# TOWN OF LEWISBORO Westchester County, New York



Zoning Board of Appeals 79 Bouton Road South Salem, New York 10590

Tel: (914) 763-3822 Fax: (914) 533-0097 Email: zoning@Lewisborogov.com

Wednesday, March 27, 2019 7:30 P.M

79 Bouton Road South Salem, NY 10590

- I. Review and adoption of the Minutes of February 2019
- II. PUBLIC HEARINGS

CAL. NO. 3-19 BZ

Application of David Oddo [Oddo, David and Maria, owners of record], 70 Lambert Ridge Cross River, NY for a variance of Article III § 220-23E of the Zoning Ordinance in the matter of an as-built outdoor stone fireplace that has a side yard setback of 14' whereas 30' are required.

The property is located at 70 Lambert Ridge, Cross River, NY and designated on the Tax Map as Sheet 16, Block 10533, Lot 414 in an R-1A, One-Acre Residential District, consisting of approximately 1.374 acres.

CAL. NO. 5-19-BZ

Application of David Townsend [Townsend, Lily Gunn & David, owners of record], 520 Mt. Holly Road, Katonah NY for a variance of Article IV § 220-23E of the Zoning Ordinance in the matter of a proposed shed that will have a side yard setback of 8' whereas 40' are required.

The property is located on the west side of (#520) Mt. Holly Road, designated on the Tax Map as Sheet 14, Block 10798, Lot 007 in an R-2, Two-Acre Residential District, consisting of approximately 1.766 acres.

CAL. NO. 6-19-BZ

Application of Kevin and Shari LeFauve [LeFauve, Kevin & Shari, owners of record], 27 Sunny Ridge, Katonah NY for a variance of Article IV § 220-23E of the Zoning Ordinance in the matter of a proposed generator that will have a rear yard setback of 22' whereas 30' are required.

The property is located on the southerly side of (#27) Sunny Ridge, designated on the Tax Map as Sheet 9D, Block 11149, Lot 063 in an R-1/2A, Half-Acre Residential District, consisting of approximately 0.41 acres.

CAL. NO. 7-19-BZ

Application of Heike A. Schneider [Markowitz, Robert & Kelly, Linda, owners of record], 4 Brookside Trail, South Salem NY for a variance of Article IV § 220-23E of the Zoning Ordinance in the matter of a proposed front additional that will have an eastern side yard setback of 9' whereas 12' are required and a proposed rear additional that has an eastern side yard setback of 9' whereas 12' are required, a western side yard setback of 8.9' whereas 12' are required and a rear yard setback of 11.10' whereas 25' are required.

The property is located on the west side of (#4) Brookside Trail, designated on the Tax Map as Sheet 42D, Block 10274, Lot 004 in an R-1/4A, Quarter-Acre District, consisting of approximately 0.22 acres.

CAL. NO. 8-19-BZ

Application of Mercedes Benz of Goldens Bridge [Charisma Holding Corp., owner of record], 321 Main Street, Goldens Bridge, NY for a variance of Article § Section 220-24E(A) as the proposed showroom/parking building has a rear yard setback of 2' whereas 30' are required,

for a variance of Article § 220-24E as the proposed showroom/parking building has a gross floor area of 50,900 square ft. whereas 10,000 square ft. is the maximum permitted, for a variance of Article § 220-24E as the proposed building coverage is 24.7% whereas 20% is the maximum permitted, for a variance of Article § 220-24E as the proposed site coverage is 64.4% whereas 60% is the maximum, for a variance of Article § 220-24E as the proposed showroom/parking building has a height of 51'-5.5" whereas the maximum permitted is 30', for a variance of Article § 220-55C(3) as the northern parking/storage lot has aisle widths of 19' and 21' whereas 25' are required, for a variance of Article § 220-55D(2) proposed grade within 30' of the street line for the southern exit/entrance is 10% and the northern is 7.4% whereas the maximum permitted is 3%, for a variance of Article § 220-55D(2) as the proposed driveway grade is 14.5% whereas the maximum permitted is 12%, for a variance of Article § 220-12E(1) as the proposed retaining wall on the northeastern corner of the service building has a height of 11' whereas the maximum permitted within a required setback is 6', for a variance of Article § 220-12E(1) as the proposed fence located on the western side of the northern parking/storage lot has a height of 8'-8" whereas the maximum permitted within a required setback is 6', for a variance of Article §185-5F(3)(A) as the proposed wall sign has a length of 46' whereas the maximum permitted is 20, for a variance of Article § 185-5F(3)(A) as the proposed wall sign has a height of 3'-3.5" whereas the maximum permitted is 2', for a variance of Article § 185-5F(4) as there are seven additional proposed wall signs whereas only one is permitted, for a variance of Article § 185-F(4)(a) as of the seven additional proposed wall signs, five signs have an area of 16.5 square ft. each and two signs have an area of 7.8 square ft. each whereas the maximum permitted area of a secondary sign is 6 square ft., for a variance of Article § 185-6C(4) as four of the proposed wall signs extend above the second story whereas it is not permitted, for a variance of Article § 185-6(C)6 as the proposed wall sign has letters with a height of 24.5" whereas the maximum permitted is 12", for a variance of Article § 220-57B as the proposed off-street loading areas will temporarily block a portion of the required parking spaces whereas this is not permitted, for a variance of Article § 220-24E(A) as the proposed auto storage lifts on the northwest side of the northern parking/storage area has a rear yard setback of 17' whereas 30' are required, for a variance of Article § 220-55D(1) as the access to the proposed upper parking/storage lots has an access width of 16' whereas 20' are required, for a variance of Article § 220-55D(2) as the access to the proposed upper parking/storage lots has a grade of 16% whereas no entrance or exit for any off-street parking shall exceed a grade of 3% within 30' of the street line or 12% at any other point, for a variance of Article § 220-55E(3) as the proposed parking areas containing more than 25 spaces do not have planting islands whereas in all off-street parking areas containing 25 or more parking spaces, at least 10% of the surface within the parking area perimeter shall consist of planting islands, for a variance of Article § 220-57C(1) as the applicant proposes two loading spaces whereas six are required, applicant proposes two loading spaces whereas six are required, for a variance of Article § 220-56D as the applicant proposes 88 parking spaces for customers whereas one space per 500 square ft. of gross floor area is required and for a variance of Article § 220-15B(7) as the applicant is seeking a waiver to permit a deviation from the standards requiring landscape buffers.

