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| 4 | ZBA REMARKS: | 4.9.19 |
| 3 | ZBA REMARKS: | 3.9.19 |
| 2 | ZBA REMARKS: | 1.9.19 |
| 1 | LOWER STR. | 8.2.18 |

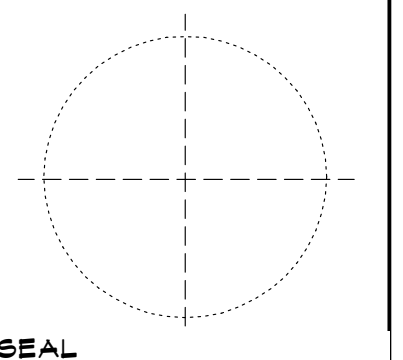
| NO. | REV. | DATE |
|-----|------|------|
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OWNER:



1955 CENTRAL PARK
AVENUE
YONKERS, NEW YORK

PHONE: 914 6684673
FAX: 914 668 1331
EMAIL: FILES@TFARA.COM



SEAL

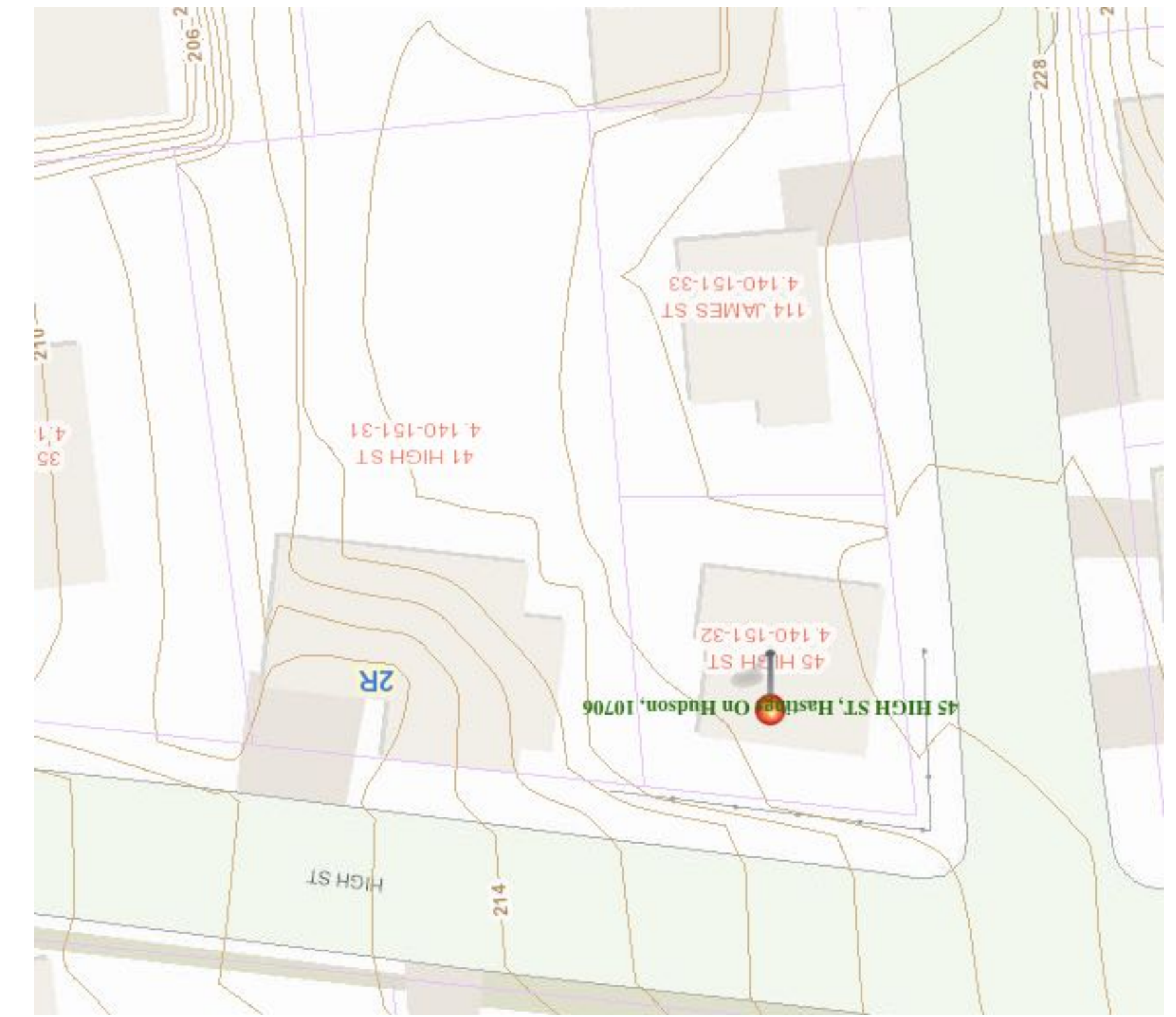
KEY PLAN

PROPOSED
ONE FAMILY RESIDENCE

45 HIGH ST
HASTINGS ON HUDSON, NY

Project ID / DATE: 1412 / 9.27.14
Sheet Scale:

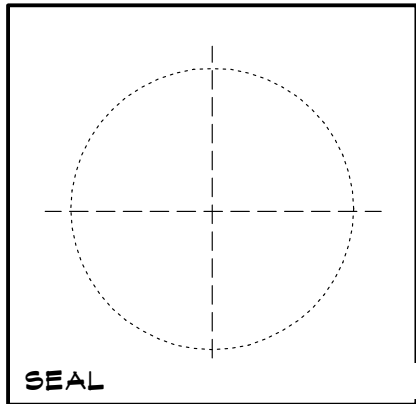
Drawn By: AM Checked By: TFA
Plot Date: SEPTEMBER 27, 2014



| ZONING CALCULATIONS FOR EXISTING ONE FAMILY DWELLING | | | | |
|--|--------------------|----------------|----------------------|----------------|
| ZONE 2R, 2-FAMILY DISTRICT | | | | |
| CRITERIA | PERMITTED/REQUIRED | EXISTING | | REMARKS |
| LOT AREA | 7,500 SF | 2,237.50 SF | | non-conforming |
| LOT WIDTH | 75'-0" | 50 FT. | | non-conforming |
| FRONT YARD | 25'-0" | 6'-1" | 76% increase(18'-1") | non-conforming |
| REAR YARD | 25'-0" | 2'-0" | 92% increase(23'-0") | non-conforming |
| SIDE YARD | 8 FT | 10'-11" | | permitted |
| BOTH SIDE YARDS | 33 FT | 27'-3" | 17% increase(5'-9") | non-conforming |
| BUILDING % COVER | 30% (351.25 SF) | 23.5% (723 SF) | | permitted |
| DEVELOPMENT % COVER | 40% (1131 SF) | 40% (1133 SF) | | non-conforming |
| HEIGHT / FT | 33 FT | 25 FT | | permitted |
| HEIGHT / ST | 2 1/2 | 2 1/2 | | permitted |
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| 4 | ZBA REMARKS: | 6.9.19 | |
| 5 | ZBA REMARKS: | 5.9.19 | |
| 2 | ZBA REMARKS: | 1.9.19 | |
| 1 | LOWER STR. | B.2.1.18 | |
| NO. | REV. | DATE | |

OWNER:



