

VILLAGE OF MAMARONECK ZONING BOARD OF APPEALS

APPLICATION FOR RENEWAL OF SPECIAL PERMIT

SPECIAL PERMIT NO. 2 **SP-** 2017

Date: August 12, 2020

Name of Permittee: Mucahit (Mike) Arici

Doing Business As: Mamaroneck Roasters " Roaster Cafe"

Premises: 419 Mamaroneck Ave, Mamaroneck NY 10543

Section: 9 **Block:** 11 **Lots:** 2

_____ hereby applies to the Village of Mamaroneck
Zoning Board of Appeals for a renewal of the above-referenced special permit,
which was originally granted on September 7, 2017, and which will expire
on September 7, 2020

Said special permit was granted for the following use at the above-noted property:
to operate a coffee shop

- 1. All conditions of the special permit have been complied with.**

Yes (xx) **No** ()

If "No", please explain: _____

2. **Since the last application for this special permit, I have no knowledge nor have I been advised of any complaints made to the Village of Mamaroneck Building Department, Police Department, or any other department or agency of the Village in connection with the operation of the use allowed by the subject special permit.**

Yes () No (XX) Please see the attached

APPLICATION FOR RENEWAL OF SPECIAL PERMIT

page 2

If “No”, please explain: Noise Complaint VMPD IR# 2020-09290

3. **Since the last application for this special permit, no violations have been noticed, no violations have been cited, nor have any proceedings been commenced in connection with the operation of the use allowed by the subject special permit.**

Yes (XX) **No** ()

4. **I have read the attached “Instructions for Renewal Application” and have complied with same.**

Yes (XX) **No** ()

If “No”, please explain: _____

5. **Please indicate any facts or changes in circumstances which may require a modification of the conditions previously set forth in connection with the subject special permit:** _____

6. **Please indicate any other information that you want the Board to consider:** _____

I have complied with the conditions of my original approval and respectfully request
the special permit be granted with no term limit

THE UNDERSIGNED HEREBY AFFIRMS, UNDER PENALTIES OF PERJURY, THAT ALL STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE. THE UNDERSIGNED FURTHER ACKNOWLEDGES THAT THE ZONING BOARD OF APPEALS WILL RELY UPON THE TRUTH AND ACCURACY OF THE STATEMENTS CONTAINED IN THIS APPLICATION IN PROCESSING THIS REQUEST FOR RENEWAL.

(APPLICANT'S SIGNATURE)

Mucahit Arici

(PRINT NAME)

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

(NOTARY PUBLIC)

Applicant's Address: 419 Mamaroneck Avenue

Mamaroneck NY 10543

Applicant's Daytime Telephone Number: (914) 334-3386

RECEIVED

By Planning, Zoning, HCZMC at 9:18 am, Aug 13, 2020

TO: Betty-Ann Sherer
Building Department/Zoning Board of Appeals

FROM: Police Department

RE: Renewal of Special Permit No. 2SP 2017
Premises: Mamaroneck Roaster/ Roaster Cafe
419 Mamaroneck Ave
Mamaroneck NY 10543

As requested, the records maintained by the Police Department have been checked and the following response is submitted.

Have any complaints been made to the police department within the past three years?

☐ YES ☐ NO

If YES, please explain:

Noise Complaint VMPD IR# 2020-09290 (see attached)

Have any violations been cited by the police department within the past three years?

☐ YES ☒ NO

If YES, please explain:

VILLAGE OF MAMARONECK
POLICE DEPARTMENT

BY: Det. Sgt. Mark Gatta #104

DATE: 08/13/2020

Village of Mamaroneck Police Department
169 Mount Pleasant Avenue
Mamaroneck, NY 10543

Carelli Jr., Dominick

Incident Report

Incident #: 2019-09290

08/20/2019

Village Code Violation

Location of Incident: **419 Mamaroneck Avenue**
Location of Incident Cross Street: **Spencer Place**
Time Received: **08:09 PM**

Day of Week: **Tuesday**
Disposition: **Warning Issued**

PERSONS INVOLVED

Caller Ciraco Fuhrmann, Sandra 5 Staub Court, Mamaroneck, NY 10543 05/06/1975
Home: (914) 725-6645 Cell: (914) 907-5291 Other:
OLN: 374925251 NY

NARRATIVE

Detailed unit to the above location on a report of construction work being done. Unit reports the condition was corrected and they were advised of the village code.

STOLEN

VEHICLES

Year	Make	Model	Color	Plate	State	Owner	Impounded	Towed To
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Supervisor

Officer

09 07 2017 2SP-2017 Mucahit Arici 419 Mamaroneck Avenue Mamaroneck Roasters

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF
MAMARONECK, HELD ON SEPTEMBER 7, 2017, THE FOLLOWING
RESOLUTION WAS ADOPTED:

APPLICATION NO. 2SP-2017

Name: Mucahit (Mike) Arici for Mamaroneck Roasters
Premises: 419 Mamaroneck Avenue
District: C-2

Section 9, Block 11, Lot 2



WHEREAS, Mucahit Arici d/b/a Mamaroneck Roasters ("Applicant") has applied to this Board for a special permit to operate a coffee shop at 419 Mamaroneck Avenue ("Premises") within a C-2 District, pursuant to Article X Chapter 342 (Zoning) of the Code of the Village of Mamaroneck; and

WHEREAS, restaurants have previously been operated at the Premises; and

WHEREAS, after due notice, this Board held a public hearing on such application on September 7, 2017, at which time it heard all parties and received their evidence and proofs; and the public hearing having been closed; and members of this Board having made personal inspection of the Premises and being familiar therewith; and

WHEREAS, after duly considering all the proofs and evidence before it, this Board finds as follows:

1. The location and size of the use, the nature and intensity of the operation, and the traffic involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to the type, arrangement, and capacity of streets giving access to it, are such that the use, as set forth by the Applicant, will be in harmony with the appropriate and orderly development of the district in which it is located.

2. The location, nature, and height of buildings, walls and fences, and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings. The proposed coffee shop will utilize existing commercial space at the Premises.

3. The operation in connection with the use, as set forth by the Applicant, will not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity, or flashing lights.

4. The use, as set forth by the Applicant, will not adversely affect the public health, safety and welfare, and the comfort and convenience of the public in general, and of the residents of the neighborhood in particular.

5. The application is in compliance with special permit standards and requirements as set forth in Sections 342-45 and 342-71 of the Code of the Village of Mamaroneck.

6. The Applicant is entitled to the granting of the special permit under the circumstances of this application.

NOW THEREFORE, on motion of Mr. Weprin, and seconded by Ms. Wenstrup:

BE IT RESOLVED, this Board finds that the within application is a Type II action not subject to review under the State Environmental Quality Review Act (SEQRA), and it is further;

RESOLVED, that in accordance with the vote of this Board taken on September 7, 2017 that the application for such special permit is hereby granted, subject to the following conditions:

A. That the special permit granted herein shall be valid for an initial probationary period of three (3) years beginning September 7, 2017, with the renewal application having to be made by Applicant no less than four (4) months prior to the expiration date; and, upon the Applicant's failure to make said renewal application, the special permit granted herein shall expire without further notice to the Applicant.

B. That the special permit is granted to the Applicant and shall expire upon a transfer of ownership or a change in the use of the Premises.

C. That any work done hereunder shall be in strict compliance with the plans as filed with this application, except as expressly modified by the conditions herein or as approved by the Building Inspector.

D. That the granting of this application shall not be deemed to relieve the Applicant of the need to obtain approval of any other board or agency or officer prescribed by law or ordinance with regard to the plans or construction or any other phase of the proposed project.

E. That the Applicant shall procure a building permit from the Building Department within one (1) year where necessary to comply with federal, state, or local codes, laws, regulations or requirements and all work shall be completed within one (1) year from the date of the building permit, otherwise this application is denied; and any request for extending the time within which to obtain said building permit shall be filed no less than sixty (60) days prior to the expiration of the one (1) year period.

F. The hours of operation shall be no greater than between the hours of 7:00am - 7:00pm Monday through Sunday.


G. That the failure to observe and perform any of these conditions shall render this permit invalid.

<u>In favor:</u>	Weprin, Wenstrup, Kramer
<u>Opposed:</u>	None
<u>Absent:</u>	Neuringer
<u>Abstain:</u>	Neufeld

09 07 2017 2SP-2017 Mucahit Arici 419 Mamaroneck Ave.

Mamaroneck Coffee Roasters

Dated: September 7, 2017
Mamaroneck, N.Y.



Chairman

Secretary