The property is located on the east side of (#321) Main Street, Sheet 4E, Block 11135, Lots 1, 2, 3, 4, 6 & 7 [Charisma Holding Corp., owner of record], Sheet 4E, Block 11135, Lot 5 [Spencemorg, LLC., owner of record] and Sheet 4E, Block 11137, Lot 42 [Robert Castelli, owner of record], in a RB, GB and in an R-1/2A, Half-Acre Residential District consisting of approximately 5 acres.

## III. CORRESPONDENCE & GENERAL BUSINESS

The Board to discuss the Town Board's appointment of an alternate member to the Zoning Board of Appeals.

Town of Lewisboro
79 Bouton Road
South Salem, NY 10590

| 12 1 22 500   | ***********  |  | (B.Z.)   |   | **Cal. No  |                         | (S.F                                      | <b>y</b>       |
|---|--|--|--|---|--|-------------------------|---|----------------|
| I. IDENTIFIC  | CATION OF  | APPLICANT  | & PROPERTY OW  | NER   |  |                         |   |                |
| Applicant's   | Name:  | AVID   | 0770   |   | Phon ( 1 )   | 4) 76                   | 3-2 <i>4</i> 4!                           | 5              |
|   | 7014   | KELK   | T KIDGE  |   | The TANK PORT PROPERTY AND   |                         |   | M. COM         |
| Owner's Na  | me: 2  | VID 4  |  | OPPO  | Phone (9)  | 19)7G                   | 3-241                                     | 5              |
| Address   | 70 W   | weer.  | T RIDGE  |   | E-Mail 120   | <b>WOOG</b>             | MBLAV                                     | K.COK          |
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|   | A Special  | Permit purs  | nuant to Article .   | Section   |  | of the Zon              | ng Ordinanc                               | <b>e.</b>      |
|   |  |  | the Zoning Ordin   |   | Мар.   |                         |   |                |
| D   | A Variatio   | n of Section   | 1 280 (a) of the T   | own Law.  |  |                         |   |                |
|   |  | from an O  |  | ing Inspector to  | correct a Violati  | on of the Hor           | sing Code                                 |                |
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provisions are set forth by the Zoning Board of Appears in connection with one (1) year, of it said use or uses shall cause for more than one (1) year."

"Storage of Contractor's Equipment requires an additional fee for each req

| he is the owner in fee of all that certain lot, piece                   | being duly sworn, deposes  Control Town of Lewis Loro  e State of New York and that or parcel of land situated lying and heing in the |
|---|---|
| Town of Lewisboro, N.Y., aforesaid and known at in Block 10533 on Sheet | nd designated on the Tax Map as Lot Number    G   |
| Sworn to before me, this 10Th day of 2019.                              | (aign-here)   |
| JOHN PELOSE Notary Public, State of New York No. 04PE6147380            |   |
| Qualified in Westchester County Commission Expires June 5, 2010         |   |
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## 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

#### **Zoning Denial**

Oddo 70 Lambert Ridge, Cross River 0016-10533-414

The as-built outdoor stone fireplace has a side yard setback of 14' whereas 30' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.

## **Town of Lewisboro**

P. O. Box 725

20 North Salem Road, Cross River, New York 10590

#### APPLICATION TO THE BOARD OF APPEALS

| *Cal. No. 5-19   | (B.Z.)  | **Cal. No(S.P.)  |
|--|---|--|
| I. IDENTIFICATION OF APPLI                                       | CANT & PROPERTY OWNER   |  |
| Applicant's Name: DAUI   | D TOWNSEND  | Phone: 347 860 5785  |
| Address 520 Mt   | Holly Ped Kutoned   | , NY 105% E-Mail david 5978@ hitmail. Com                                |
|  |   | Phone:   |
| Address  | 1)  | E-Mail   |
| Application is hereby mad  |   |  |
| Variation of   | Article IV Section  | 220-23 E of the Zoning Ordinance.  |
| A Special Perm   | it pursuant to Article  | Section of the Zoning Ordinance.   |
| An Interpretati  | on of the Zoning Ordinance or   | r Zoning Map.  |
| A Variation of   | Section 280 (a) of the Town La  | w.   |
| An appeal from Section   |   | pector to correct a Violation of the Housing Code                        |
| X(Other)   |   |  |
| AND FURTHER  | DESCRIBED AS FOLLOWS:   | see affachid.  |
| ***************************************                          | ***************************************   | •••••••••••••••••  |
| III. IDENTIFICATION OF PRO                                       | PERTY:  |  |
|  |   |  |
|  |   |  |
| Zoning District: R.Q.  | Lot Area:   | Acres  |
| IV. ADDITIONAL INFORMATION                                       | ON  |  |
| Have previous appeals/sp<br>(If yes, please give calence         | pecial permits been filed in regard<br>lar number & date)   | to these premises? N O   |
| Cal. No Da   |   | Cal. No Date   |
| Cal. No Dat  | e   | Cal. No Date   |
|  | n served relative to this matter? .   |  |
| Have you inquired of the C the use district regulations          | lerk of the Town of Lewisboro wh<br>affecting the block on which the  | nether there is any petition pending to change use premises are located? |
| <ul><li>A copy of the groun</li><li>A property survey.</li></ul> | part of this application, I submit to<br>d and floor plans with all necessary<br>the owner of the property if the | ary measurements.  |
| V. APPROVED FOR SUBMISS  | SION:   |  |
| Applicant's Signature:   | F   | Date: 1/11/19  |
| VI. RECEIPT:   |   |  |
| Date Received by Clerk   |   | Fee Received \$  |
|  |   | t #:   |
|  | iance shall be deemed to authorize only t   | he particular use or uses specified in the decision, and unless other    |

<sup>\*</sup> 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."