KEY PLAN

PROPOSED
ONE FAMILY RESIDENCE

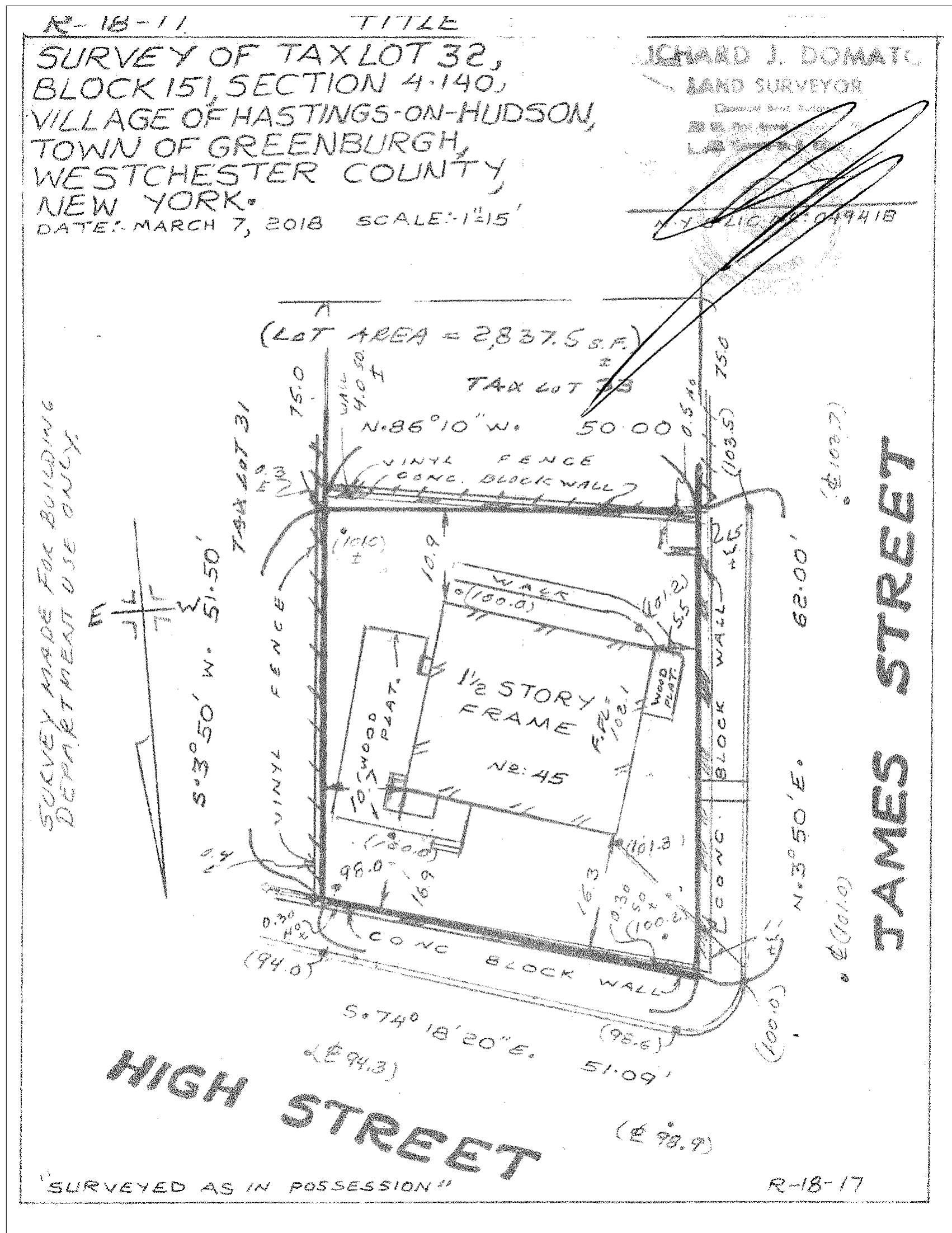
45 HIGH ST
HASTINGS ON HUDSON, NY

SITE PLAN
EXISTING CONDITIONS

Project ID / DATE: 1412 / 9.27.14
Sheet Scale:

SP. 1

Drawn By: AM Checked By: TFA
Plot Date: SEPTEMBER 27, 2014

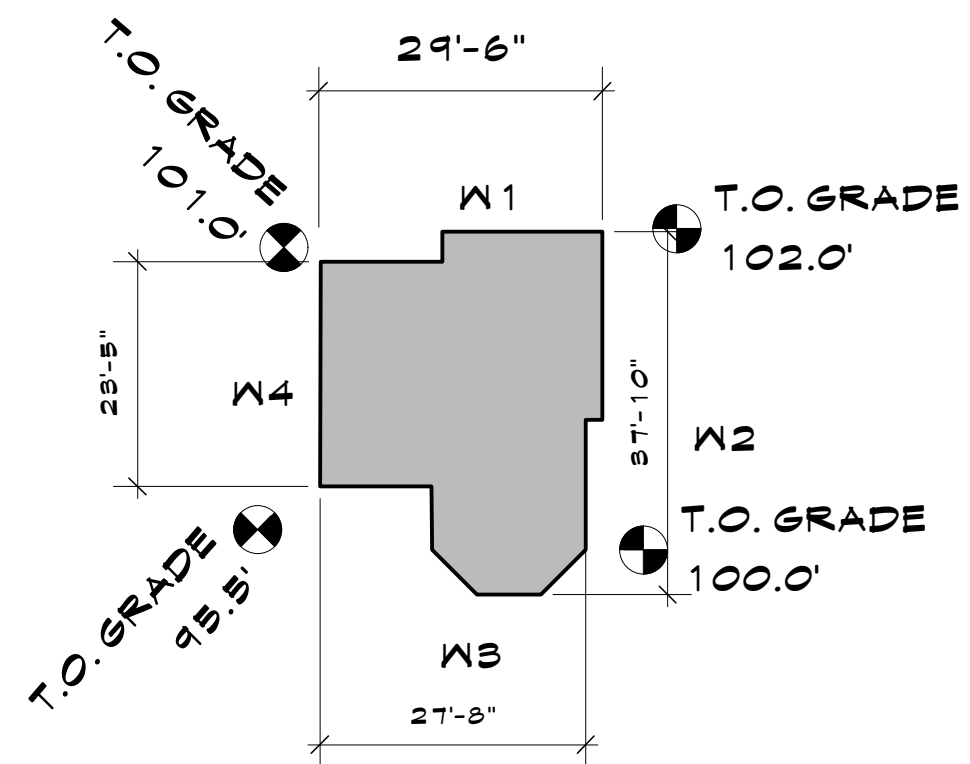


FLOOR AREA HAS BEEN DERIVED FROM THE FOLLOWING
EQUATION BASED ON THE FOLLOWING PARAMETERS
FA= C X S, WHERE

FA = FLOOR AREA
C= THE MAXIMUM PERMITTED BUILDING COVERAGE
S= THE MAXIMUM NUMBER OF STOREYS PERMITTED

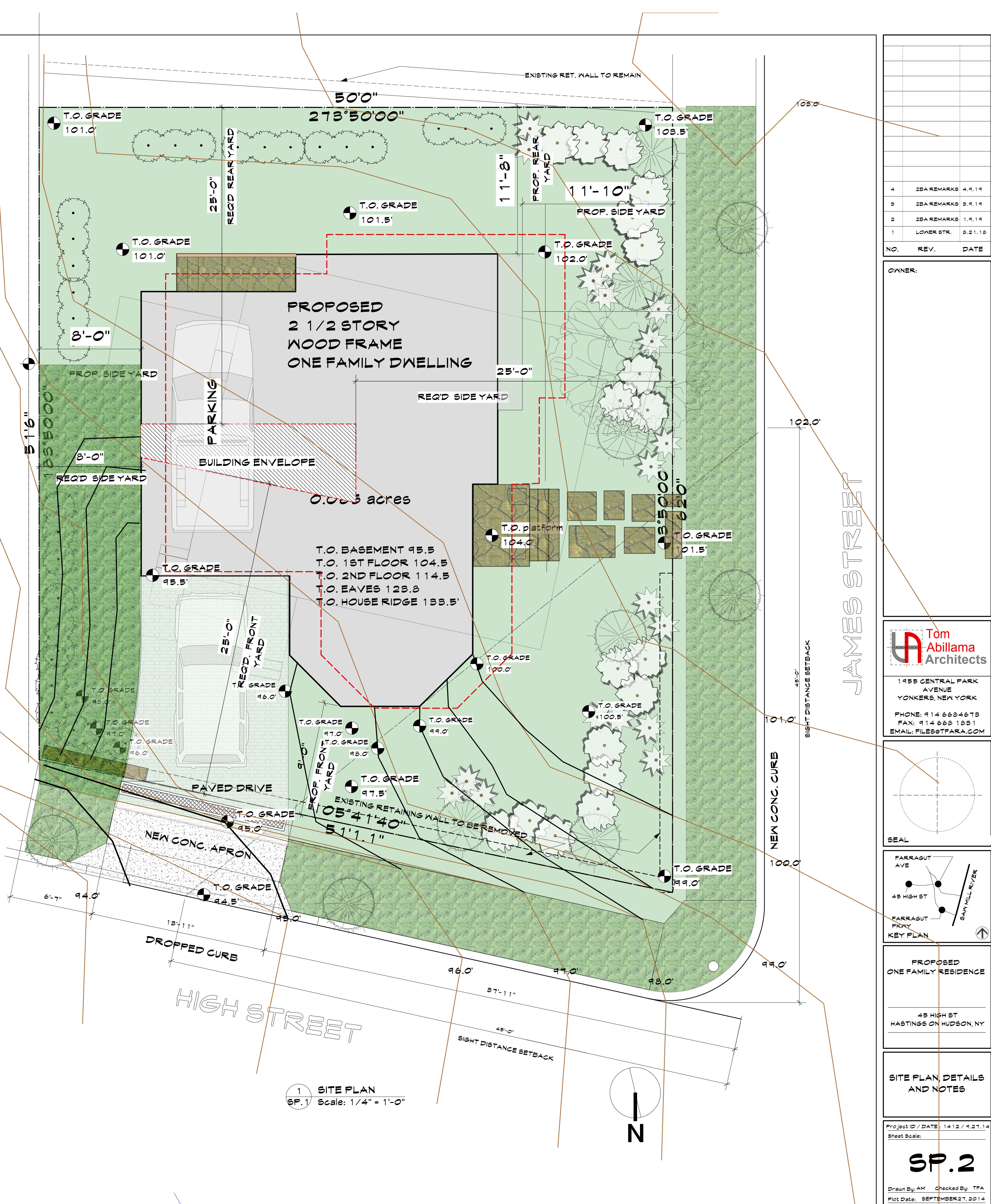
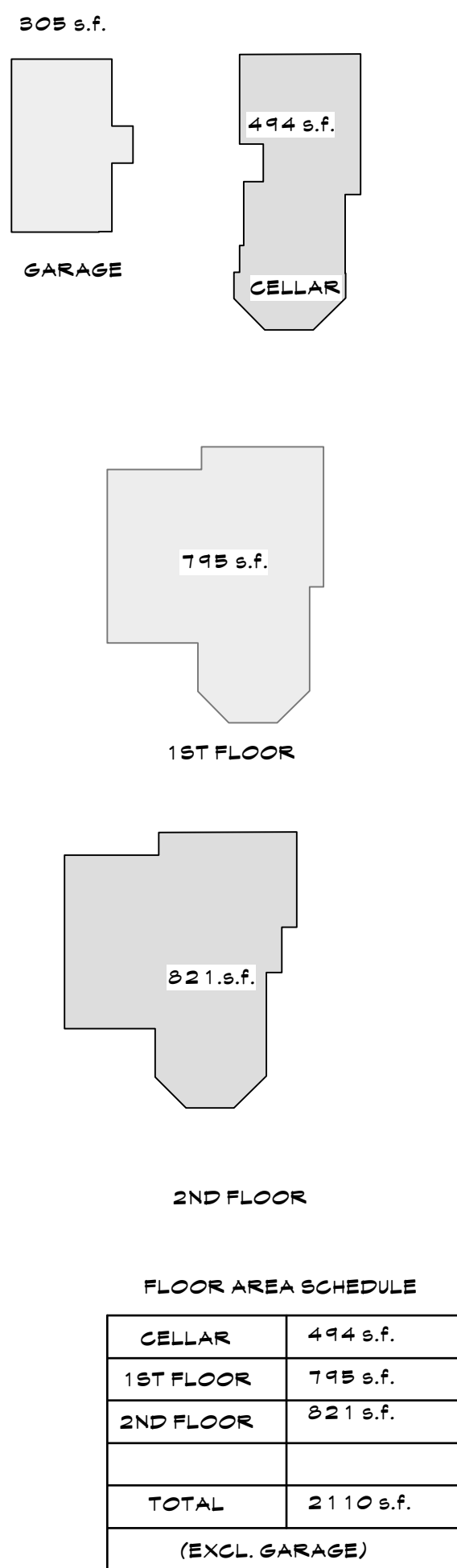
FA= C X S = 251.25 X 2.5 = 2128.25 S.F.
PROPOSED FLOOR AREA = 2110 S.F.
LESS THAN 2128.25 S.F.

