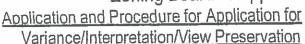




Zoning Board of Appeals polication and Procedure for Application for





- 1. File one (1) original completed Application and all related drawings and documents, for a Variance, Interpretation or View Preservation Approval, with original signatures and notarization, a flash drive and two (2) copies (residential) or seven (7) copies (commercial) (See requirements in step #2) with the Office of the Building Inspector, no less than four (4) weeks prior to scheduled ZBA meeting.
- 2. Application must be complete with all plans, diagrams, surveys, photographs, etc. as necessary to fully describe requested variance/s and compelling reasons for non-conformity with the zoning regulations.

3. Pay an application fee as per following fee schedule:

1	Single family residence	\$ 250.00	\$ 500.00*
	Two family residence	\$ 300.00	\$ 600.00*
	Multiple family residence	\$ 350.00	\$ 700.00*
	Commercial, apartment & office buildings	\$ 500.00	\$ 1000.00*
	Industry, subdivision, land development, etc.	\$1000.00	\$2000.00*

✓ View Preservation Stand Alone

1-2 Family-\$250.00/\$500.00* Other-\$500.00/\$1000.00*

*For Variances/ZBA action for illegal construction

- 4. Upon receipt of the application and prescribed fee, Office of the Building Inspector will prepare a legal notice describing the variance and submit the notice to an official newspaper for publication.
- Office of the Building Inspector will prepare a mailing list of all neighbors within a 300-foot radius (500-feet if deemed necessary by the Building Inspector) of the subject property and make it available to the applicant prior to the ZBA meeting
- 6. The applicant must pick up copies of the legal notice and mailing list in a timely manner so as to be able to do the following:
 - Either mail copies of the legal notice to neighbors on the mailing list by certified mail requested or any other method of delivery providing proof of delivery no later than 14 days prior to the ZBA meeting
 - Or hand deliver copies of the legal notice no later than 10 days prior to the ZBA meeting.
- 7. No later that one (1) week prior to the ZBA meeting submit the following to the Office of the Building Inspector:

Proof of mailing and and supporting documentation or

The mailing list with dates and initials of recipients and a notarized affidavit stating:

, <u>film vour name</u> , d	do hereby swear that all the legal notices
	fill in the date and that the
signatures/initials of the recipients are authentic.	

8. The applicant or his/her authorized representative must appear before the ZBA on the scheduled meeting date to present his/her case, enter into record any additional evidence, and answer any questions.

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 end proposed construction end 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.

Zoning Board of Appeals

Application and Procedure for Application for

Variance/Interpretation/View Preservation



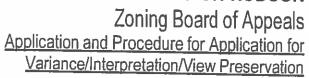
Case numbe	Case number: Date of application: JUNE 28 2018					
Property ov Property ad	orner: CHRISTM Idress: 69 HIUSI	DE AVENUE	ANN UTCHEL			
Name all streets on which the property is located: Sheet: 4.86 Block: 62 Lot/Parcel: 22 Zoning District: R 7.5						
Applicant James A. Gibbons, PE						
Standing of applicant if not owner:						
Address:	Central AVE	nue, 308-7	arrytown Ny 1059			
Daytime phor	ne number: 9 1 4 20 4 9 1 4	Fax number: 9/4	524 9746			
E-mail address: 91660ns engineering @ yanoo.com						
	quested for (See §295-146B & C :		3 View Preservation (See §295-82)			
List code sect	ions & provisions from which the	variance or interpretation is r	equested:			
Section*	Code Provision*	Existing Condition*	Proposed Condition*			
195-HI)C	SIDE YARD-8.01	5.9'	5.91			
95-F(1)C	BOTH SIDE YARD-20'	19.21	19.2			
195-F(1)C	SIDE TWO-12.0'	13.3/	13.31			
*See example	below:	-				
295-68F.1a	Front Yard Min. 30 ft. deep	26.5 ft Single Family Home				

Zoning Board of Appeals Zoning Analysis



ZONING REQUIREMENTS:

(Principal Structure)			
FRANK	REQUIRED	EXISTING	PROPOSED
FRONT	2501	15,01	N/C 15
REAR	25.01	94,81	85, 31
SIDE ONE	8.01	5.91	591
SIDE TWO	12.0	13,31	13.31
TOTAL OF TWO SIDES	20.01	19,2'	19,71
YARD SETBACKS		V-mari Burila	
(Accessory Structure)			
	REQUIRED	EXISTING	PROPOSED
TO PRINCIPAL BLDG.			
REAR			
SIDE			
BUILDING HEIGHT			
	PERMITTED	EXISTING	PROPOSED
STORIES	2.5	2,5	NIC
FEET	35'	22 +/-	NIC
FEET	35`	22 +/-	NIC
	35`		NIC
FEET LOT COVERAGE	PERMITTED	EXISTING	PROPOSED
LOT COVERAGE LOT AREA	PERMITTED 7500 p	EXISTING 4483 A	
LOT COVERAGE LOT AREA *BLDG. COVERAGE/ % OF LOT AREA	PERMITTED	EXISTING 4483 A	N/C
LOT COVERAGE LOT AREA *BLDG. COVERAGE/ % OF LOT AREA *DEVELOPMENT COVERAGE/	PERMITTED 7.500 \$	EXISTING 4483 + 17.77	N/C 17.7%
LOT COVERAGE LOT AREA *BLDG. COVERAGE/ % OF LOT AREA *DEVELOPMENT COVERAGE/ % OF LOT AREA	PERMITTED 7500 \$ 30%	EXISTING 4483 + 17.77. 33%	N/C
LOT COVERAGE LOT AREA *BLDG. COVERAGE/ % OF LOT AREA *DEVELOPMENT COVERAGE/ % OF LOT AREA	PERMITTED 7.500 \$	EXISTING 4483 + 17.77. 33%	N/C 17.7%
FEET LOT COVERAGE LOT AREA *BLDG. COVERAGE/ % OF LOT AREA *DEVELOPMENT COVERAGE/ % OF LOT AREA *See Definitions of Building and	PERMITTED 7500 \$ 30%	EXISTING 4483 + 17.77. 33%	N/C 17.7%