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

<sup>\*\*\*</sup> Accessory Apartment applications will also require an additional fee for filing the legal instrument with Westchester County.

#### AFFIDAVIT OF OWNERSHIP

| State of New York, Dollid Dronglad   |
|--|
| State of New York, Dound Dwn Shot being duly sworn, deposes country of Wost chester and says that he resides at 520 MHollyld in the Town of Lowis State Katona |
| and says that he resides at 620 MHOWED in the Town of WHOTE Katona   |
| in the County of West Chester 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   |
| in Block 10798 on Sheet 4 and that he hereby authorizes to make the annexed application in his behalf  |
| 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 Authority AVIII.  |
| (over)   |
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|  |
| ROBIN SUE HARRIS   |
| Notary Public, State of New York   |
| A Mactanasta Vulletin Mactanasta Vulliy  |
| Commission Expires May 30, 20  |

## 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

## **Zoning Denial**

Townsend 520 Mt. Holly Rd., Katonah 0014-10798-007

The proposed shed will have a side yard setback of 8' whereas 40' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.

#### 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, March 27, 2019, at 7:30 P.M., at the Town Lewisboro Offices, 79 Bouton Road, South Salem, New York regarding the following:

#### CAL. NO. 5-19-BZ

Application of David Townsend [Townsend, Lily Gunn & David, owners of record], 520 Mt. Holly Road, Katonah, NY for a variance of Article IV § 220-23E of the Zoning Ordinance in the matter of a proposed shed that will have a side yard setback of 8' whereas 40' are required.

The property is located on the west side of (#520) Mt. Holly Road, designated on the Tax Map as Sheet 14, Block 10798, Lot 007 in an R-2, Two-Acre Residential District, consisting of approximately 1.766 acres.

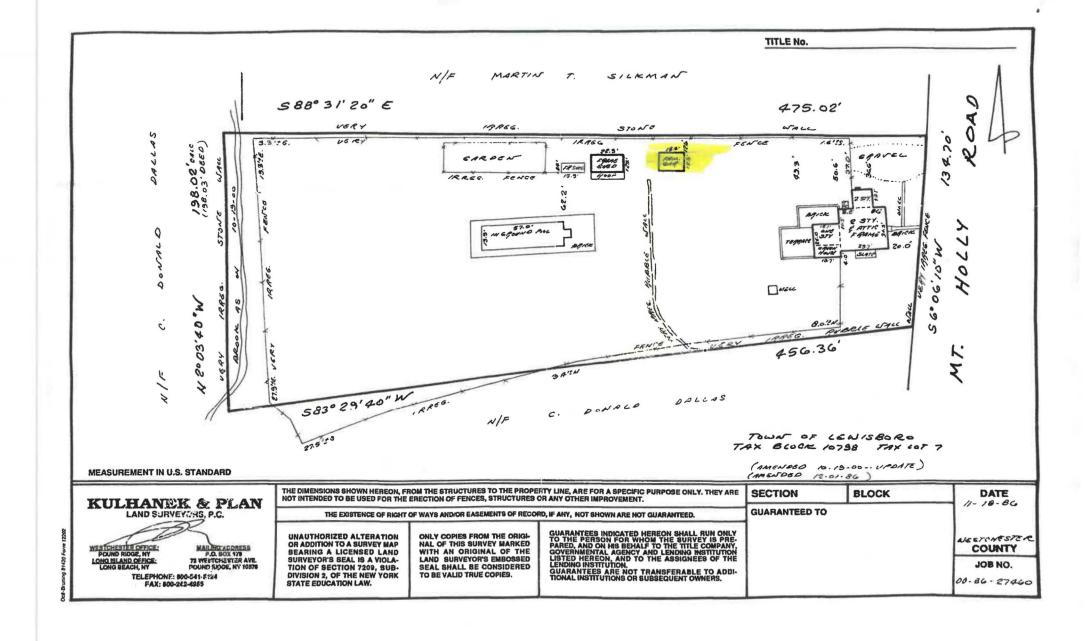
Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals, 79 Bouton Road, South Salem, New York during regular business hours. At such Hearing, all interested parties may attend and will be heard.

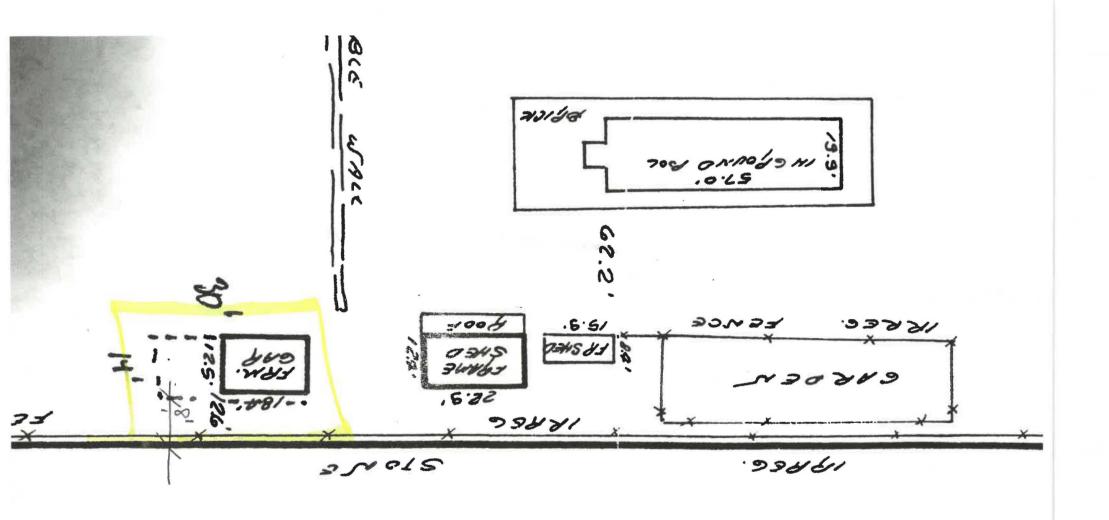
Dated this 11<sup>th</sup> day of March, 2019 in South Salem, New York