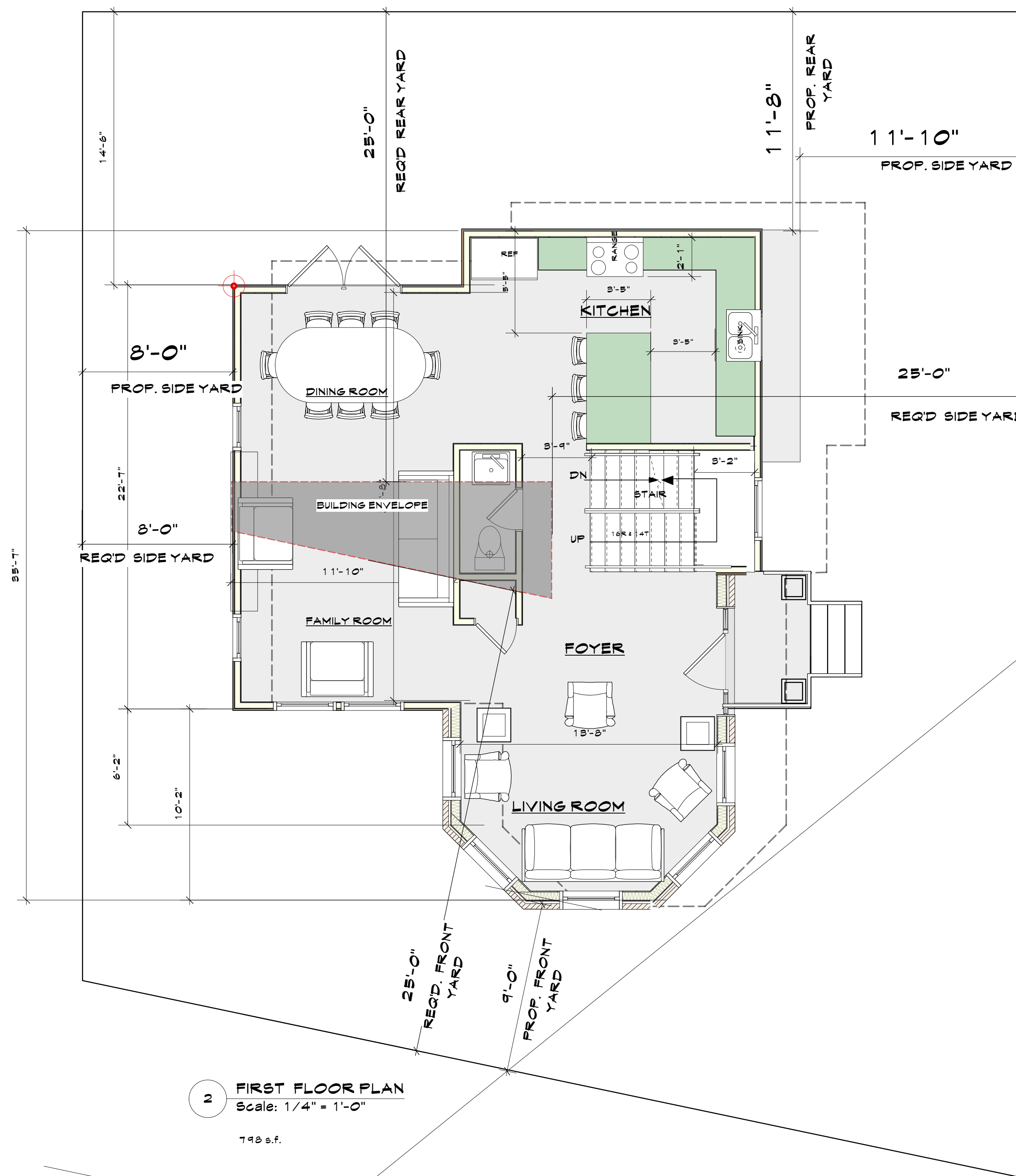
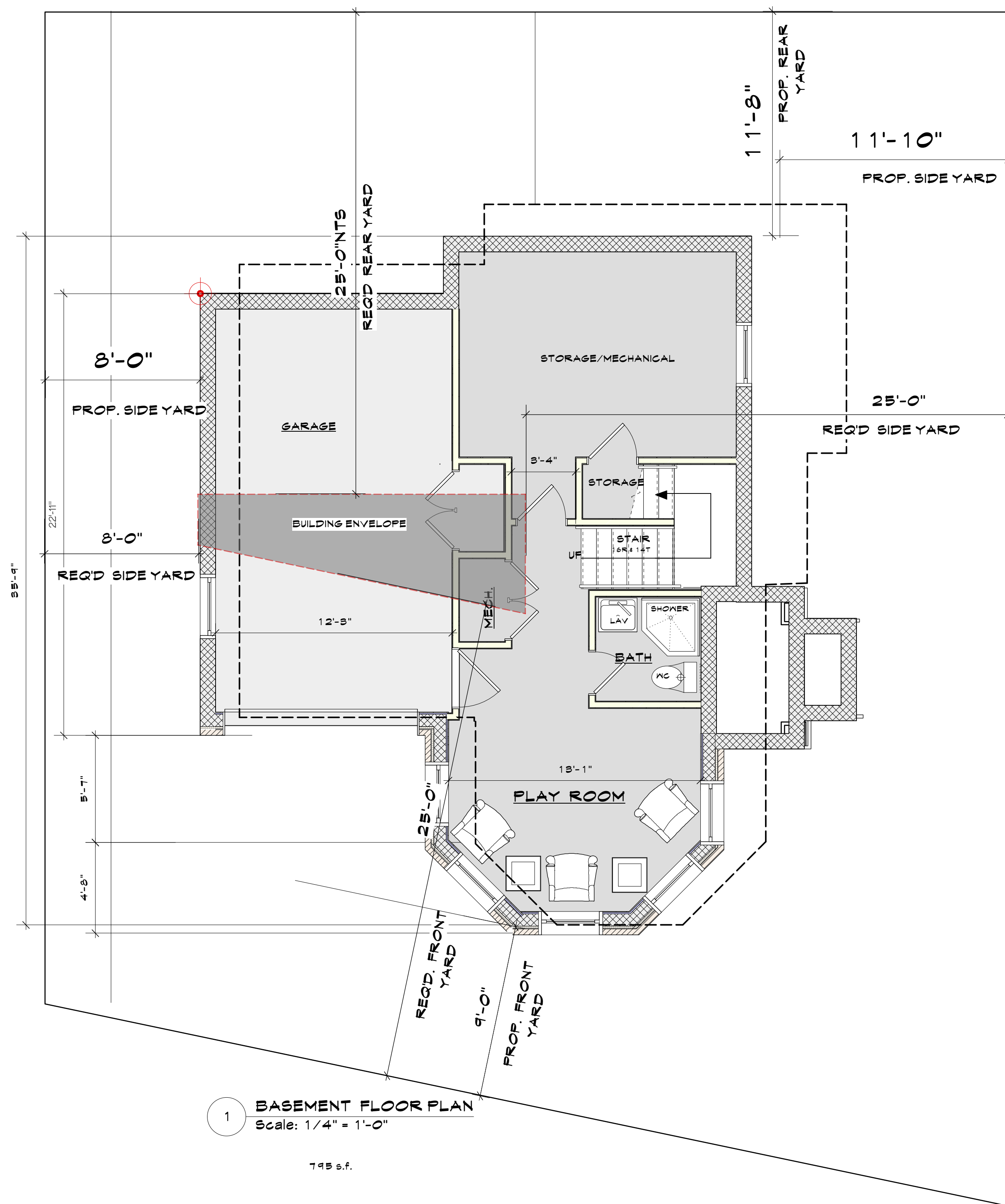
| ZONING CALCULATIONS FOR PROPOSED ONE FAMILY DWELLING | | | | |
|--|--------------------|----------|-----------------|----------------|
| ZONE 2R, 2-FAMILY DISTRICT | | | | |
| CRITERIA | PERMITTED/REQUIRED | EXISTING | PROPOSED | REMARKS |
| LOT AREA | 7,500 SF | N/A | 2837.50 SF | non-conforming |
| LOT WIDTH | 75'-0" | | 50 FT. | non-conforming |
| FRONT YARD | 25'-0" | | 4'-0" | non-conforming |
| REAR YARD | 25'-0" | | 11'-8" | non-conforming |
| 1ST SIDE YARD | 5 FT | | 8'-0" | permitted |
| 2ND SIDE YARD | 25 FT | | 11'-10" | non-conforming |
| BOTH SIDE YARDS | 53 FT | | 19'-10" | non-conforming |
| BUILDING % COVER | 30% (251.25 SF) | | 29.9% (849 SF) | permitted |
| DEVELOPMENT % COVER | 40% (1121 SF) | | 39.7% (1129 SF) | permitted |
| HEIGHT / FT | 35 FT | | 35'-0" | permitted |
| HEIGHT / ST | 2 1/2 | N/A | 2 1/2 | permitted |



