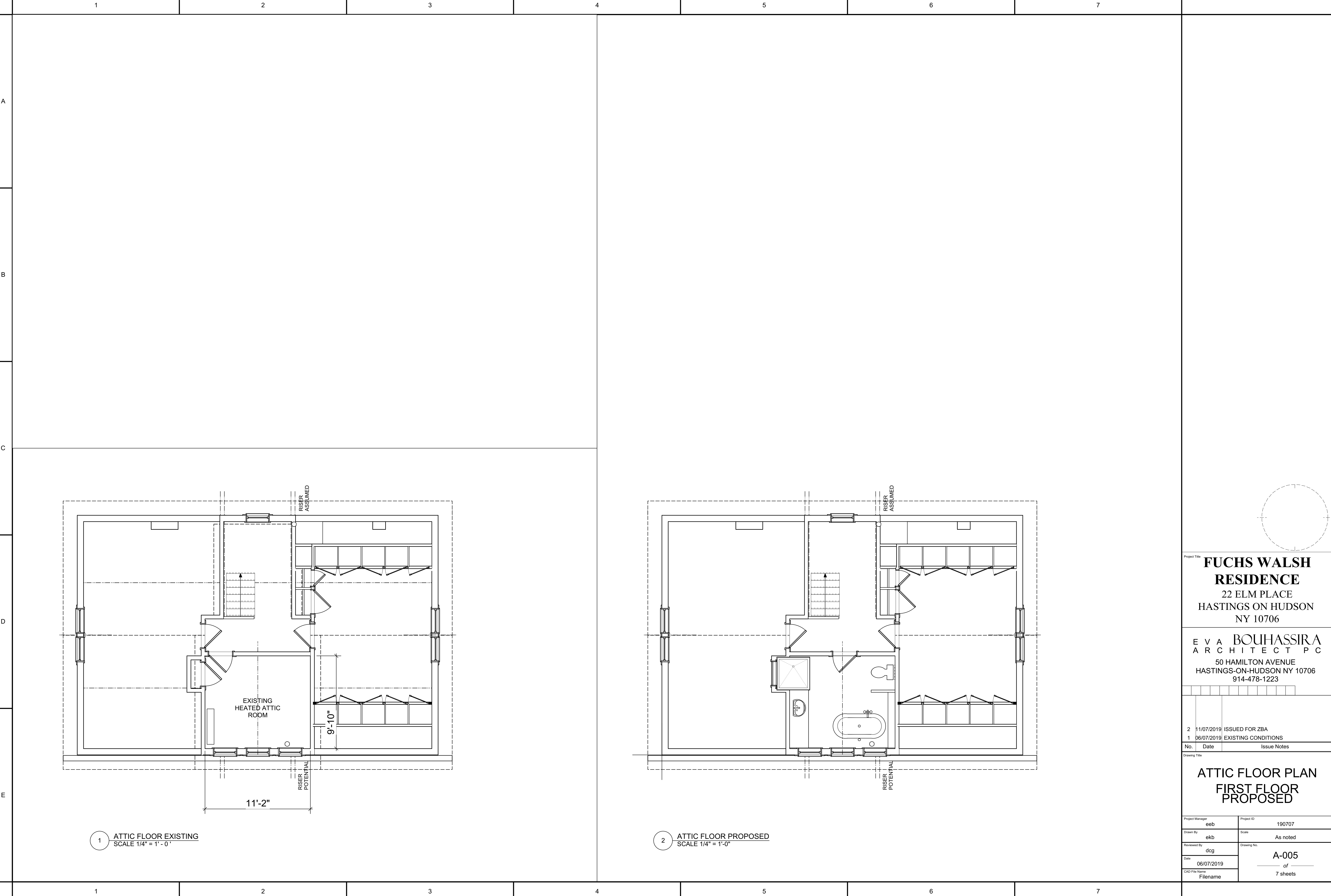
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**FLOOR PLAN
FIRST FLOOR
PROPOSED**