ZONING BOARD OF APPEALS TOWN OF LEWISBORO ROBIN PRICE CHAIR

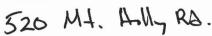
The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance

By:





N/F MARTIN T. SILKMAN



BARNARD DO GREAT COLNER GARAGES

Date: 11-21-2018

Order: 61024 David Townsend

## 14x30 Grand Victorian Cape

| Color: White       | Siding: Duratemp                                  |  |  |
|--------------------|---|--|--|
| Trim: Black        | Roof: Architectural Shingles                      |  |  |
| Roof: Rustic Black | Window Style: 30x36 6/6 (6)                       |  |  |
| Window: White      | Shutters: Louvered [12in] with 1x3 Trim           |  |  |
| Shutter: Black     | Door Size: 5' Double Door (1), 8' Double Door (1) |  |  |
| 1x3 Trim: Black    | Door Trim: Square                                 |  |  |
| Door: Black        | Transom Window: 2                                 |  |  |
|                    | Transom Window Location: Above Door (2)           |  |  |
|                    | Transom Dormer: 6 Windows                         |  |  |
|                    | Pressure Treated Ramp: 8' (1)                     |  |  |
|                    | Additional Options: Stairs [L-Shaped] (1)         |  |  |
|                    | Electrical Package: Deluxe                        |  |  |

Phys

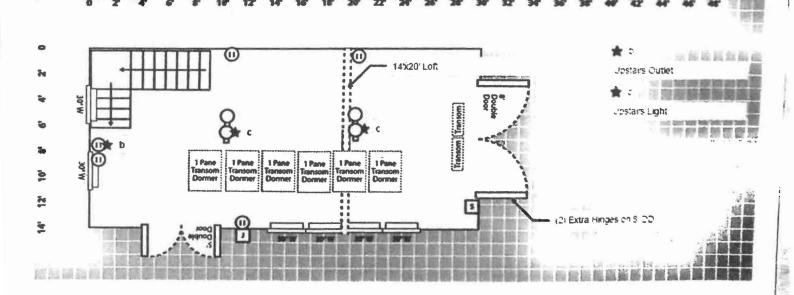
**Customer Signature:** 

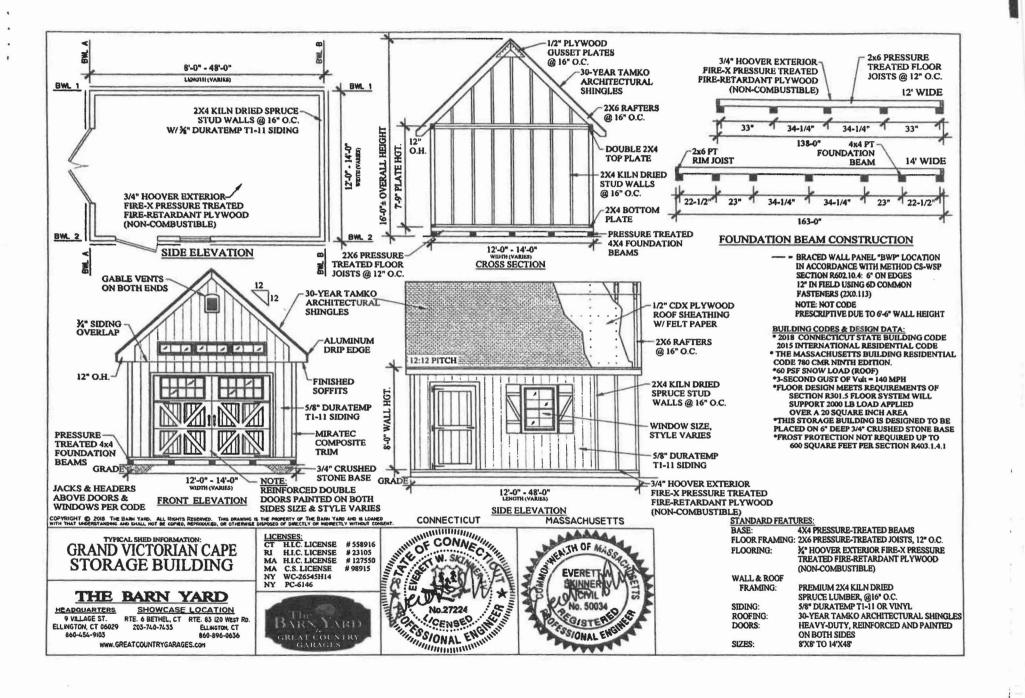
Store: Bethel

Date: 11-21-2018

Special Notes: 14'x30' Grand Victorian. (1) 8' Double Door, (4) Hinges per Door, Centered on Right Gable. (1) 5' Double Door, on Front Eve, 4' from Left Corner. (6) 30"x36" Windows, Four Centered between DD and Right Corner on Front Eve, Two Evenly Spaced on Left Gable. (2) Transom Windows, in Right Gable Centered over DD. (6) 1-Pane Transom Dormer, Centered over Front Eve. (1) 14'x20' Loft, 2'x8' Construction, Starting from Left Gable. (1) Full Construction Stairs, L-Shaped, Back Left Corner. (1) Junction Box, to the Right of 5'DD. (1) Switch to the Left of the 6' DD upon Entrance. (5) Outlets, One to the Right of the 5'DD upon Entrance. (1) Centered on Left Gable 1st Floor, One Centered on Left Gable 2nd Floor, Two Evenly Spaced on Back Eve. (4) Lights, Two Evenly Spaced on 1st Floor, Two Evenly Spaced on 2nd Floor.