W1=29.5' W2=37.83' W3=27.67' W4=23.42'
E1=101.0, E2=101.0', E3=100.0, E4=95.5

W1 X E1 + W2 X E2 + W3 X E3 + W4 X E4 /
W1 + W2 + W3 + W4
AVER. GRADE = 99.6'
CELLAR MID HEIGHT = 95.5' + 4' = 99.5'
CELLAR MORE 50% BELOW GRADE, NOT A STORY

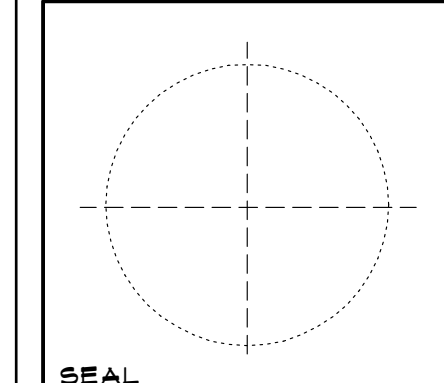




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| 4 | ZBA REMARKS | 4.4.1.4 |
| 5 | ZBA REMARKS | 5.4.1.4 |
| 2 | ZBA REMARKS | 1.4.1.4 |
| 1 | LOWER STR. | 0.2.1.10 |
| NO. | REV. | DATE |

OWNER:

Tom Abillama Architects
1955 CENTRAL PARK AVENUE
YONKERS, NEW YORK
PHONE: 914 668 4673
FAX: 914 668 1851
EMAIL: FILESTFARA.COM



KEY PLAN

PROPOSED ONE FAMILY RESIDENCE

45 HIGH ST
HASTINGS ON HUDSON, NY

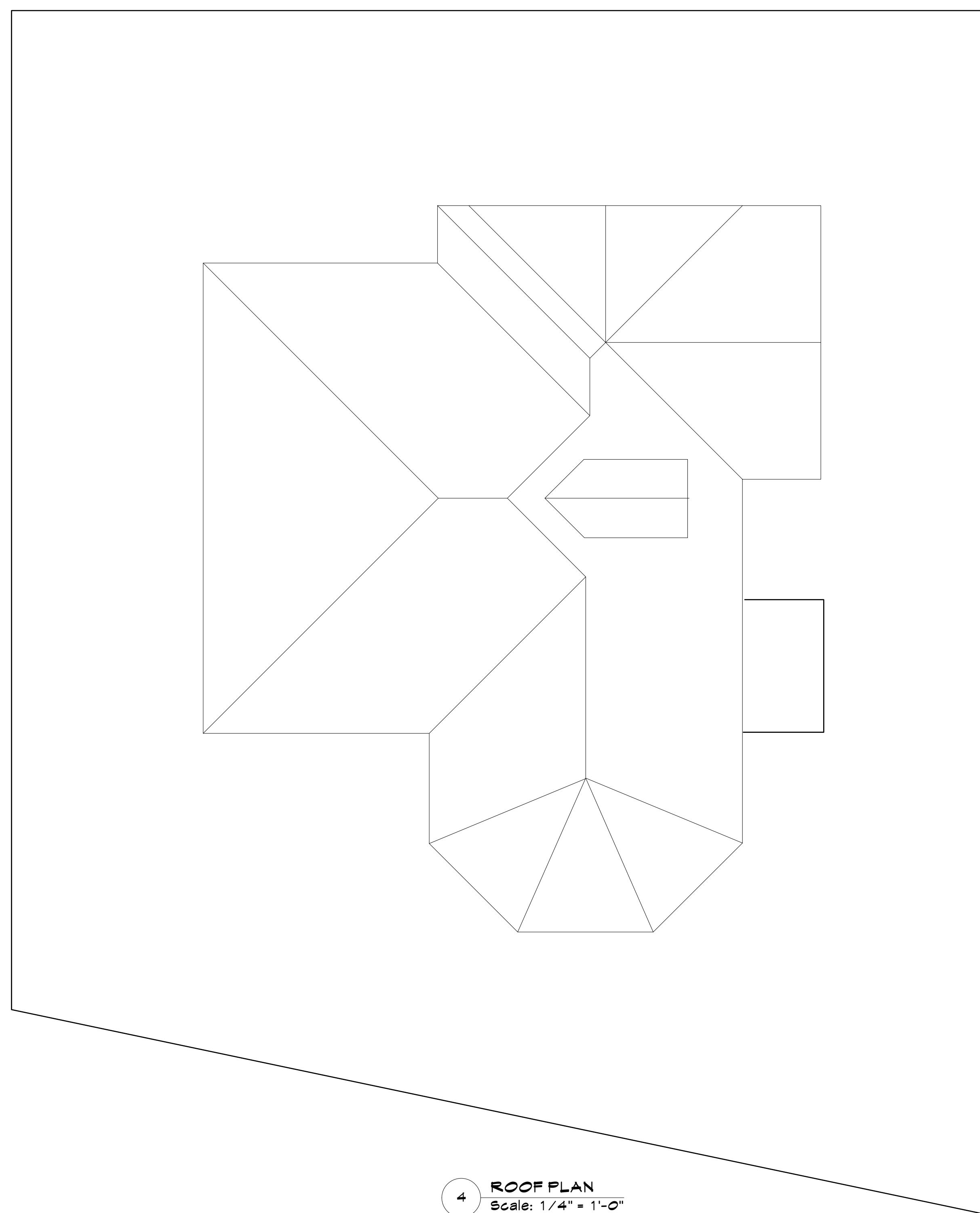
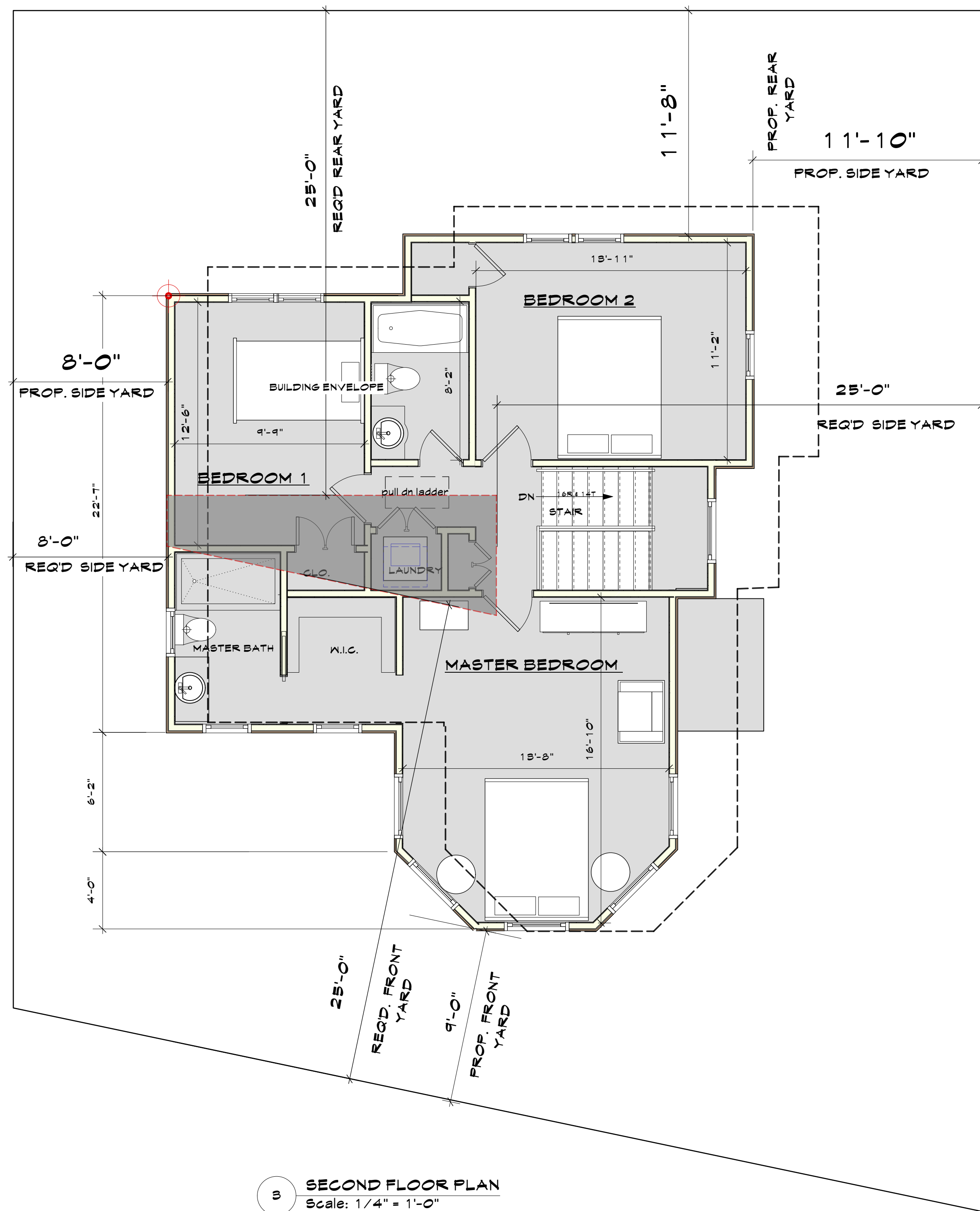
FLOOR PLANS

SCALE: 1/4" = 1'-0"

Project ID / DATE: 1412 / 9.27.14
Sheet Scale:

A.1

Drawn By: AM Checked By: TFA
Plot Date: SEPTEMBER 27, 2014

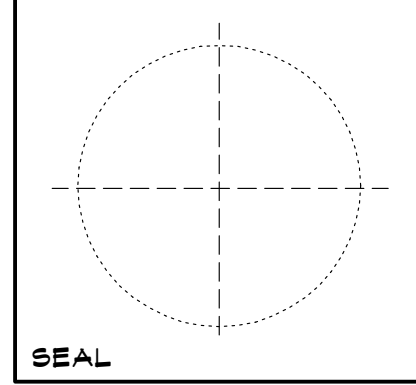


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| 4 | ZBA REMARKS | 4.9.19 |
| 5 | ZBA REMARKS | 5.9.19 |
| 2 | ZBA REMARKS | 1.9.19 |
| 1 | LOWER STR. | 8.21.18 |
| NO. | REV. | DATE |

OWNER:

Tom Abillama Architects
1955 CENTRAL PARK AVENUE
YONKERS, NEW YORK
PHONE: 914 668 4673
FAX: 914 668 1851
EMAIL: FILESTFARA.COM

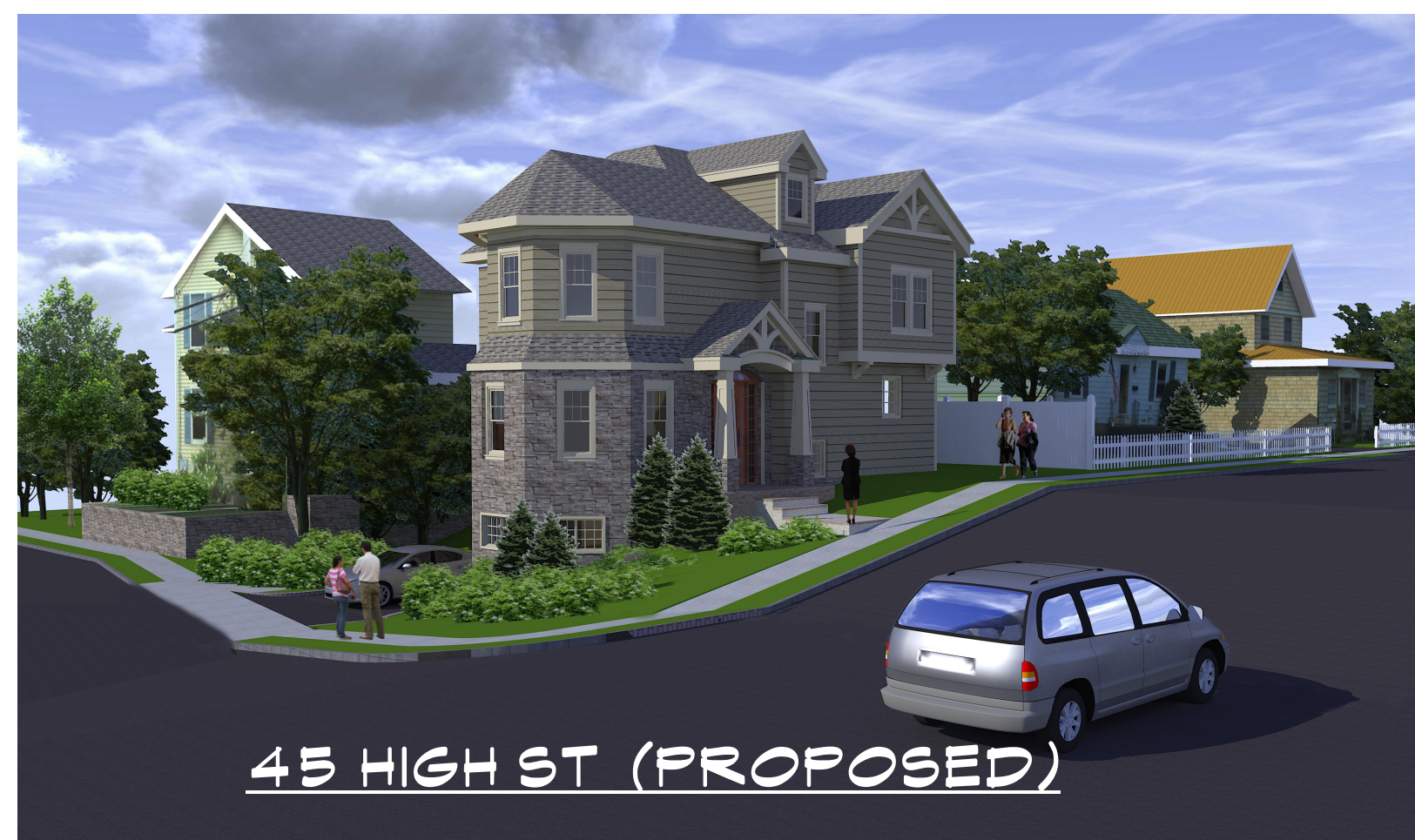


KEY PLAN

PROPOSED ONE FAMILY RESIDENCE
45 HIGH ST
HASTINGS ON HUDSON, NY

SECOND FLOOR ROOF PLANS

Project ID / DATE: 1412 / 9.21.14
Sheet Scale:
A.2
Drawn By: AM Checked By: TFA
Plot Date: SEPTEMBER 21, 2014

This image shows a blank sheet of white paper with horizontal ruling lines. Two vertical dashed lines run down the page, creating three equal-width columns. The top of the page has a header area, and the bottom has a footer area, both of which are currently empty.

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| 4 | ZBA REMARKS: | 4.9.19 |
| 3 | ZBA REMARKS: | 3.9.19 |
| 2 | ZBA REMARKS: | 1.9.19 |
| 1 | LOWER STR. | 8.21.18 |

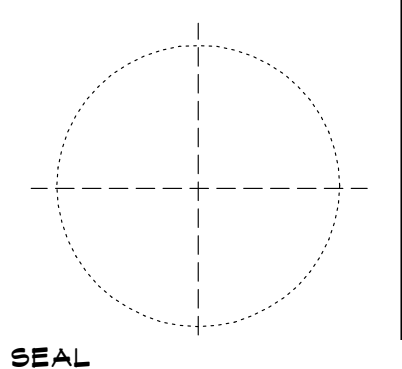
| NO. | REV. | DATE |
|-----|------|------|
|-----|------|------|

OWNER:



1955 CENTRAL PARK
AVENUE
YONKERS, NEW YORK

PHONE: 914 6684673
FAX: 914 668 1831
EMAIL: FILES@TFARA.COM



KEY PLAN

PROPOSED
ONE FAMILY RESIDENCE

45 HIGH ST
HASTINGS ON HUDSON, NY

PHOTOGRAPHS
OF NEIGHBORING
PROPERTIES

Project ID / DATE: 1412 / 9.27.14
Sheet Scale:

A.3

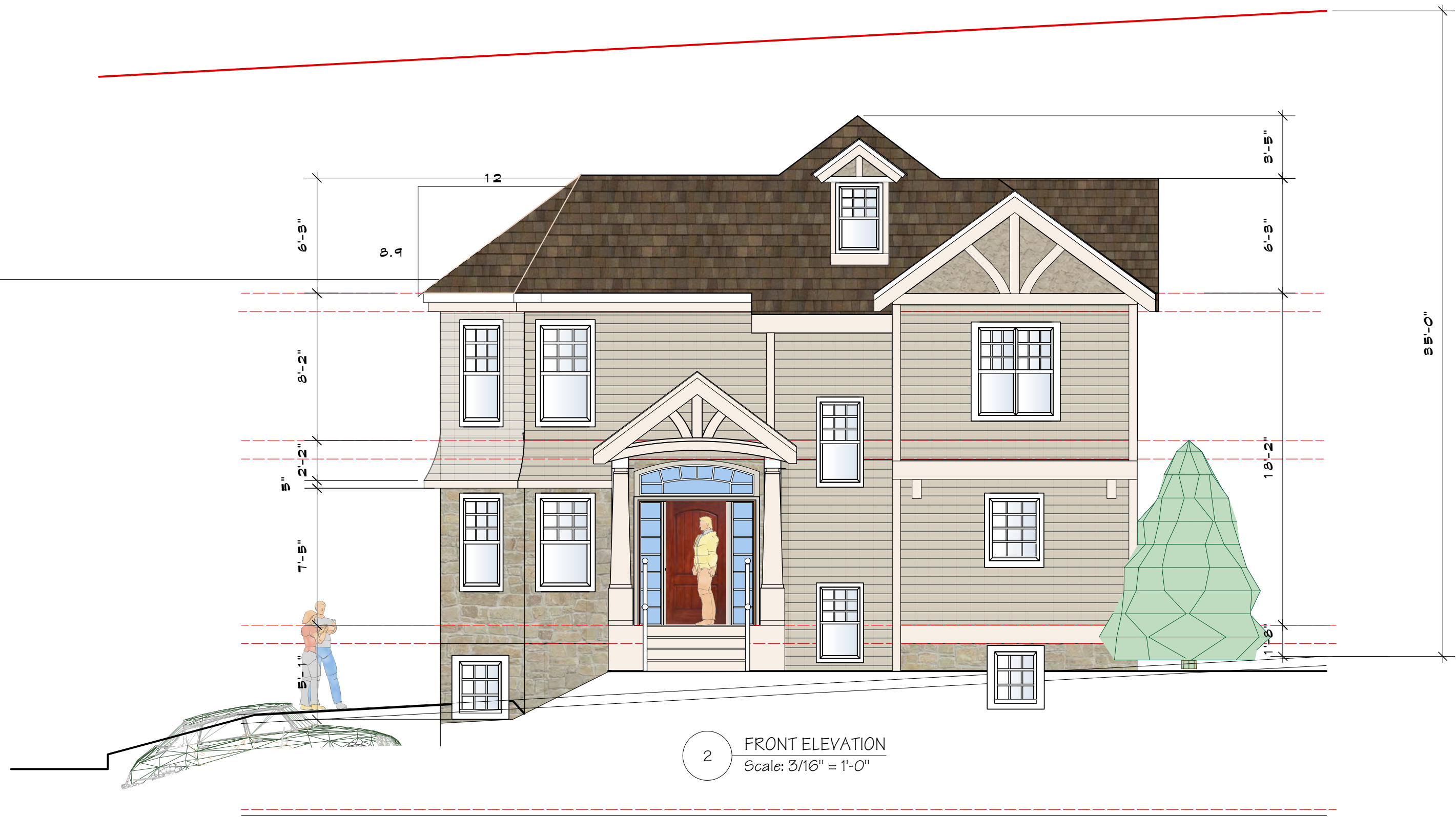
Drawn By: AM Checked By: TFA
Plot Date: SEPTEMBER 27, 2014



1 LEFT ELEVATION
Scale: 3/16" = 1'-0"



3 REAR ELEVATION
Scale: 3/16" = 1'-0"



2 FRONT ELEVATION
Scale: 3/16" = 1'-0"

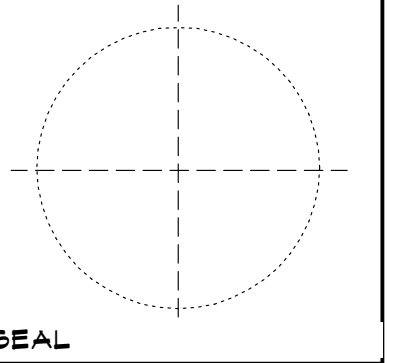


4 RIGHT ELEVATION
Scale: 3/16" = 1'-0"

| NO. | REV. | DATE |
|-----|---------------------|------|
| 4 | ZBA REMARKS: 4.4.14 | |
| 3 | ZBA REMARKS: 3.4.14 | |
| 2 | ZBA REMARKS: 1.4.14 | |
| 1 | LOWER STR. 8.21.13 | |

OWNER:

Tom Abillama Architects
1955 CENTRAL PARK AVENUE
YONKERS, NEW YORK
PHONE: 914 668 4673
FAX: 914 668 1831
EMAIL: FILESTFARA.COM



SEAL

KEY PLAN

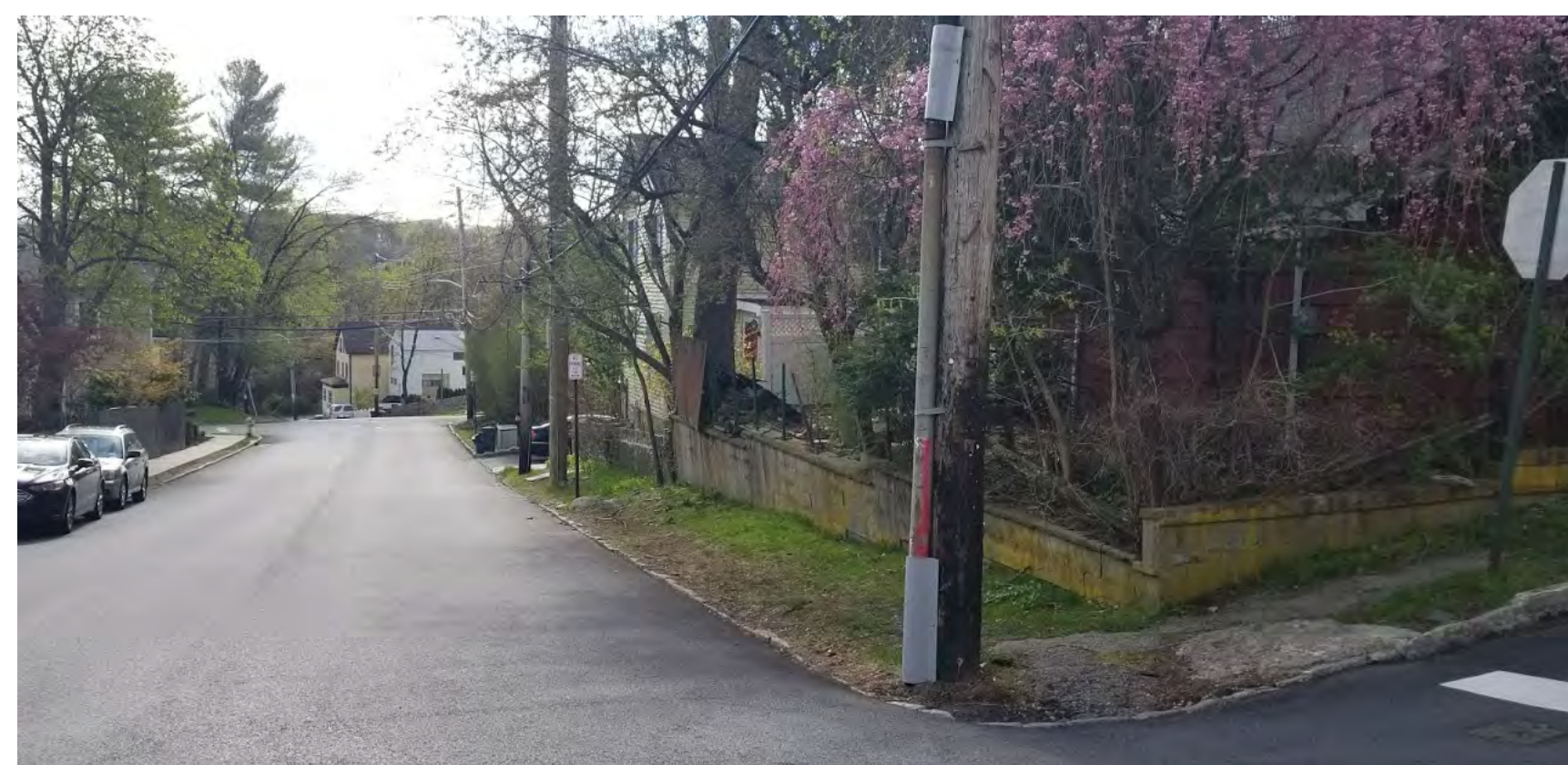
PROPOSED ONE FAMILY RESIDENCE

45 HIGH ST
HASTINGS ON HUDSON, NY

ELEVATIONS

Project ID / DATE: 1412 / 9.27.14
Sheet Scale:

A.4
Drawn By: AM Checked By: TFA
Plot Date: SEPTEMBER 27, 2014

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| 4 | ZBA REMARKS | 4.9.1 |
| 3 | ZBA REMARKS | 3.9.1 |
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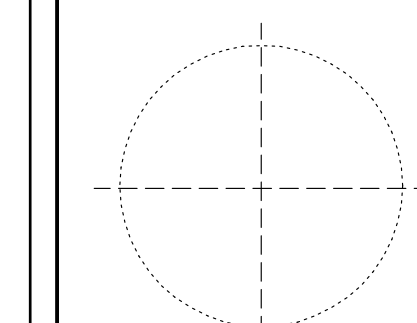
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| NO. | REV. | DATE |
|-----|------|------|

OWNER:



1955 CENTRAL PARK
AVENUE
YONKERS, NEW YORK

PHONE: 914 668 4673
FAX: 914 668 1331
EMAIL: FILES@TFARA.CO



SEAL

KEY PLAN

PROPOSED
ONE FAMILY RESIDENCE

45 HIGH ST
HASTINGS ON HUDSON, NY

PHOTOGRAPHS
OF EXISTING
STRUCTURE

Project ID / DATE : 1412 / 9.27.1
Sheet Scale:

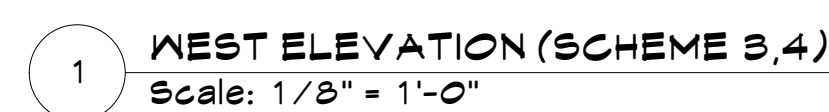
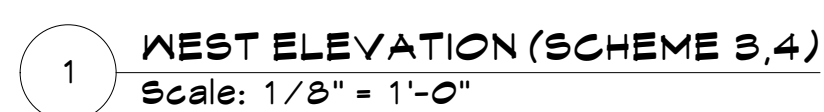
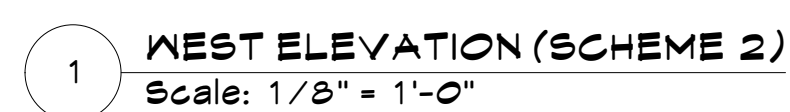
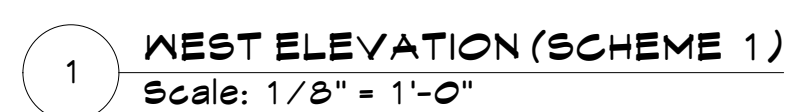
A.5

Drawn By: AM Checked By: TFA
Plot Date: SEPTEMBER 27, 2014



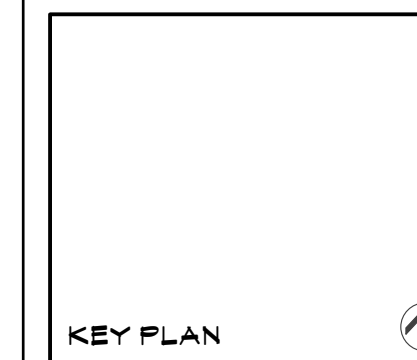
| ZONING CALCULATIONS FOR EXISTING ONE FAMILY DWELLING | | | | |
|--|--------------------|----------------|-----------------------|----------------|
| ZONE 2R, 2- FAMILY DISTRICT | | | | |
| CRITERIA | PERMITTED/REQUIRED | EXISTING | | REMARKS |
| LOT AREA | 7,500 SF | 2,857.50 SF | | non-conforming |
| LOT WIDTH | 75'-0" | 50 FT. | | non-conforming |
| FRONT YARD | 25'-0" | 6'-1" | 76% increase(18'-11") | non-conforming |
| REAR YARD | 25'-0" | 2'-0" | 92% increase(23'-0") | non-conforming |
| SIDE YARD | 8 FT | 1'0" - 1'1" | | permitted |
| BOTH SIDE YARDS | 33 FT | 2'1"-3" | 17% increase(5'-4") | non-conforming |
| BUILDING % COVER | 30% (851.25 SF) | 25.5% (728 SF) | | permitted |
| DEVELOPMENT % COVER | 40% (1131 SF) | 40% (1138 SF) | | non-conforming |
| HEIGHT / FT | 35 FT | 25 FT | | permitted |
| HEIGHT / ST | 2 1/2 | 2 1/2 | | permitted |
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Project ID / DATE : 1412 / 9.27.14
Sheet Scale:
A.6
Drawn By: AM Checked By: TFA
Plot Date: SEPTEMBER 27, 2014



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| 3 | ZBA REMARKS: | 3.9.1 |
| 2 | ZBA REMARKS: | 1.9.1 |
| 1 | LOWER STR. | 3.2.1 |

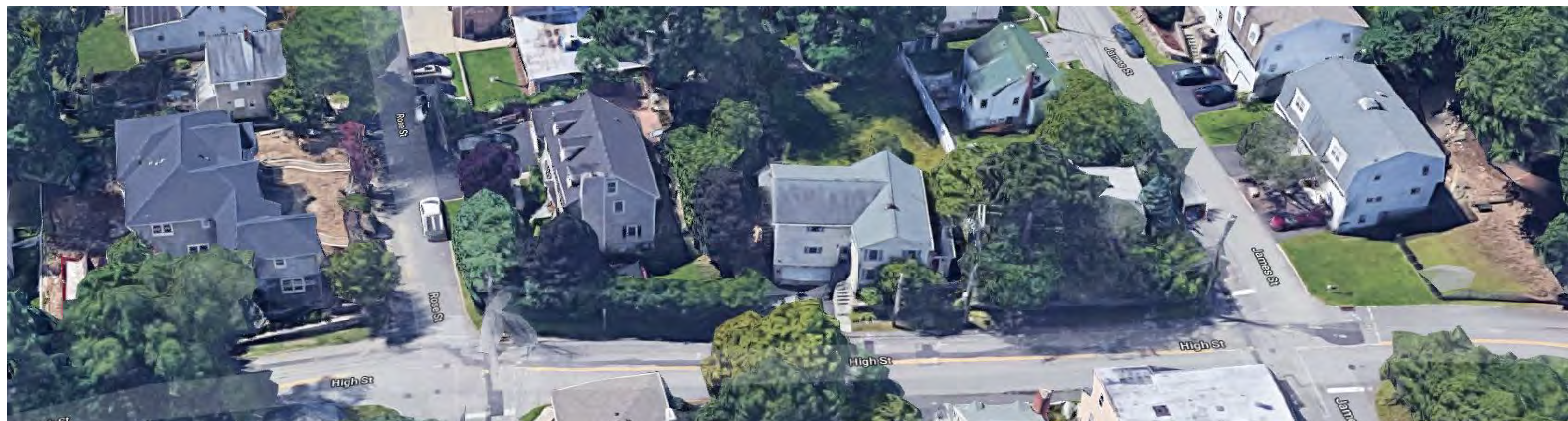
OWNER:



45 HIGH ST
HASTINGS ON HUDSON, N

Project ID / DATE: 1412 / 9.27
Sheet Scale:

Drawn By: AM Checked By: TF
Plot Date: SEPTEMBER 27, 201

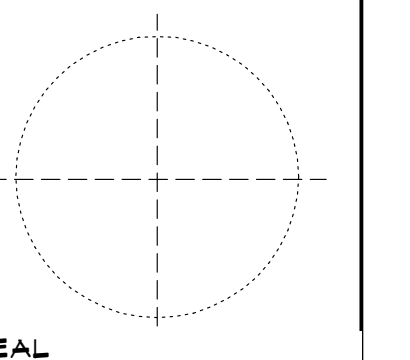


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| 4 | ZBA REMARKS: | 4.9.19 |
| 5 | ZBA REMARKS: | 5.9.19 |
| 2 | ZBA REMARKS: | 1.9.19 |
| 1 | LOVER STR. | 8.21.18 |
| NO. | REV. | DATE |

OWNER:



1955 CENTRAL PARK
AVENUE
YONKERS, NEW YORK
PHONE: 914 668 4673
FAX: 914 668 1851
EMAIL: FILESTFARA.COM



SEAL

KEY PLAN 

PROPOSED
ONE FAMILY RESIDENCE

45 HIGH ST
HASTINGS ON HUDSON, NY

STREET VIEW
SKETCHES

Project ID / DATE: 1412 / 9.27.14
Sheet Scale:

A.10

Drawn By: AM Checked By: TFA
Plot Date: SEPTEMBER 27, 2014



1955 Central Park Ave. Suite #200, Yonkers, New York 10710

Phone: 914-668-4673 Fax: 914-668-1831

E-mail: tom@tomabillama.com

February 19, 2019

Attention: Honorary Chairman Matthew Collins and members of the Board of Appeals.
Mr. Charles Minozzi, Building Inspector

Subject: The Hastings Terrace – Abirizk Family
45 High Street, Hastings-on- Hudson, NY

Dear Chairman Collins:

This firm represents the Abirizk Family as their Architectural consultant requests for area variances related to the aforementioned property.

The project involves a proposal to build a single family dwelling on a non-conforming undersized lot which total area is 2,837.5 S.F. The project provides for the removal of an existing non-conforming structure and replacing it with a newer structure. The proposed house will consist of an indoor parking garage, an outdoor parking space in front of the garage door, a back patio, a code compliant cellar, a living room, dining room, family room, kitchen, a master bedroom suite, 2 bedrooms, 2 ½ bathrooms.

The Zoning district, 2R is a 2-family zone which permits 2-family dwellings on 10,000 SF lots, and 1-family dwelling on 7,500 SF lots. Presently, there are a combination of 1, 2, and 3 family dwellings in the district and many non-conforming structures.

Our office has conducted an analysis on the bulk conditions related to 21 properties within the vicinity as shown on the additional sheet A.8. It was determined the following:

- 1- 52% of the properties are undersized in lot area.
- 2- 57% of the properties have non-conforming lot widths.
- 3- 90% of the lots are non compliant in front yard setbacks. (7 structures with more than 64% of the permitted front yard setback)
- 4- 86% of the lots are non compliant in side yard setbacks. (15 structures with more than 42% of the permitted side yard setback)

- 5- 67% of the lots are non compliant in rear yard setbacks. (13 structures with more than 53% of the permitted rear yard setback)
- 6- 24% of the properties are non-conforming in building coverage.
- 7- 3 structures may be encroaching on building height.
- 8- 12 properties have visibility of 32 feet or less along the street intersections.

While the proposed structure does not comply with the front yard, rear yard and side front yard setback, it does comply with the height restriction and the maximum lot coverage.

Among those lots that have front yard and rear yard nonconformity, 12 of them (57%) have a nonconformity of 56% or more. 10 of the lots have a nonconformity of 56% or more as far as the side yard requirements.

The latest revisions are based on the comments made by the board during the December meeting and are as follows:

- 1- Complying with the required maximum coverage for the building and for the development. The building envelope has been reduced accordingly.
- 2- The proposed floor area is 2,110 S.F. less than the suggested floor area of 2,128 sf.
- 3- Minimizing the variance for the sight distance setback along the corner of the property. (50ft. are required, proposed 45 ft. from the previous 42 ft.)

The proposed house will include the following:

Basement: One car garage, playroom, full bathroom, storage or mechanical rooms, and utility closet.

1st Floor: A living room, a kitchen with dining area and a family room, as well as a powder room.

2nd floor: 3 bedrooms and 2 bathrooms.

Attic: accessible only through a pull down ladder.

The choice between proposing height addition to the existing structure and proposing for the new structure will result in the same setback variances in front yard, side yard and rear yard setbacks. Please see the chart below.

| Criteria | Permitted | Proposed | Existing |
|---------------------------|------------|----------------------------|-----------------------|
| Lot Area | 7,500 S.F. | 2,837.5 S.F.(62% variance) | 2,837.5 S.F.(62%) |
| Lot width | 75 ft | 50 ft (33% variance) | 50 ft (33% variance) |
| Front Yard | 25'-0" | 9'-0" (64% variance) | 6'-1"(76% variance) |
| Rear Yard | 25'-0" | 11'-8"(53% variance) | 2'-0"(92% variance) |
| 2 nd Side Yard | 8'-0" | 8'-0" (0% variance) | 110'-11"(0% variance) |
| Both side yards | 33'-0" | 19'-10" (42% variance) | 27'-3"(17% variance) |

In addition, by keeping the existing structure, we would keep the obstruction on the intersection as represented on sheet A.6. There is also no off-street parking as per existing conditions.

As the Board considers the application, in determining whether to grant the requested area variances, the Board shall engage in a balancing test, as Village Code Section 295-146 provides, that this Board shall consider the benefit to the applicant, if the variances are granted, weighed against the detriment to the health, safety, and welfare of the community by such grant.

The project would promote revitalization of the property along the corner of High Street and James Street and the development of a greatly marketable house.

The new structure will clear the corner from obstruction of vehicular traffic. It will provide for 2 off street parking spaces, which alleviates the need for street parking. As such, the benefit to the applicant in granting the variances more than outweighs any detrimental impacts that this house would be said to pose.

The project easily passes the five-factor analysis for area variances in the Village zoning ordinance as incorporated within the New York.

- A. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
- B. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.
- C. Whether the requested area variance is substantial.
- D. Whether the proposed variance will have an adverse effect of impact on the physical or environmental conditions in the neighborhood of district.
- E. Whether the alleged difficulty was self-created, which consideration shall be relevant to the Board of Appeals but shall not necessarily preclude the granting of the area variances.

Five factor test

We respectfully demonstrate that the project's variances satisfy the balancing test required by the Village Ordinance law.

a) There would be no undesirable change to the Community:

The proposed structure will be in harmony with the surrounding community since, in addition to having a traditional style with attractive features, it is adjacent to many non-conforming structures as listed on sheet A-4 of the architectural plans. The proposed structure requires variances for yard setbacks and coverage.

-The cellar is more than 50% below the average grade and is complying with the definition of "Cellar" per section 295-5, and therefore is not considered a story. See SP-2 of the architectural drawings.

-The attic will only be accessible by a pull down ladder and will not be habitable.

-The proposed structure is therefore considered a 2-½-story structure.

-The building and development coverage are in compliance with the ordinance.

As far as height, the proposed house complies with the zoning ordinance.

b) Desired benefit cannot be achieved by feasible alternatives.

The client has experimented with several studies resulting in different house designs.

Variances are necessary to meet a desired result. Any smaller variances would result in an undesirable project. Based on the geometry of the site, the only way to viably develop a successful project is through the requested variances.

c) The requested variances are not substantial.

While several of the requested variances may be numerically large, they are not as such since they would allow the proposed structure to be in harmony with the general Architectural massing and street scope of High Street. In actuality, substantial variances cannot be evaluated in abstract rather they should be evaluated their merit.

Multiple variances are inter-related and should be viewed as the result of the totality of the proposed project.

d) There will be no adverse impact on the environment.

The existing house which is in a dilapidated condition and is to be removed and replaced with this proposed structure which will comply with environmental requirements and would provide for more landscaping, new storm water retention, newly connected utilities, proper parking and paved surfaces, etc.

e) A self-created hardship is not determinative.

While the hardship may be technically self-created, as to propose to replace the existing structure with a more appropriate one. This case should rationally result as that the self-created hardship should outweigh the overall benefit of the application and the community, as well as the Village, in granting the requested variances.

Conclusion

For the aforementioned reasons, the benefits to the applicant and the Village of Hasting as a whole, easily outweighs any detriments the project could be argued to pose.

Accordingly, the applicant looks forward to answering any questions your Board may have. Please do not hesitate to contact our office should any question arise.

Very truly yours,

Tom F. Abillama, AIA