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Drawn By	ekb	Scale	As noted
Reviewed By	dcb	Drawing No.	A-004
Date	06/07/2019		
CAD File Name	Filename		

of
7 sheets

2 FIRST FLOOR PROPOSED
SCALE 1/4" = 1'-0"



**FUCHS WALSH
RESIDENCE**
22 ELM PLACE
HASTINGS ON HUDSON
NY 10706

**EVA BOUHASSIRA
ARCHITECT P C**
50 HAMILTON AVENUE
HASTINGS-ON-HUDSON NY 10706
914-478-1223

No.	Date	Issue Notes
2	11/07/2019	ISSUED FOR ZBA
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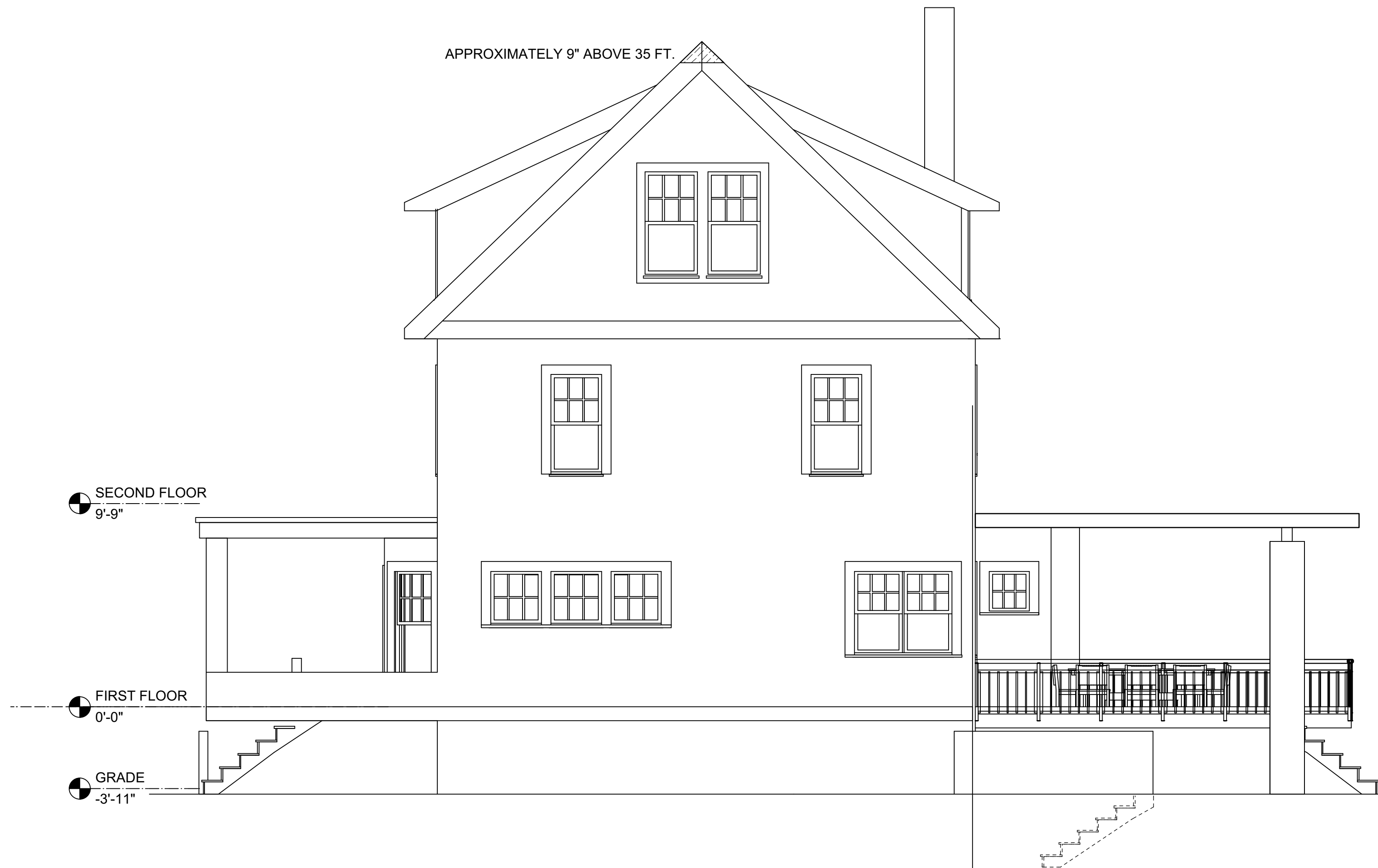
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FIRST FLOOR
PROPOSED**