#### Layout:





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# Town of Lewisboro 78 Bouton Road South Salem, NY 10590

| APPLICATION TO THE BOARD OF APPEALS  |
|--|
| *Cal. No. 4-19 (8.2.) **Cal. No. (8.2.)  |
| I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER  |
| Applicant's Name: Kevin and Shari Le Fauxe Prono (116) 343-2916  |
| Address 27 Sunnyridge Road EMAIL Klefauve eman.com   |
| Owner's Name: 53/24.5  |
| Address  |
| II. TO THE ZONING BOARD OF APPEALS OF THE TOWN OF LEWISBORG: Application is hereby made for:   |
| XDA Variation of Article V Section 229-23 E. 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: The proposed generator will have   |
| a rear yard setback of 22' whereas 30' as required per Article III. IDENTIFICATION OF PROPERTY: IV Sechine 220-23E of the Town of Lewis boro Zoning Cod  |
| Location of Affected Premises: 27 Sunny sidge Rd Katonah, Ny   |
| Tax Map: Sheet 0090 Block 11149 Lot(s) 063   |
| Zoning District: R/2A Lot Area: Acres  |
| V. ADDITIONAL INFORMATION  |
| Have previous appeals/special permits been filed in regard to these premises?  |
| Cal. No  |
| 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?  |
| ttached 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.   |
| APPROVED FOR SUBMISSION  |
| policant's Signature: The Up 2-5-19  |
| RECEIPT:   |
| te Received by Clerk 25/19 Fee Received \$ 252.00  |
| eck#: 110 Receipt#: 2849.7   |
| VORATION TO THE PARTY OF THE PA |

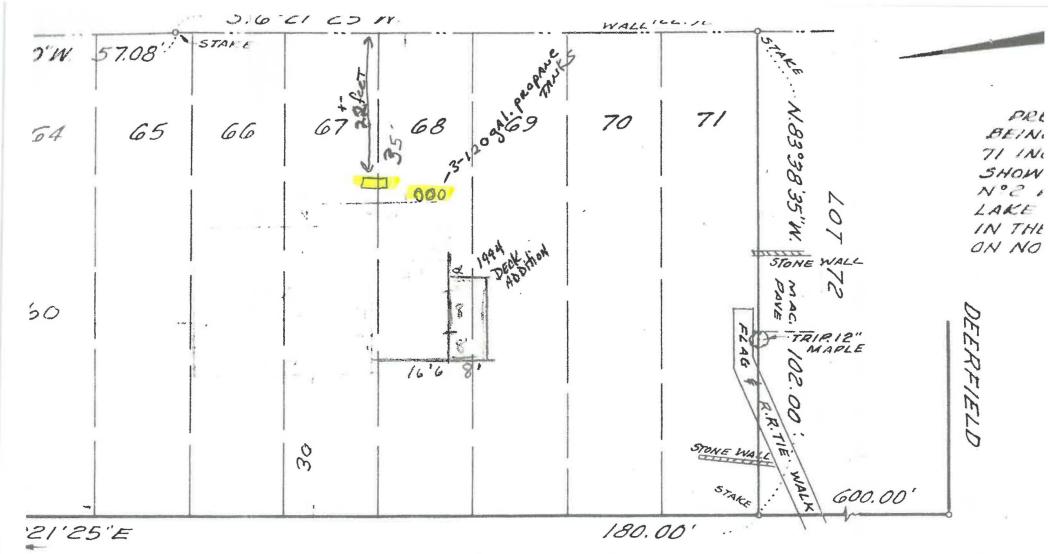
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<sup>\*</sup> EXPRATION: (§ 226-74E(5)) "A variance shall be deemed to authorize only the particular use or uses specified in the decision, and unless other provisions are set form by the Zoning Board of Appeals in connection with their decision, shall expire it work is not initiated pursuant thereto within one (1) year, of it said use or uses shall cause for more than one (1) year."

<sup>&</sup>quot;Storage of Contractor's Equipment requires an additional fee for each required off-abset parking space.

<sup>\*\*\*</sup> Accessory Apartment applications will also require an additional les for filling the legal instrument with Westchester County.

AFFIDAVIT OF OWNERSHIP State of New York. Keyin Le Fauve being duly sworm deposes country of Westchese of Sunnyridge Rum the Town of Lewisboro in the Country of Mestchester 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. Tying and being in the Town of Lewisboro, N.Y., aforesaid and known and designated on the Tax Map as Lot Number Country in Block 1149 on Speet Co.) and that he hereby authorizes Lake Kata han Electric to make the annexed application in his behalf and that he statements of fact contained in said application including the statements contained in all of the exhibits transmitted herewith are true. one of Jebruary 2019 (Aign here) towne) JANET L. DONOHUE NOTARY PUBLIC, STATE OF NEW YORK No. 01D06259627 Qualified in Westchester County Commission Expires April 16, 2020



SUNNY

SAMEN DV

RIDGE

SURVEY OF PROPERTY

TOWN OF LEWISBORO

WESTCHESTER CO.

SCALE |" = 20'

SEPT. 29, 1971

## 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

#### Zoning Denial 2/4/19 Building Permit app. #0052-2019

<u>LeFauve</u> <u>27 Sunny Ridge</u> 009D-11149-063

The proposed generator will have a rear yard setback of 22' whereas 30' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.

**Building Inspector** 

#### 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, March 27, 2019, at 7:30 P.M., at the Town Lewisboro Offices, 79 Bouton Road, South Salem, New York regarding the following:

#### CAL. NO. 6-19-BZ

Application of Kevin and Shari LeFauve [LeFauve, Kevin & Shari, owners of record], 27 Sunny Ridge, Katonah, NY for a variance of Article IV § 220-23E of the Zoning Ordinance in the matter of a proposed generator that will have a rear yard setback of 22' whereas 30' are required.

The property is located on the southerly side of (#27) Sunny Ridge, designated on the Tax Map as Sheet 9D, Block 11149, Lot 063 in an R-1/2A, Half-Acre Residential District, consisting of approximately 0.41 acres.

