

ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals of the Town of Lewisboro will hold a Public Hearing on Wednesday, October 24, 2018 at 7:30 P.M., at the Town Lewisboro Offices, 79 Bouton Road, South Salem, New York regarding the following:

CAL. NO. 19-18-SP

Application of Frank and Elizabeth Cunniffe, 77 Elmwood Road, South Salem, NY 10590 for a renewal of a Special Permit pursuant to Article IV § 220-23(A)(6) of the Zoning Ordinance in the matter of the continued operation of a horse training academy [Whipstick Farm].

The property is located on the east side of Elmwood Road, designated on the Tax Map as Sheet 44, Block 10057, Lots 3, 4, 98 and 99 in an R-4A, Four-Acre Residential District.

Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals, 79 Bouton Road, South Salem, New York during regular business hours. At such Hearing, all interested parties may attend and will be heard.

**Dated this 12th day of October, 2018
in South Salem, New York**

**ZONING BOARD OF APPEALS
TOWN OF LEWISBORO
By: CAROLYN MANDELKER
ACTING CHAIRWOMAN**

The town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance.

Town of Lewisboro

79 Bouton Road
South Salem, NY 10590

APPLICATION TO THE BOARD OF APPEALS

*Cal. No. (B.Z.)

**Cal. No. 19-18- (S.P.)

I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER

Applicant's Name: Frank + Elizabeth Cunniffe Phone: 914-815-1510

Address 77 Elmwood Rd. South Salem E-Mail Ailish97@msn.com

Owner's Name: Frank + Elizabeth Cunniffe Phone:

Address E-Mail

II. TO THE ZONING BOARD OF APPEALS OF THE TOWN OF LEWISBORO:

Application is hereby made for:

- ☐ A Variation of Article Section of the Zoning Ordinance.
- ☒ A Special Permit pursuant to Article 1V Section 220-23(A)(6) of the Zoning Ordinance.
- ☐ An Interpretation of the Zoning Ordinance or Zoning Map.
- ☐ A Variation of Section 280 (a) of the Town Law.
- ☐ An appeal from an Order of the Building Inspector to correct a Violation of the Housing Code
Section
- ☐ (Other)

AND FURTHER DESCRIBED AS FOLLOWS:

III. IDENTIFICATION OF PROPERTY:

Location of Affected Premises:

Tax Map: Sheet 44 Block 10057 Lot(s) 34, 98 + 99

Zoning District: R-4A Lot Area: 77.68 Acres

IV. ADDITIONAL INFORMATION

Have previous appeals/special permits been filed in regard to these premises?
(If yes, please give calendar number & date)

Cal. No. Date Cal. No. Date

Cal. No. Date Cal. No. Date

Has a court summons been served relative to this matter?

Have you inquired of the Clerk of the Town of Lewisboro whether there is any petition pending to change
the use district regulations affecting the block on which these premises are located?

Attached hereto and made a part of this application, I submit the following:

- A copy of the ground and floor plans with all necessary measurements.
- A property survey.
- A signed consent by the owner of the property if the applicant is not the owner.

V. APPROVED FOR SUBMISSION:

Applicant's Signature: [Signature] Date: 9/5/18

VI. RECEIPT:

Date Received by Clerk Fee Received \$

Check #: 5835 Receipt #: 28130

* EXPIRATION: (§ 220-74E(5)) "A variance shall be deemed to authorize only the particular use or uses specified in the decision, and unless other provisions are set forth by the Zoning Board of Appeals in connection with their decision, shall expire if work is not initiated pursuant thereto within one (1) year, of if said use or uses shall cease for more than one (1) year."

**Storage of Contractor's Equipment requires an additional fee for each required off-street parking space.

*** Accessory Apartment applications will also require an additional fee for filing the legal instrument with Westchester County.

(over)

AFFIDAVIT OF OWNERSHIP

State of New York, being duly sworn, deposes
County of
and says that he resides at in the Town of
in the County of in the State of and that
he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the
Town of Lewisboro, N.Y., aforesaid and known and designated on the Tax Map as Lot Number
..... in Block on Sheet and that he hereby authorizes
..... to make the annexed application in his behalf
and that the statements of fact contained in said application including the statements contained in all
of the exhibits transmitted herewith are true.

Sworn to before me, this

day of,

(sign here)

(over)

ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals of the Town of Lewisboro will hold a Public Hearing on Wednesday, October 24, 2018 at 7:30 P.M., at the Town of Lewisboro Offices, 79 Bouton Road, South Salem, New York 10590 regarding the following:

CAL. NO. 20-18-BZ

Application of Mark & Nicole Kirby, 233 Elmwood Road, South Salem, New York, for a variance of the Zoning Ordinance in the matter of a proposed fire pit that will have a side yard setback of 29'4" whereas 40' is required per Article IV, Section 220-23E of the Town of Lewisboro Code and a proposed gas grill that will have a side yard setback of 38' whereas 40' is required per Article IV, Section 220-23E of the Town of Lewisboro Code in an SCR-2A, Special Character Two Acre Residential District.