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Drawn By		Scale	
ekb		As noted	
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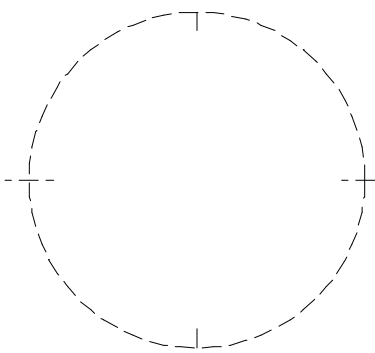
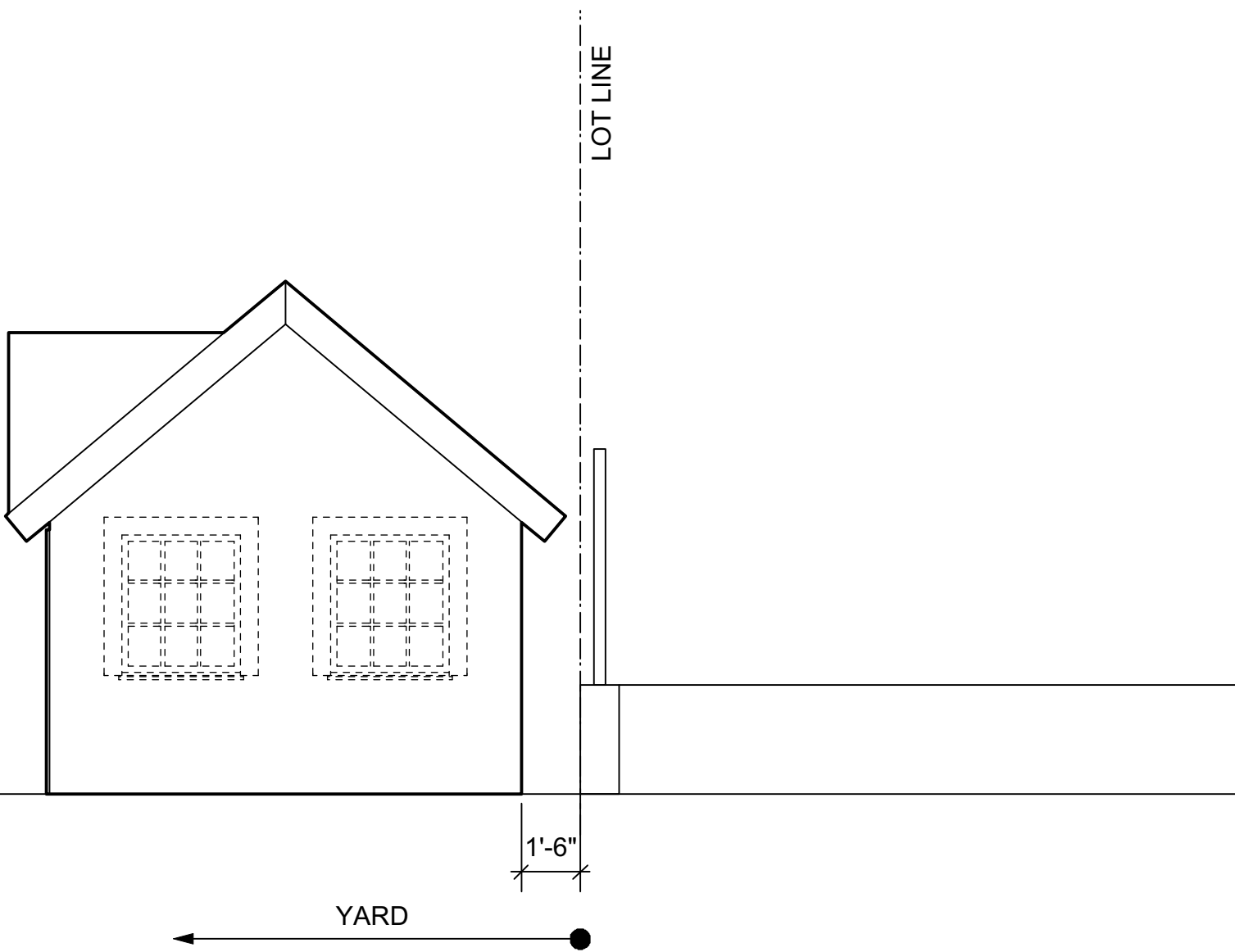