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 11<sup>th</sup> day of March, 2019 in South Salem, New York

ZONING BOARD OF APPEALS TOWN OF LEWISBORO ROBIN PRICE

CHAIR

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.

By:

# Town of Lewisboro 79 Bouton Road South Salem, NY 10590

## APPLICATION TO THE BOARD OF APPEALS

| *Cal. No. 4-19 (B.Z.)  | #Gal, No (S.P.)  |
|--|--|
| THE PROPERTY OF A PRINCIPLE OF PROPERTY OWNER  |  |
| ILLIE + SOUNE DEK R  | 4 - Phone (914) 299 9677   |
| Address 515 CROTON HTS 89, YORKTOWN Owner's Name: KREIEST HARVO WITZ   | JAY EMAIL HEINER HS-ARCHITECTUR  |
| Owner's Name: KREKET HARVE WITCH   | Phone: Marian Commission of GHAIL  |
| Address A BROOKSIDE TRAIL, SOUTH SA  | KOBERT MARKOWITZ, LEADER   |
| II. TO THE ZONING BOARD OF APPEALS OF THE TOWN OF LEW Application is hereby made for:  | ISBORO:  |
| A Variation of Article Section 220   | of the Zoning Ordinance.   |
| ☐ A Special Permit pursuant to Article S   | ection of the Zoning Ordinance.  |
| ☐ An Interpretation of the Zoning Ordinance or Zo  | oning Map.   |
| ☐ A Variation of Section 280 (a) of the Town Law.  |  |
| ☐ An appeal from an Order of the Building Inspector  | tor to correct a Violation of the Housing Code   |
| (Other)  |  |
| III. IDENTIFICATION OF PROPERTY:   |  |
| Location of Affected Premises: 4 Brookside   | TEALL  |
| Tax Map: Sheet 042D Block 10274 Lot(s) 004   | ana  |
| Zoning District: R-1/4, A., Lot Area: 0.335  | cres   |
| IV. ADDITIONAL INFORMATION   |  |
| Have previous appeals/special permits been filed in regard to<br>(If yes, please give calendar number & date)  | these premises?No  |
| 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 whet the use district regulations affecting the block on which these   |  |
| Attached hereto and made a part of this application, I submit the  • A copy of the ground and floor plans with all necessary  • A property survey.  • A signed consent by the owner of the property if the ap                              | measurements.  |
| V. APPROVED FOR SUBMISSION:  | 1-11-19  |
|  | Date: 1-11-19  |
| VI. RECEIPT:   |  |
| Date Received by Clerk   | Fee Received \$Z.S.Z.  |
| Check#: 1357 Receipt   | £ 28995  |
| EXPIRATION: (§ 220-74E(5)) "A variance shall be deemed to authorize only the provisions are set forth by the Zoning Board of Appeals in connection with their one (1) year of if said use or uses shall cases for more than one (1) year." | particular use or uses specified in the decision, and unless other decision, shall expire if work is not initiated pursuant thereto within |

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

<sup>\*\*\*</sup> Accessory Apartment applications will also require an additional fee for filling the legal instrument with Westchester County.

| AFFIDAVIT OF OWNERSHIP   |
|--|
| State of New York, being duly sworn, deposes   |
| and says that he resides at A. BROOKSIDE TRAL in the Town of South SALEM in the Gounty of What Lesser in the State of . New You 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 S. 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 Annaly 2019 County Jacks  |
| aut Landre   |
| JANET L. DONOHUE NOTARY PUBLIC, STATE OF NEW YORK NO. 01D06259627 Qualified in Westchester County Commission Express April 16, 7070  |

## 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

Zoning Denial 2/20/19

Markowitz 4 Brookside Trail 042D-10274-004

The proposed front addition has an eastern side yard setback of 9' whereas 12' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.

The proposed rear addition has an eastern side yard setback of 9' whereas 12' are required, a western side yard setback of 8.9' whereas 12' are required and a rear yard setback of 11.10' whereas 25' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.

**Building Inspector** 

#### 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, March 27, 2019, at 7:30 P.M., at the Town Lewisboro Offices, 79 Bouton Road, South Salem, New York regarding the following:

#### CAL. NO. 7-19-BZ

Application of Heike A. Schneider [Markowitz, Robert & Kelly, Linda, owners of record], 4 Brookside Trail, South Salem NY for a variance of Article IV § 220-23E of the Zoning Ordinance in the matter of a proposed front additional that will have an eastern side yard setback of 9' whereas 12' are required and a proposed rear addition that has an eastern side yard setback of 9' whereas 12' are required, a western side yard setback of 8.9' whereas 12' are required and a rear yard setback of 11.10' whereas 25' are required.

The property is located on the west side of (#4) Brookside Trail, designated on the Tax Map as Sheet 42D, Block 10274, Lot 004 in an R-1/4A, Quarter-Acre Residential District, consisting of approximately 0.22 acres.

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 11<sup>th</sup> day of March, 2019 in South Salem, New York

ZONING BOARD OF APPEALS TOWN OF LEWISBORO ROBIN PRICE

CHAIR

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.