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

Date of Appeal	Purpose of the A	ppeal	Resolution if any	Date of Action		
<u></u>						
List pending v	iolations on this property if any	". Nja				
Is there an ap	proved site plan for this proper	ty?:	(Yes)	(No)		
Is there an Accessory Apartment at this property?:				16.		
	erty have Boarder's Permit?: .					
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, obotographs, 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.						
TATE OF NEW Y		559				
hereby depose an ubmitted in conne	d say that all of the above stated to the cition with this application are to	tements and stat rue:	ements contained in all pa	pers I have		
worn to before me	this 27 th day 2015	Appli	can	F		
ELISSA M CASELLA Notary Public - State of New York NO. 01CA6308722 Qualified in Westchester County My Commission Expires Jul 28, 2018						

Zoning Board of Appeals

<u>Application and Procedure for Application for Variance/Interpretation/View Preservation</u>



Name: Christine and Rose Ann Utchel , being duly sworn, deposes and says that				
he/she resides at 69 Hils: de Avenue 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 4, 80 Block 62 and Lot 22 of the tax map, and that				
he/she hereby authorized <u>Gibbons Engineering</u> 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.:				
Rose and Utelel Christian Utelel Owner				
SWORN TO BEFORE ME THIS 9 DAY OF JUNE 2018				
ANNMARIE BLASST CRUZ				

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.

Notary Public, State of New York

Qualified in Rockland County

Reg. No. 01 CR6004760

My Commission Expires March 30, 2077

§ 295-82. View Preservation (VP) Districts

- Principal and accessory uses. Subject to the provisions of Subsection C below, the permitted A. principal and accessory uses for any lot or parcel in a VP District shall be the same as otherwise permitted in the district in which the lot or parcel is located. C.
- Approval by Planning Board and Board of Appeals.
 - No building or structure shall be erected, altered, enlarged or moved in the district unless (1) approved in accordance with the provisions of this section.
 - Every application to permit the erection or exterior alteration of a building or structure in a (2)VP District shall be referred by the Building Inspector to the Planning Board for its report and recommendations as to the best siting, dimensions and configuration of principal and accessory structures so as to cause the least possible obstruction of the view of the Hudson River and the Palisades for neighboring properties and adjacent public property and rights-of-way. The Planning Board shall issue its report and recommendations within 60 days after receipt of the application.
 - After approval by the Planning Board, the plan for erection or exterior alteration of the (3) building or structure shall be referred to the Board of Appeals, which shall conduct a public hearing on the plan. The Board of Appeals shall hold the hearing and render its decision within 60 days after the referral by the Planning Board.
 - Joint notice of both the Planning Board meeting at which the application is to be (4)considered and the Board of Appeals public hearing on the application shall be given at least 14 days before the Planning Board meeting. Notice shall be given as required in § 295-143C. In addition, notice shall be given to the Architectural Review Board and shall be published in a newspaper of general circulation in the Village not less than 10 days before both the Planning Board meeting and the Board of Appeals hearing.

§ 295-146. Variances.

A. The Board of Appeals, on appeal from the decision or determination of the administrative officer charged with enforcement of this chapter, shall have the power to grant use variances and area variances, as defined herein.

B. Use variances.

- "Use variance" shall mean the authorization by the Board of Appeals for the use of land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning regulations.
- 2) No use variance shall be granted by the Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship, the applicant shall demonstrate to the Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:
 - The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
 - The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
 - c. The requested use variance, if granted, will not alter the essential character of the neighborhood; and
 - d. The alleged hardship has not been self-created.
- 3) The Board of Appeals, in the granting of a use variance, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proved by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

C. Area variances.

- "Area variance" shall mean the authorization by the Board of Appeals for the use of land in a manner that is not allowed by the dimensional or physical requirements of the applicable zoning regulations.
- 2) In determining whether to grant an area variance, the Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board of Appeals shall also consider:
 - 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 or impact on the physical or environmental conditions in the neighborhood or 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 variance.
- 3) The Board of Appeals, in the granting of an area variance, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
- D. Imposition of conditions. The Board of Appeals shall, in the granting of both use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this chapter, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.







