APPROXIMATELY 9" ABOVE 35 FT.

1 SOUTH ELEVATION
SCALE 1/4" = 1'-0"



2 WEST ELEVATION
SCALE 1/4" = 1'-0"



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914-478-1223

2 11/07/2019 ISSUED FOR ZBA

No. Date Issue Notes

Drawing Title

ELEVATIONS HOUSE

Project Manager eeb Project ID 190707

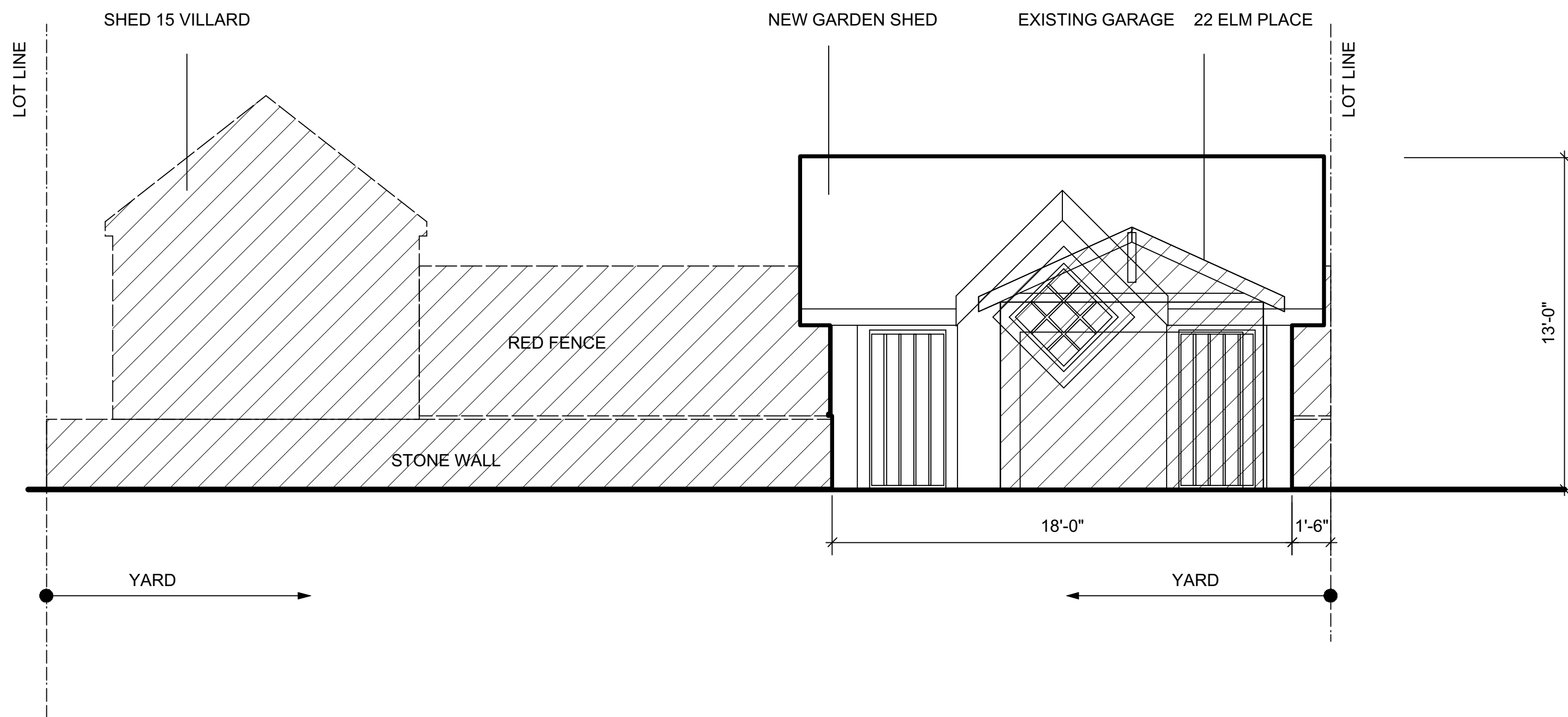
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Reviewed By Reviewed By Drawing No.