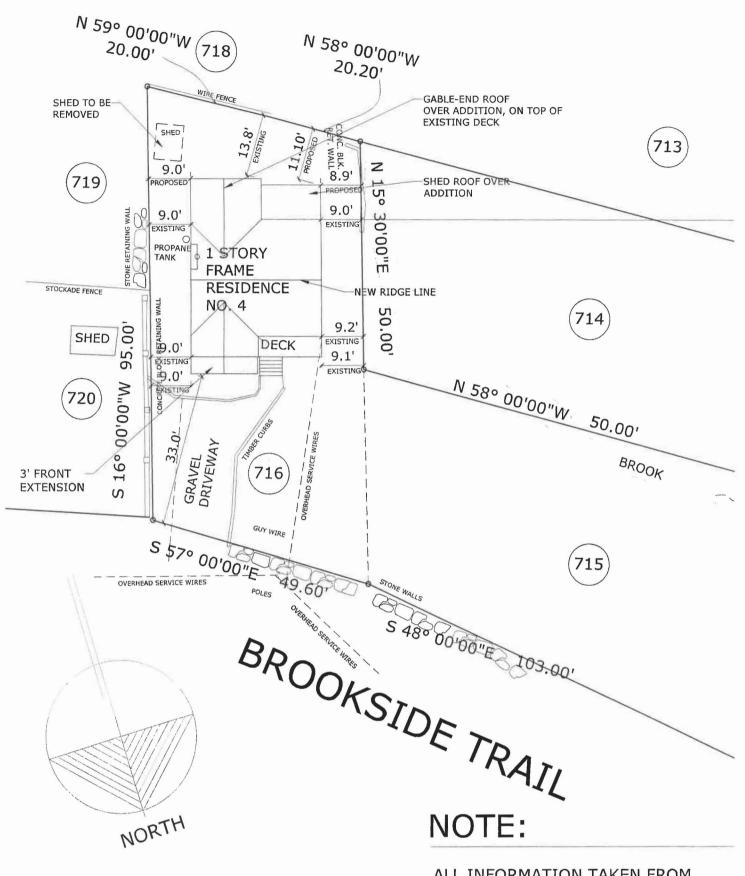
By:

| PROPERTY DATA  |  |
|----------------|--|
| PROPERTY OWNER | LINDA KELLY & ROBERT MARKOWITZ           |
| APPLICANT      | HEIKE A. SCHNEIDER, ARCHITECT            |
| LOCATION       | 4 BROOKSIDE TRAIL, SOUTH SALEM, NY 10590 |
| TAX MAP DATA   | SECTION: 65.8, BLOCK: 1, LOT: 15         |
| SITE AREA      | 0.225 ACRES                              |

| ZONING DISTRICT: R-1/4 ACRE - LEWISBORO, NY |
|---|
|---|

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|   | REQUIRED     | EXISTING    | PROPOSED   |
|---|--------------|-------------|------------|
| MINIMUM LOT AREA (S.F.)   | .25 ACRES    | 0.225 ACRES | NO CHANGE  |
| MINIMUM LOT WIDTH: (FEET)   | 75 FT.       | 147/47 FT   | NO CHANGE  |
| MINIMUM SETBACKS FOR MAIN BUILDING:<br>FRONT YARD SETBACK (STREET CENTER LINE): | 50'          |             |            |
| FRONT YARD SETBACK (FRONT LOT LINE):  | 25'          | 36.6'       | 33'        |
| SIDE YARD SETBACK:  | 12'          | 9'/9'       | 9'/8.9'    |
| REAR YARD SETBACK:  | 25'          | 13.8'       | 11.10'     |
| MAXIMUM BUILDING HEIGHT:<br>STORIES:<br>FEET                                    | 2 1/2<br>35' | 1<br>14'    | 1<br>15.9' |
| MAXIMUM BUILDING COVERAGE<br>(PERCENTAGE OF LOT AREA)                           | 25%          | 8.9%        | 11.9%      |
| MAIN HOUSE - SQUARE FOOTAGE   |              | 745 SQ.FT.  | 993 SQ.FT. |



ALL INFORMATION TAKEN FROM SURVEY PREPARED BY STEPHEN T. JOHNSON, P.L.S. MAP PREPARED: MARCH 30, 2018

## Town of Lewisboro

79 Bouton Road South Salem, NY 10590

## APPLICATION TO THE BOARD OF APPEALS

| Cal. No. 8-19 (B.Z.)   | **Cal. No(S.P.)   |
|--|---|
| I. IDENTIFICATION OF APPLICANT & PROPERTY O  | WNER  |
| Applicant's Name: Mercedes-Benz of Gol   | dens Bridge Phone: (914) 232-8122   |
| Address 321 Main Street (NYS Rt.   | 22) E-Mail  |
| Owner's Name:Tom_Maoli   | Phone: (973) 319-2900   |
| Address 130 Route 10, Whippany, NJ   | 07981 E-Mail tmaoli@celebritymotorcar.com   |
| II. TO THE ZONING BOARD OF APPEALS OF THE Application is hereby made for:  |   |
| □ A Variation of Article   | . Section of the Zoning Ordinance.  |
| ☐ A Special Permit pursuant to Artic   | le Section of the Zoning Ordinance.   |
| ☐ An Interpretation of the Zoning O  | rdinance or Zoning Map.   |
| ☐ A Variation of Section 280 (a) of th   | e Town Law.   |
| Section  | uilding Inspector to correct a Violation of the Housing Code  |
| improvements to dealership   | list of variances determined to be needed for proposed by Building Inspector (see attached 178/19 list).  |
|  |   |
| III. IDENTIFICATION OF PROPERTY:   |   |
| Location of Affected Premises:321 Main   | n Street (NYS Rt 22), Goldens Bridge, NY  |
| Tax Map: Sheet .4E Block .11135 L  | ot(s) 1, 2. 3, 4, 5, 6,7,88& 9 Sheet 4E, Blk 11137, Lot 4   |
| Zoning District: GB&RB Lot Area:4.9  |   |
| IV. ADDITIONAL INFORMATION   |   |
| Have previous appeals/special-permits been f<br>(If yes, please give calendar number & date)   | filed in regard to these premises?  |
| Cal. No. 18-10-BZ Date 5/11/2011   | Cal. No Date  |
| Cal. No Date   | Cal. No Date  |
| Has a court summons been served relative to  | this matter?  |
|  | Lewisboro whether there is any petition pending to change on which these premises are located?  |
| V. APPROVED FOR SUBMISSION: Applicant's Signature: VI. RECEIPT:  | ith all necessary measurements.  roperty if the applicant is not the owner.  Date: 17/19  |
|  | Fee Received \$   |
|  | Receipt #:  |
| *EXPIRATION: (§ 220-74E(5)) "A-variance shall be deemed to<br>provisions are set forth by the Zoning Board of Appeals in cone (1) year, of if said use or uses shall cease for more than | o authorize only the particular use or uses specified in the decision, and unless other<br>onnection with their decision, shall expire if work is not initiated pursuant thereto within<br>one (1) year." |

<sup>&</sup>quot;Storage of Contractor's Equipment requires an additional fee for each required off-street parking space.