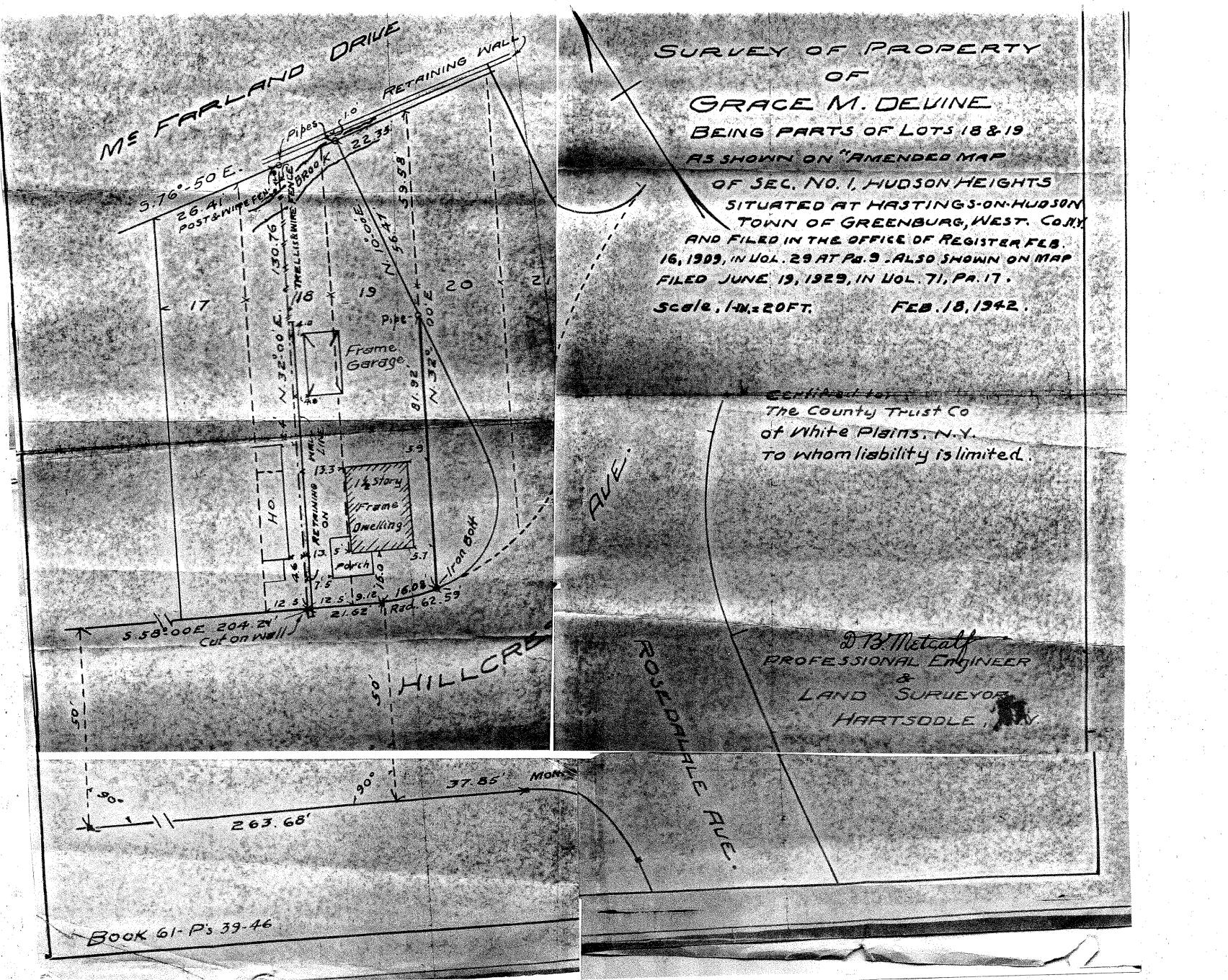


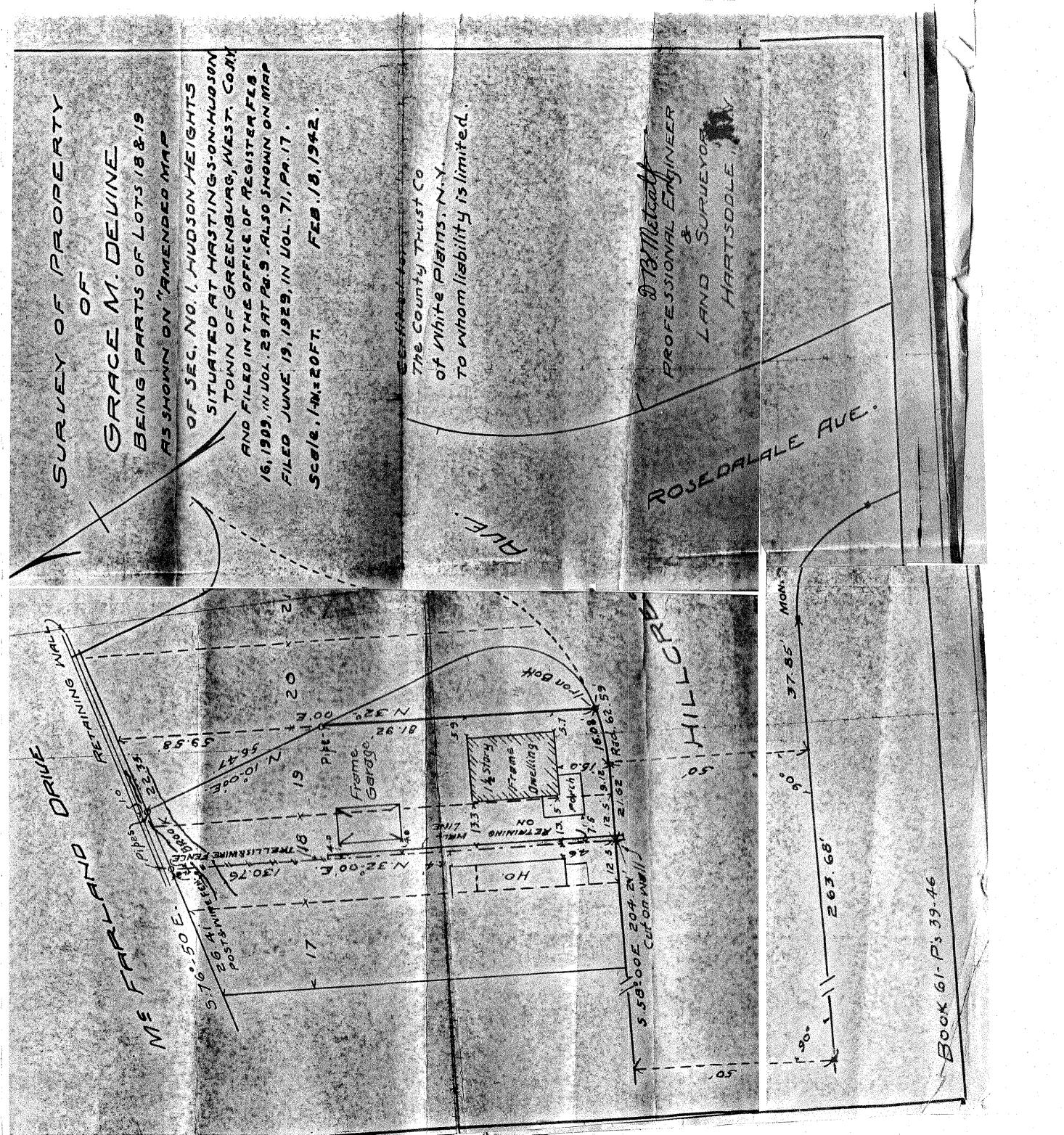












69 HILLSIDE AVENUE

HASTINGS-ON-HUDSON, NY

EXISTING DWELLING

SURVEY NOTE:

 A SIGNED AND SEALED AS BUILT SURVEY SHALL BE PROVIDED BEFORE THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY



LOCATION MAP

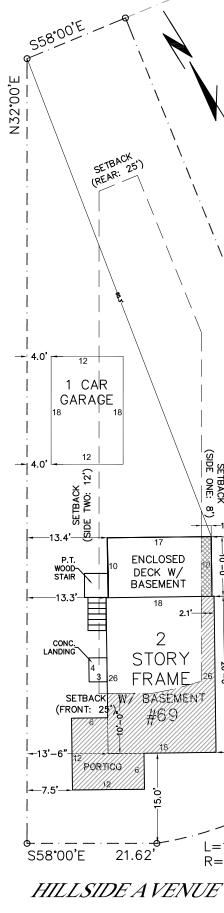
SCALE: NTS

• SECTION: 4.80 • BLOCK: 62 • LOT: 22

ZONING DATA: DISTRICT R7.5					
	REQ'D/MAX.	EXISTING	PROPOSED	VARIANCE	
MINIMUM SIZE LOT	7500	4483	NO CHANGE	NONE	
LOT WIDTH (FT)	50	37	NO CHANGE	NONE	
BUILDING COVERAGE (%)	30	17.7	17.7	NONE	
DEVELOPMENT COVERAGE (%)	40	33	33	NONE	
FRONT YARD (FT.)	25	15	NO CHANGE	NONE	
REAR YARD (FT.)	25	94.8	85.3	NONE	
SIDE YARD ONE/BOTH (FT)	8/20	6.3/19.7 (DECK)	6.3/19.7 (DECK)	1.7' RIGHT ENCROACH (DECK)	
MAIN BUILDING HEIGHT (STY/FEET)	2.5 / 35	2/±22	NO CHANGE	NONE	

CODE COMPLIANCE NOTES:

- ALL WORK SHALL CONFORM TO THE IBC, IRC AND IEBC 2015 EDITIONS, AND THE 2017 NEW YORK STATE SUPPLEMENTS
- 2. NO NEW HVAC EQUIPMENT SHALL BE INSTALL UNDER THIS APPLICATION. SEPARATE APPLICATION REQUIRED.
- THE EXISTING ENCLOSED DECK IS NOT THERMALLY CONDITIONED
- NO PLUMBING WORK REQUIRED FOR THIS PROJECT.
- 5. NO ELECTRICAL WORK REQUIRED FOR THIS PROJECT.



ر هي ا

L=16.08'

R = 62.59

IT IS A VIOLATION OF N.Y. STATE LAWS FOR ANY PERSON, UNLESS DIRECTED BY A REGISTERED ARCHITECT OR PROFESSIONAL ENGINEER TO ALTER ANY ITEM IN ANY WAY ISSUE DATES: No. DATE DESCRIPTION

SEAL & SIGNATURE

1 05.03.18 B.D. SUBMISSION 2 07.11.18 Z.B.A. SUBMISSION

GIBBONS ENGINEERING

1 CENTRAL AVENUE, SUITE 308

TARRYTOWN, NY 10591

(914) 524-9740

69 HILLSIDE AVENUE HASTINGS-ON-HUDSON NEW YORK

DRAWING TITLE:

LOCATION & SITE PLAN

> 06.14.17 DATE: PROJECT No: 2017-64 DRAWING BY: CHK BY.: JAG

SITE PLAN

EXIST. ENCROACHMENT

NEW ENCROACHMENT

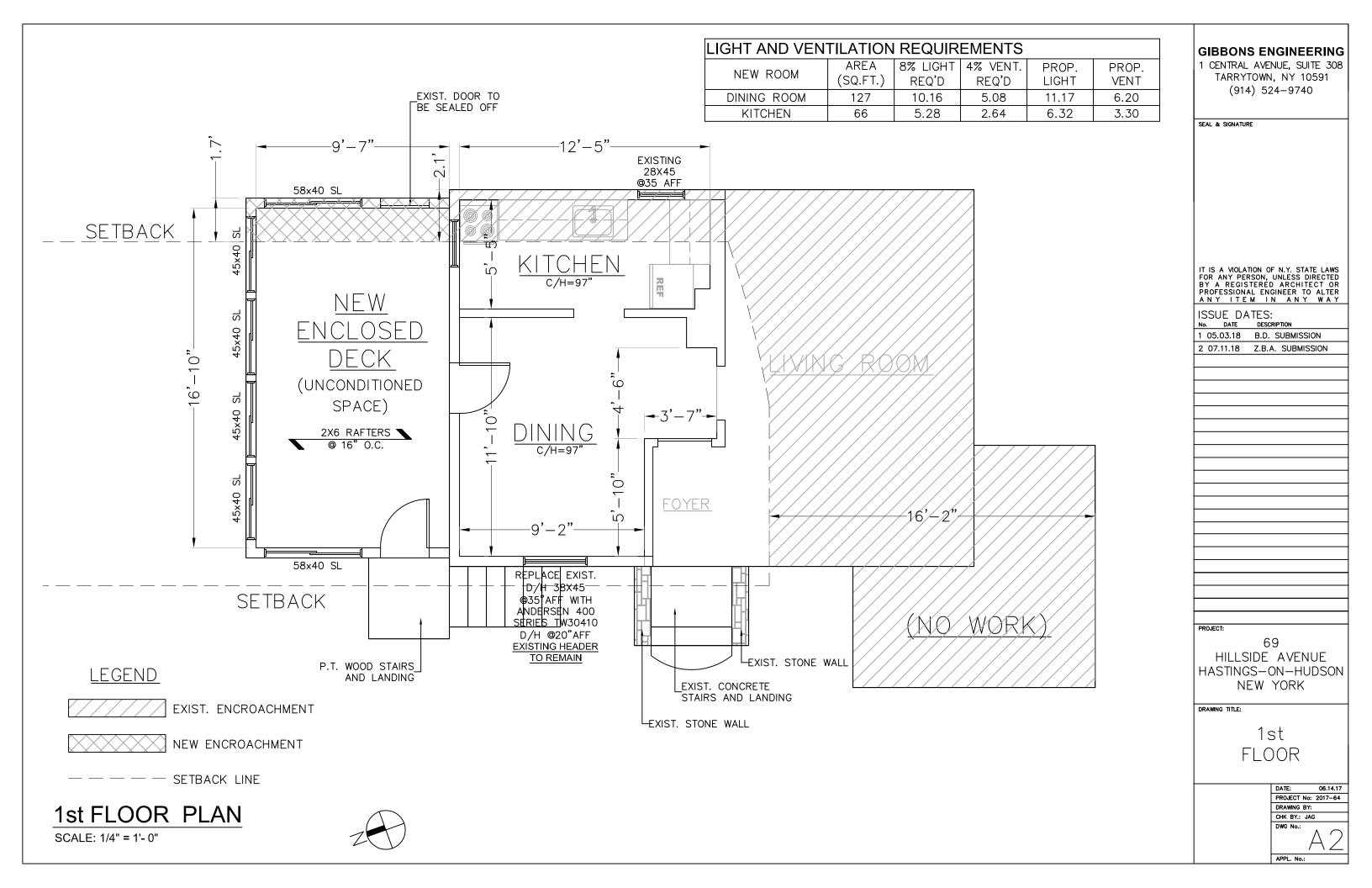
ENCROACHMENT AREAS:

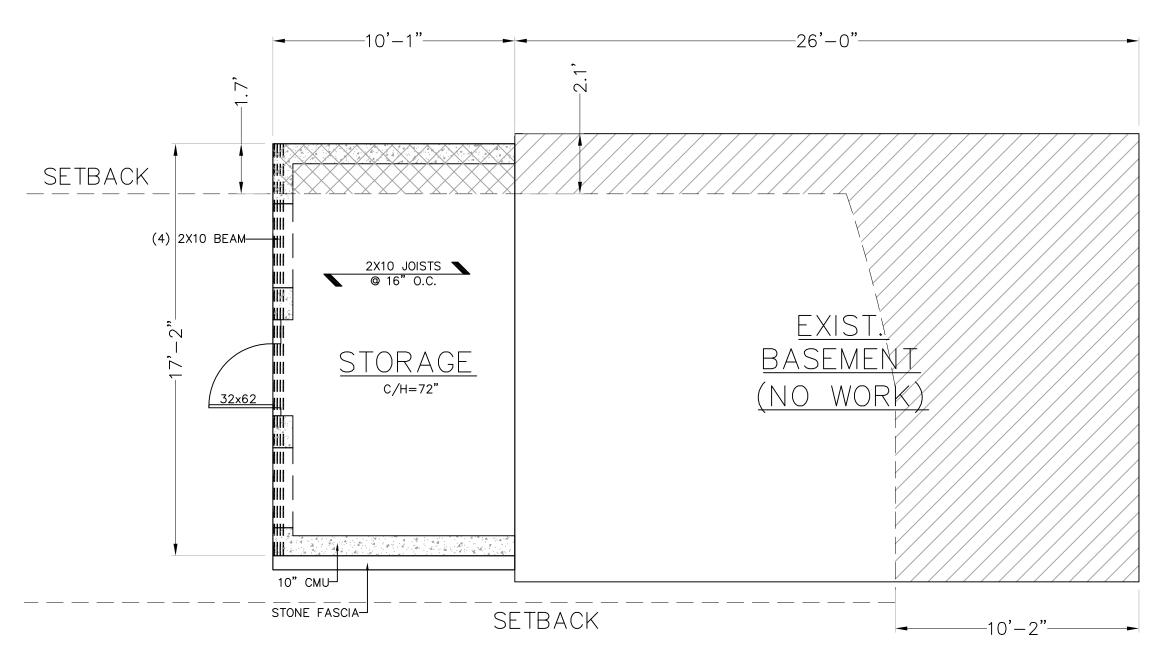
EXISTING BUILDING: 330 FT²

NEW ADDITION: 30 FT²

LEGEND

SCALE: 1" = 18'- 0"





<u>LEGEND</u>

EXIST. ENCROACHMENT

NEW ENCROACHMENT

— — SETBACK LINE

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



GIBBONS ENGINEERING

1 CENTRAL AVENUE, SUITE 308 TARRYTOWN, NY 10591 (914) 524-9740

SEAL & SIGNATURE

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ISSUE DATES: No. DATE DESCRIPTION

1 05.03.18 B.D. SUBMISSION 2 07.11.18 Z.B.A. SUBMISSION

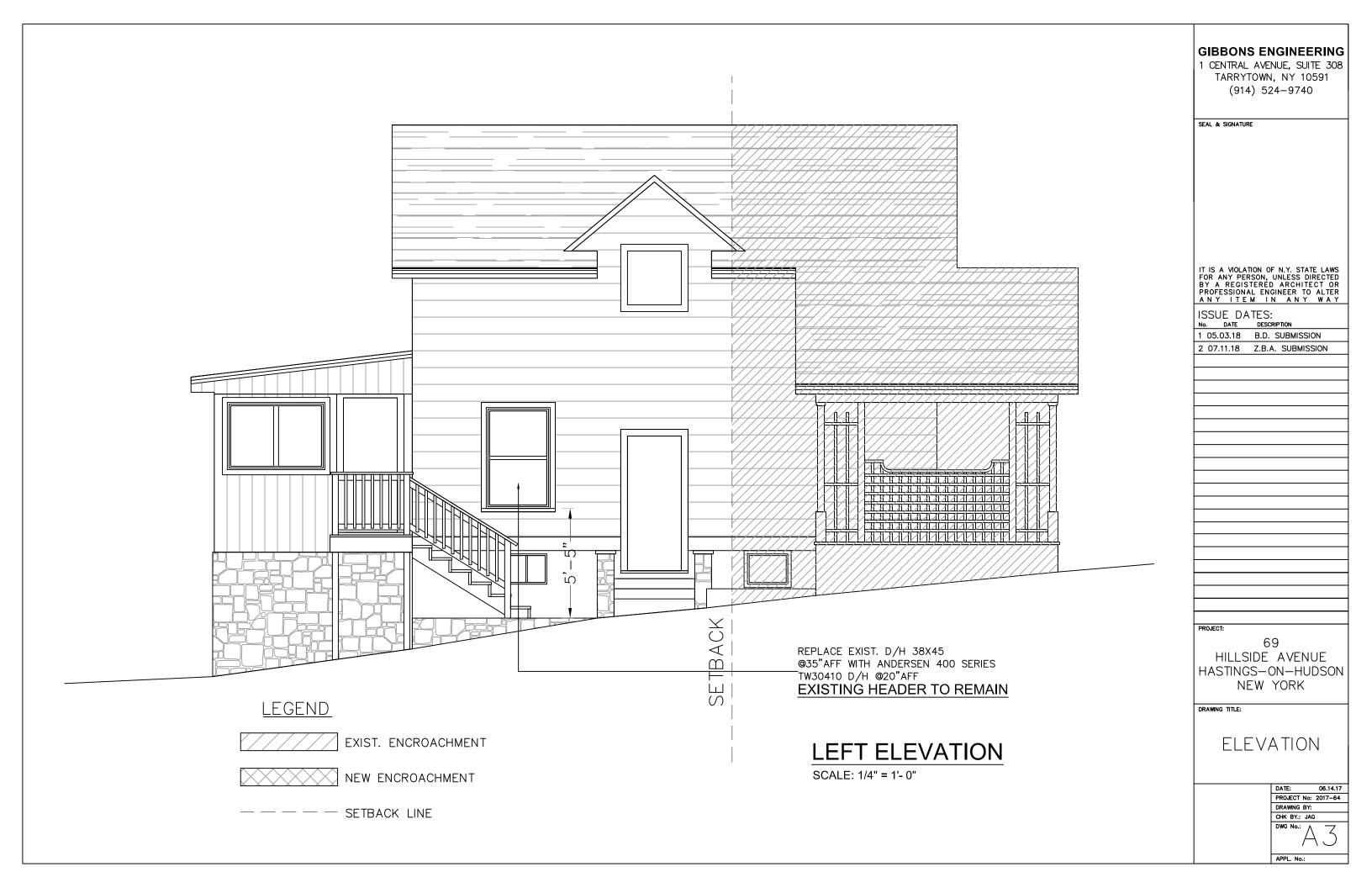
69 HILLSIDE AVENUE HASTINGS-ON-HUDSON NEW YORK