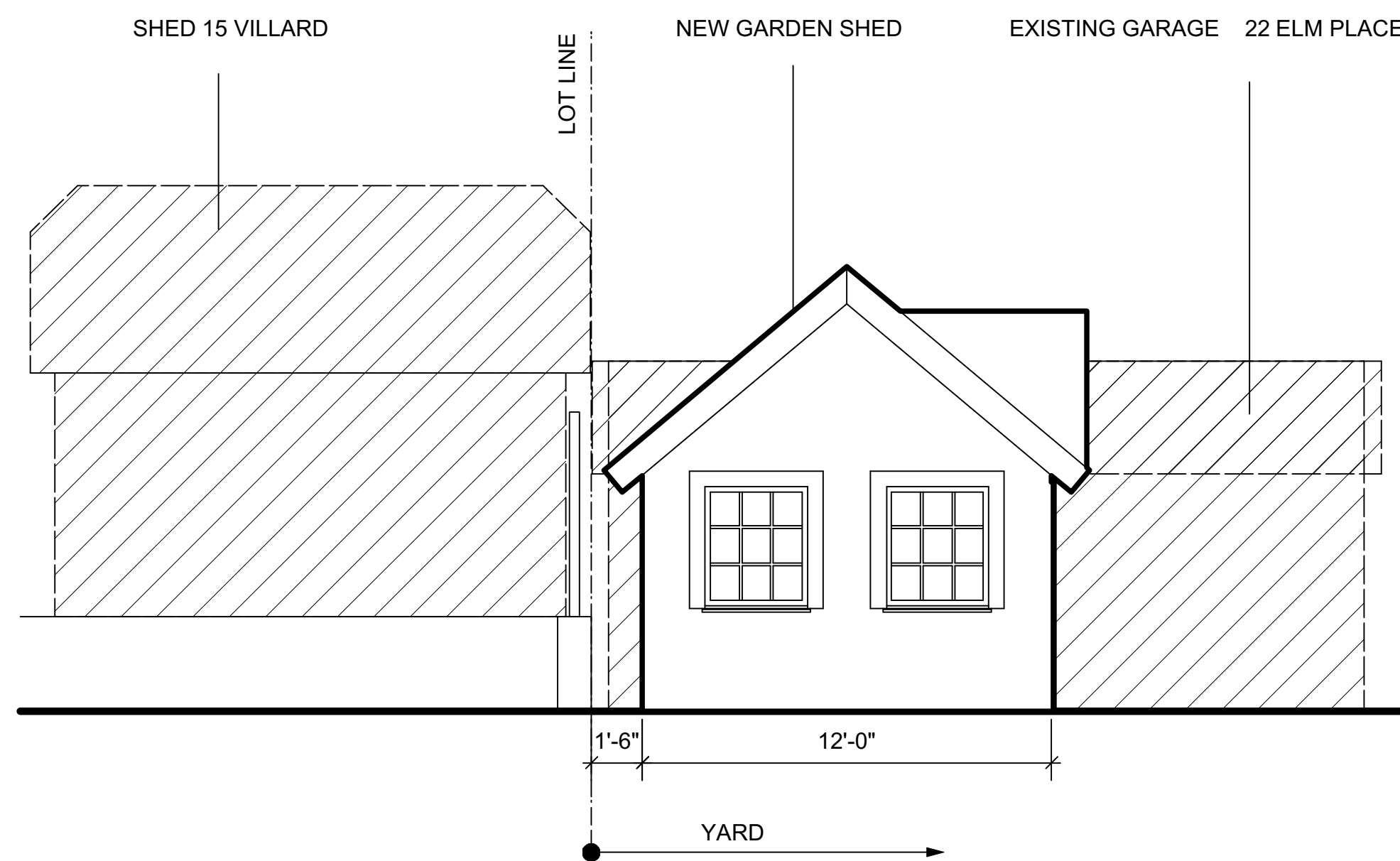
Date 11/07/2019 A-006

CAD File Name of

Filename 7 sheets



1 NORTH ELEVATION
SCALE 1/4" = 1'-0"



2 EAST ELEVATION
SCALE 1/4" = 1'-0"



**FUCHS WALSH
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22 ELM PLACE
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914-478-1223

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No. Date Issue Notes

ELEVATIONS SHED

Project Manager eeb	Project ID 190707
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Reviewed By Reviewed By	Drawing No. A-007
Date 11/07/2019	of 7 sheets
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VILLAGE OF HASTINGS-ON-HUDSON

Zoning Board of Appeals

Application and Procedure for Application for Variance/Interpretation/View Preservation



Case number: Date of application: **November 2019**

Property owner: **Marek Fuchs and Lorraine Walsh**
 Property address: **22 Elm Place**
 Name all streets on which the property is located: **Elm Place**