The property is located on the easterly side of (#233) Elmwood Road, designated on the Tax Map as Sheet 49C, Block 9834, Lot 131, in an SCR-2A, Special Character Two Acre Residential District consisting of approximately 2.038 acres.

Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals at Town of Lewisboro Offices, 79 Bouton Road, South Salem, New York 10590 during regular business hours. At such Hearing, all interested parties may attend and will be heard.

**Dated this 12th day of October, 2018
in South Salem, New York**

**ZONING BOARD OF APPEALS
TOWN OF LEWISBORO
By: ROBIN PRICE, JR.
CHAIRMAN**

The town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance

Town of Lewisboro

79 Bouton Road
South Salem, NY 10590

APPLICATION TO THE BOARD OF APPEALS

*Cal. No. 20-18- (B.Z.)

**Cal. No. (S.P.)

I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER

Applicant's Name: MARK + Nicole Kirby Phone: 917-710-5813
Address: 233 Elmwood RD S. Salem, NY E-Mail: mark.kirby@opco.com
Owner's Name: MARK + Nicole Kirby Phone: 917-710-5813
Address: 233 Elmwood RD S. Salem E-Mail: mark.kirby@opco.com

II. TO THE ZONING BOARD OF APPEALS OF THE TOWN OF LEWISBORO:

Application is hereby made for:

- ☒ A Variation of Article IV Section 220-23E of the Zoning Ordinance.
- ☐ A Special Permit pursuant to Article Section of the Zoning Ordinance.
- ☐ An Interpretation of the Zoning Ordinance or Zoning Map.
- ☐ A Variation of Section 280 (a) of the Town Law.
- ☐ An appeal from an Order of the Building Inspector to correct a Violation of the Housing Code Section
- ☐ (Other)

AND FURTHER DESCRIBED AS FOLLOWS:

Fire Pit (4x4x16) +
GAS GRILL - 38 inches X 24 1/2 inches H
* see attached L W

III. IDENTIFICATION OF PROPERTY:

Location of Affected Premises:
Tax Map: Sheet 49C Block 9834 Lot(s) 131
Zoning District: SC2A Lot Area: 2.04 Acres

IV. ADDITIONAL INFORMATION

Have previous appeals/special permits been filed in regard to these premises? No
(If yes, please give calendar number & date)

Cal. No. Date Cal. No. Date

Cal. No. Date Cal. No. Date

Has a court summons been served relative to this matter?

Have you inquired of the Clerk of the Town of Lewisboro whether there is any petition pending to change the use district regulations affecting the block on which these premises are located?

Attached hereto and made a part of this application, I submit the following:

- A copy of the ground and floor plans with all necessary measurements.
- A property survey.
- A signed consent by the owner of the property if the applicant is not the owner.

V. APPROVED FOR SUBMISSION:

Applicant's Signature: [Signature] Date: 9/19/18

VI. RECEIPT:

Date Received by Clerk 9/28/18 Fee Received \$ 252.-

Check #: 1156 Receipt #: 28168

* EXPIRATION: (§ 220-74E(5)) "A variance shall be deemed to authorize only the particular use or uses specified in the decision, and unless other provisions are set forth by the Zoning Board of Appeals in connection with their decision, shall expire if work is not initiated pursuant thereto within one (1) year, of if said use or uses shall cease for more than one (1) year."

**Storage of Contractor's Equipment requires an additional fee for each required off-street parking space.

*** Accessory Apartment applications will also require an additional fee for filing the legal instrument with Westchester County.

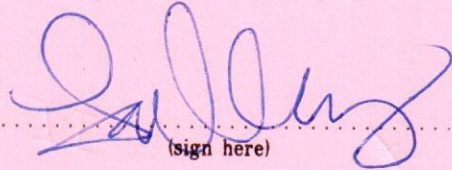
(over)

AFFIDAVIT OF OWNERSHIP

State of New York,
County of New York being duly sworn, deposes
and says that he resides at 233 Elmwood Rd in the Town of Lewisboro
in the County of South Salem in the State of New York and that
he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the
Town of Lewisboro, N.Y., aforesaid and known and designated on the Tax Map as Lot Number
131 in Block 9834 on Sheet 49C and that he hereby authorizes
to make the annexed application in his behalf
and that the statements of fact contained in said application including the statements contained in all
of the exhibits transmitted herewith are true.

Sworn to before me, this 19

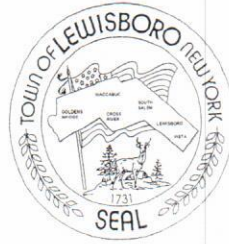
day of September, 2018


(sign here)

(over)

LYNN VAZQUEZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01VA5036027
Qualified in Queens County
My Commission Expires 11-14-2018

TOWN OF LEWISBORO
Westchester County, New York



Building Department
79 Bouton Road
South Salem, New York 10590

Tel: (914) 763-3060
Fax: (914) 875-9148
Email: jangiello@lewisborogov.com

Mark Kirby
233 Elmwood Rd., South Salem
049C-9834-131

The proposed fire pit will have a side yard setback of 29'-4" whereas 40' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.

The proposed gas grill will have a side yard setback of 38'-0" whereas 40' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.