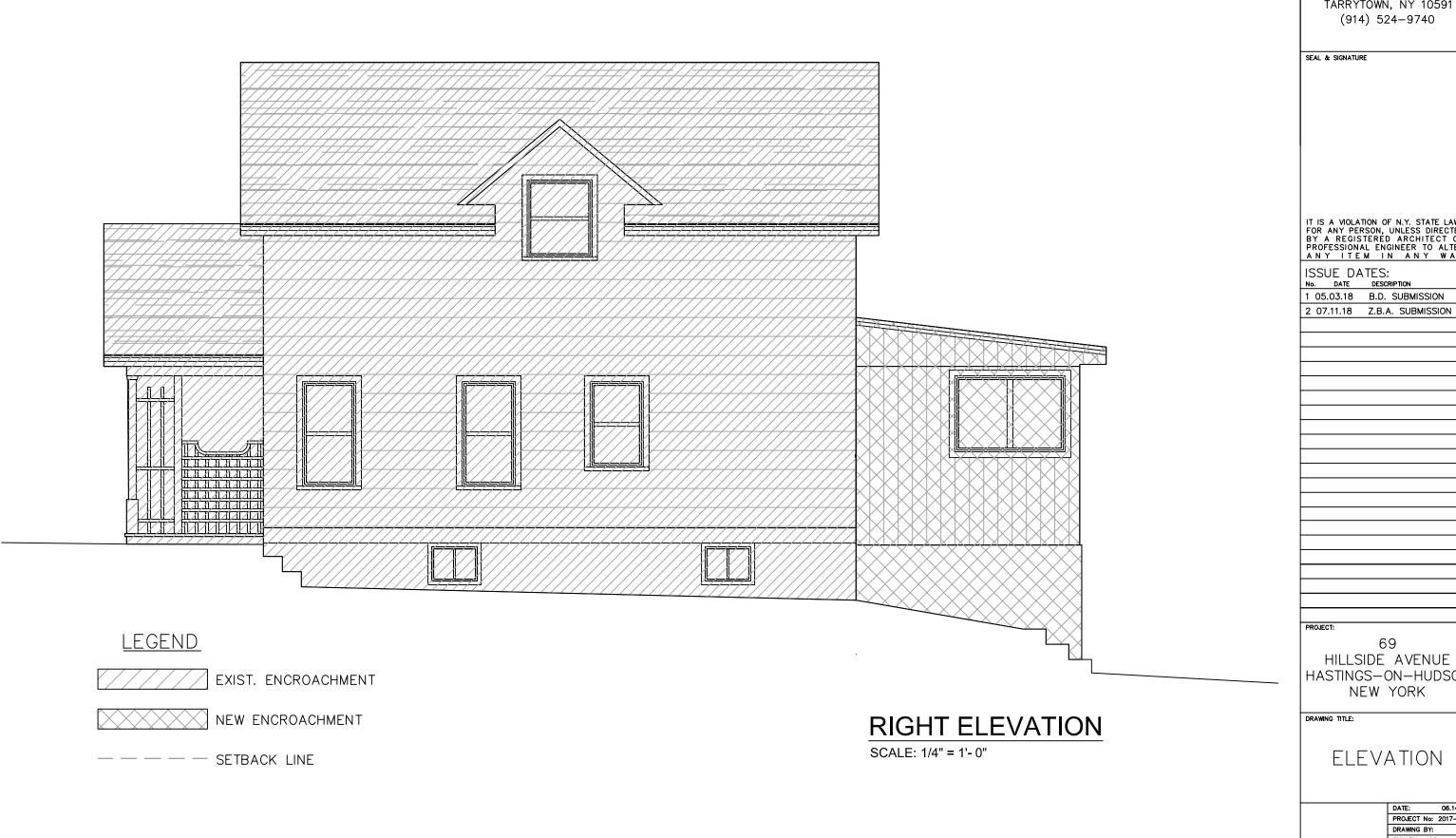
DRAWING TITLE:

BASEMENT

DATE: 06.14.17
PROJECT No: 2017-64 DRAWING BY: CHK BY.: JAG

APPL. No.:





GIBBONS ENGINEERING

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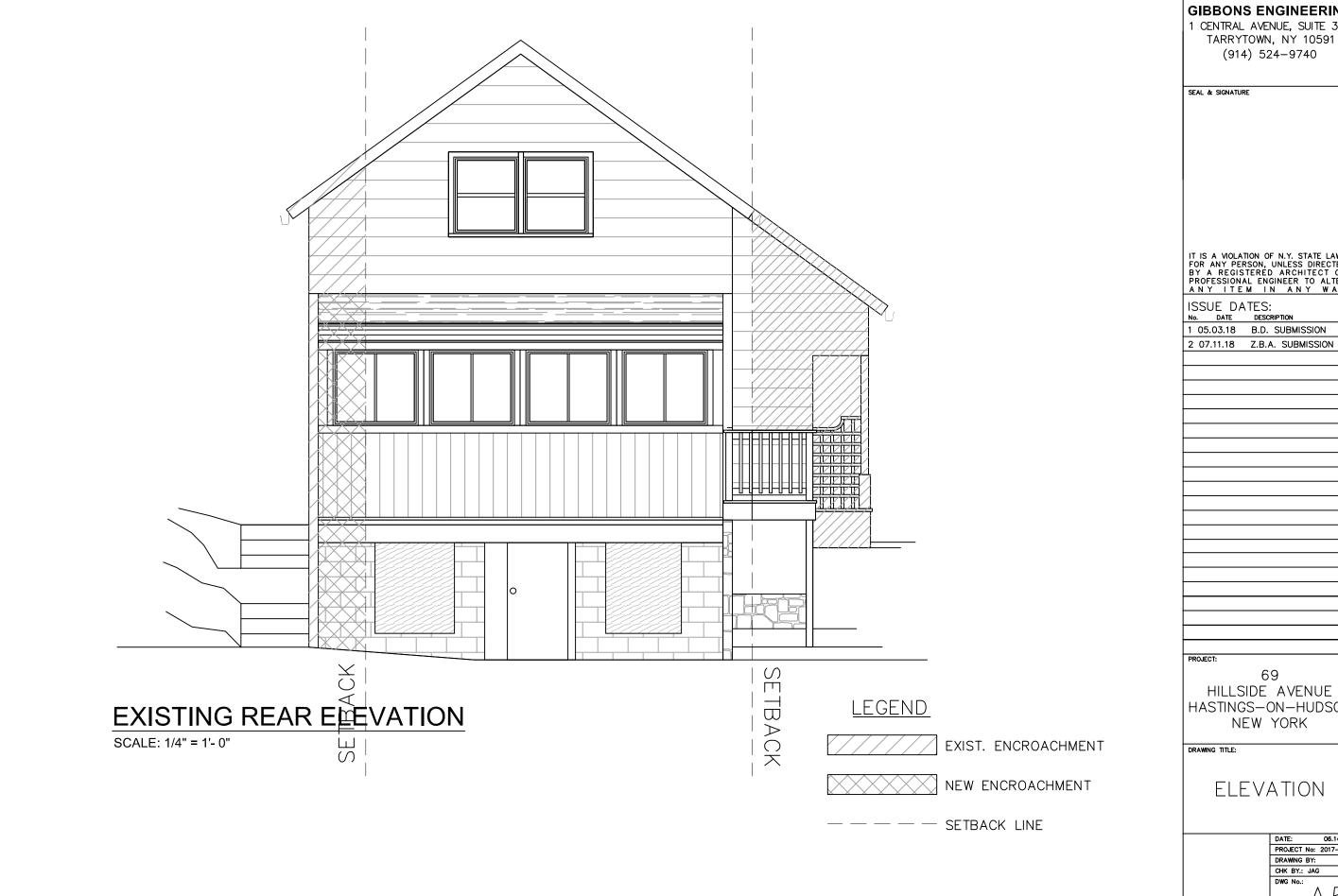
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HILLSIDE AVENUE HASTINGS-ON-HUDSON

DATE: 06.14.17
PROJECT No: 2017-64 DRAWING BY: CHK BY.: JAG

APPL. No.:



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1 05.03.18 B.D. SUBMISSION

69 HILLSIDE AVENUE HASTINGS-ON-HUDSON NEW YORK

ELEVATION

DATE: 06.14.17
PROJECT No: 2017-64 DRAWING BY: CHK BY.: JAG