 Sheet: **4.40** Block: **27** Lot/Parcel: **38** Zoning District: **R-7.5**

Applicant: **Eva Bouhassira Architect PC**
 Standing of applicant if not owner: **architect**
 Address: **50 Hamilton Avenue Hastings on Hudson NY 10706**
 Daytime phone number: **914-582-9601** Fax number: **866-290-9786**
 E-mail address: **Eva.Bouhassira.Architect@gmail.com**

ZBA action requested for (See §295-146B & C : ☐ Use Variance/s; ☒ Area Variance/s;
☐ Interpretation; ☐ View Preservation (See §295-82)

List code sections & provisions from which the variance or interpretation is requested:

Section	Code Provision*	Existing Condition*	Proposed Condition*
69 F(1) b	REAR ACC. 8'	0.6'	1'-6"
69 FG) C	SIDE 8'+12'=20'	8'-8"+2'-8"=11'-4"	6'-10"+2'-5"=9'-3"
	SIDE ACC. 8'	2'-4"	1'-6"
69 F(2) a(1)	BLDG COV 30%	30.26 %	41.31 %
69 F(2) a(2)	DEV COV 40%	45.23 %	49.94 %

*See example below:

...295-68F.1a...Front Yard Min. 30 ft. deep.....26.5 ft.....19.5 ft.....
...295-68A.....Permitted Principal Use.....Single Family Home.....Conversion to Dental Office.....

FUCHS WALSH
22 ELM PLACE

VILLAGE OF HASTINGS-ON-HUDSON

Zoning Board of Appeals

Zoning Analysis



ZONING REQUIREMENTS:

R-7.5

YARD SETBACKS
(Principal Structure)

	REQUIRED	EXISTING	PROPOSED
FRONT	25'	14.7'	14.7'
REAR	25'	49'-10"	29'-6"
SIDE ONE	8'	8'-8"	6'-10"
SIDE TWO	12'	2'-8"	2'-5"
TOTAL OF TWO SIDES	20'	11'-4"	9'-3"

YARD SETBACKS
(Accessory Structure)

	REQUIRED	EXISTING	PROPOSED
TO PRINCIPAL BLDG.			
REAR	8'	0.6'	1'-6"
SIDE	8'	2'-4"	1'-6"

BUILDING HEIGHT

	PERMITTED	EXISTING	PROPOSED
STORIES	2 1/2	2 1/2	2 1/2
FEET	35'	35'-5"	35'-5"

LOT COVERAGE

	PERMITTED	EXISTING	PROPOSED
LOT AREA	7,500 SF	5,050 SF	5,050 SF
*BLDG. COVERAGE/ % OF LOT AREA	30%	30.26%	41.31%
*DEVELOPMENT COVERAGE / % OF LOT AREA	40%	45.23%	49.94%

*See Definitions of Building and Development Coverage in Section 295-5 of the Village code.

OCCUPANCY AND USE

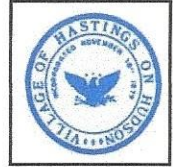
	PERMITTED	EXISTING	PROPOSED
CURRENT USE**	ONE FAM.	ONE FAM.	ONE FAM.

** Single Family, Two Family, Commercial, Mixed Use etc.

VILLAGE OF HASTINGS-ON-HUDSON

Zoning Board of Appeals

Application and Procedure for Application for Variance/Interpretation/View Preservation



- ✓ List any previous application or appeal filed with The Zoning Board of Appeals for this premises:

Date of Appeal	Purpose of the Appeal	Resolution if any	Date of Action
.....
.....

- ✓ List pending violations on this property if any:

none

- ✓ Is there an approved site plan for this property?: ☐ (Yes) ☒ (No)
- ✓ Is there an Accessory Apartment at this property?: ☐ (Yes) ☒ (No)
- ✓ Does this property have Boarder's Permit?: ☐ (Yes) ☒ (No)
- ✓ On a separate typewritten sheet of paper, state the principal points on which you are making this application. Describe the construction, addition or alteration that requires the variance. Explain why a variance is necessary and demonstrate how the variance satisfies the criteria for the type of variance (use or area) sought. The criteria for the two types of variances are attached. (If an interpretation is sought, explain the issue. If you wish you may also state your argument for how the issue should be resolved.)

Submit a flash drive and a total of three (3) copies (residential) or eight (8) copies (commercial), of the application along with the property survey showing the existing and proposed construction and all other supporting documents (plans, drawings, site maps, photographs, etc. as necessary to describe and support your application) with required fee, to the Office of the Building Inspector, no less than four (4) weeks prior to the date of scheduled meeting of the Zoning Board of Appeals.

STATE OF NEW YORK
COUNTY OF WESTCHESTER ss.:

I hereby depose and say that all of the above statements and statements contained in all papers I have submitted in connection with this application are true:

Applicant

Sworn to before me this _____ day
of _____, 20____

Notary Public

VILLAGE OF HASTINGS-ON-HUDSON

Zoning Board of Appeals

Application and Procedure for Application for
Variance/Interpretation/View Preservation



Name : _____, being duly sworn, deposes and says that
he/she resides at _____ in the Village of Hastings-on-
Hudson in the County of Westchester, in the State of New York, that he/she is the owner of all that certain lot,
parcel of land, in fee, lying and being in the Village of Hastings-on-Hudson aforesaid and known and
designated as Sheet _____ Block _____ and Lot _____ of the tax map, and that
he/she hereby authorized _____ to make the annexed
application in his/her behalf and that the statement of fact contained in said application are true.

STATE OF NEW YORK
COUNTY OF WESTCHESTER ss.:

Owner

SWORN TO BEFORE ME THIS _____ DAY
OF _____ 20____

Notary Public

NOTICE

This application will not be accepted for filing unless accompanied by all necessary papers, plans and data, in
accordance with the foregoing and as required by law.