<sup>\*\*\*</sup> Accessory Apartment applications will also require an additional fee for filling the legal instrument with Westchester County.

#### AFFIDAVIT OF OWNERSHIP

|    | State of New York, Tom Maoli, of Gelebrity Motor Car, LLC being duly sworn; deposes   |        |
|----|---|--------|
|    | and says that he resides at conducts, business in the Town of Lewisboro   |        |
| 4, | in the Gounty of Westchester 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 5, 6, 7, 8, in Block 11135 on Sheet 4E* and that he hereby authorizes | 1,2,3, |
|    | Mercedes-Benz of Goldens Bridge 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 time.  |        |
|    | 7th   |        |
|    | Sworn to before me, this  |        |
|    | day of February 2019 (algo here)  |        |

\*and Lot 42 in Block 11137 on Sheet 4E

MICHAEL F. SIRIGNANO
Notary Public, State of New York
No. 4709295
Qualified in Westchester County
Commission Expires January 31, 20

#### **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, March 27, 2019, at 7:30 P.M., at the Town Lewisboro Offices, 79 Bouton Road, South Salem, New York regarding the following:

#### CAL. NO. 8-19-BZ

Application of Mercedes Benz of Goldens Bridge [Charisma Holding Corp., owner of record], 321 Main Street, Goldens Bridge, NY for a variance of Article § Section 220-24E(A) as the proposed showroom/parking building has a rear yard setback of 2' whereas 30' are required, for a variance of Article § 220-24E as the proposed showroom/parking building has a gross floor area of 50,900 square ft. whereas 10,000 square ft. is the maximum permitted, for a variance of Article § 220-24E as the proposed building coverage is 24.7% whereas 20% is the maximum permitted, for a variance of Article § 220-24E as the proposed site coverage is 64.4% whereas 60% is the maximum, for a variance of Article § 220-24E as the proposed showroom/parking building has a height of 51'-5.5" whereas the maximum permitted is 30', for a variance of Article § 220-55C(3) as the northern parking/storage lot has aisle widths of 19' and 21' whereas 25' are required, for a variance of Article § 220-55D(2) proposed grade within 30' of the street line for the southern exit/entrance is 10% and the northern is 7.4% whereas the maximum permitted is 3%, for a variance of Article § 220-55D(2) as the proposed driveway grade is14.5% whereas the maximum permitted is 12%, for a variance of Article § 220-12E(1) as the proposed retaining wall on the northeastern corner of the service building has a height of 11' whereas the maximum permitted within a required setback is 6', for a variance of Article § 220-12E(1) as the proposed fence located on the western side of the northern parking/storage lot has a height of 8'-8" whereas the maximum permitted within a required setback is 6', for a variance of Article §185-5F(3)(A) as the proposed wall sign has a length of 46' whereas the maximum permitted is 20, for a variance of Article § 185-5F(3)(A) as the proposed wall sign has a height of 3'-3.5" whereas the maximum permitted is 2', for a variance of Article § 185-5F(4) as there are seven additional proposed wall signs whereas only one is permitted, for a variance of Article § 185-F(4)(a) as of the seven additional proposed wall signs, five signs have an area of 16.5 square ft. each and two signs have an area of 7.8 square ft. each whereas the maximum permitted area of a secondary sign is 6 square ft., for a variance of Article § 185-6C(4) as four of the proposed wall signs extend above the second story whereas it is not permitted, for a variance of Article § 185-6(C)6 as the proposed wall sign has letters with a height of 24.5" whereas the maximum permitted is 12", for a variance of Article § 220-57B as the proposed off-street loading areas will temporarily block a portion of the required parking spaces whereas this is not permitted, for a variance of Article § 220-24E(A) as the proposed auto storage lifts on the northwest side of the northern parking/storage area has a rear yard setback of 17' whereas 30' are required, for a variance of Article § 220-55D(1) as the access to the proposed upper parking/storage lots has an access width of 16' whereas 20' are required, for a variance of Article § 220-55D(2) as the access to the proposed upper parking/storage lots has a grade of 16% whereas no entrance or exit for any off-street parking shall exceed a grade of 3% within 30' of the street line or 12% at any other point, for a variance of Article § 220-55E(3) as the proposed parking areas containing more than 25 spaces do not have planting islands whereas in all off-street parking areas containing 25 or more parking spaces, at least 10% of the surface within the

parking area perimeter shall consist of planting islands, for a variance of Article § 220-57C(1) as the applicant proposes two loading spaces whereas six are required, applicant proposes two loading spaces whereas six are required, for a variance of Article § 220-56D as the applicant proposes 88 parking spaces for customers whereas one space per 500 square ft. of gross floor area is required and for a variance of Article § 220-15B(7) as the applicant is seeking a waiver to permit a deviation from the standards requiring landscape buffers.

The property is located on the east side of (#321) Main Street, Sheet 4E, Block 11135, Lots 1, 2, 3, 4, 6 & 7 [Charisma Holding Corp., owner of record], Sheet 4E, Block 11135, Lot 5 [Spencemorg, LLC., owner of record], Sheet 4E, Block 11137, Lot 42 [Robert Castelli, owner of record] and Sheet 4E, Block 11135, Lot 9 [Charles Monaco, owner of record], in a RB, GB and an R-1/2A, Half-Acre Residential District consisting of approximately 5 acres.

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 11<sup>th</sup> day of March, 2019 in South Salem, New York

ZONING BOARD OF APPEALS TOWN OF LEWISBORO ROBIN PRICE CHAIR

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.

By: