

**AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF  
MAMARONECK, HELD ON JANUARY 6, 2022, THE FOLLOWING RESOLUTION WAS  
ADOPTED:**

**APPLICATION NO. \_\_\_\_\_**

Name: Alan Danzis  
Premises: 533 Walton Avenue  
District: R-15  
Tax I.D.: Section 9, Block 30, Lot 1

**WHEREAS**, Alan Danzis (“Applicant”) has applied to this Board for area variances granting relief from the Village of Mamaroneck Zoning Code’s (“Zoning Code”) related to lot coverage, front yard (setback), and side yard (setback) for purposes of renovating the existing kitchen within the existing single family house on the Premises (the “Project”); and

**WHEREAS**, the Applicant has requested the following area variances are needed for the Project:

| <b>Zoning Code Section</b> | <b>Required</b>    | <b>Existing</b>          | <b>Proposed</b>       |
|----------------------------|--------------------|--------------------------|-----------------------|
| 342-27 (Lot Coverage)      | 35% or 1,500.45 SF | 40.54% or 1,738 SF       | 42.80% or 1,835 SF    |
| 342-27 (front yard)        | 25 FT              | 6.2 ft (existing house)  | 12.7 FT (new landing) |
| 342-27 (Side Yard B)       | 15 FT              | 1.25 ft (existing house) | 1.25 FT (new landing) |

(collectively the “Area Variances”);

**WHEREAS**, the Premises is within the R-15 zoning district and is currently improved with an existing single-family residence and accessory structures; and

**WHEREAS**, the Premises is islanded by Claflin Avenue to the southwest, Walton Avenue to the north and northeast, and Stiles Avenue to the east; and

**WHEREAS**, the Premises is completely islanded by roadways and is not directly adjacent neighbors; and

**WHEREAS**, the Village of Mamaroneck has determined the applicable front and side lot lines of the Premises; and

**WHEREAS**, due to the unique shape and location of the Premises, any construction on the Premises would not be feasible without relief from this Board; and

**WHEREAS**, a fence has been constructed around the Premises and includes lands used by the Applicant but not owned by the Applicant, which has increased the size of the requested Area Variances as such lands are not factored into the setback and lot coverage calculations for the existing single family house; and

**WHEREAS**, due to the unique shape and location of the Premises the single-family house is a pre-existing legal non-conforming structure, which requires the Area Variances pursuant to Zoning Code 342-64(B) for any expansion; and

**WHEREAS**, in furtherance of the application for the Area Variances, the Applicant submitted materials for the Board to consider, which included, but not limited to, a survey, site plans, and site pictures in the vicinity of the request (the "Application Materials"); and

**WHEREAS**, the Board considered the Applicant's request for the Area Variances during duly noticed public hearings on November 4, 2021 December 2, 2021 and January 6, 2022 and received and considered comments from members of the public; and

**WHEREAS**, the Board closed the public hearing on [REDACTED], 2022; and

**WHEREAS**, the proposed action is a Type II pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, the Board recognizes the following related to the Premises and the requested Area Variance application:

- 1) The Premises is uniquely boarded by roadways on all sides and is an island without any directly adjacent neighbors. Further, due to this unique location and size, the existing single-family residence is a pre-existing legally nonconforming structure. Accordingly, the requested Area Variances will not result in an undesirable change to the character of the neighborhood or a detriment to nearby properties. For these same reasons, the Area Variances will not adversely impact the physical or environmental conditions in the neighborhood. [ADD PER ZBA COMMENTS].

- 2) The benefit sought by the Applicant in obtaining the Area Variances cannot be achieved by any other feasible means because any development or alteration of the existing single-family structure would require an area variance. [ADD PER ZBA COMMENTS].
- 3) The Area variances are not substantial considering the pre-existing legally nonconforming single-family residences on the Premises. The Board notes that, related to the requested front yard and side yard setbacks, the requested Area Variances are within the existing building envelop for the legally pre-existing residence. The Area Variances are also not substantial when considering that additional lands are located on the Premises, albeit not owned by the Applicant, which are not factored into calculating the Area Variances.
- 4) The Area Variances are self-created by the Applicant's proposed kitchen renovations. However, this factor is given less weight considering the unique size and shape of the Premises, which would make the Premises undevelopable without relief from this Board.

**NOW, THEREFORE BE IT RESOLVED**, that, after duly reviewing the Application Materials and information provided during the public hearing, the Board approves the Area Variances as identified above. In making its determination, in accordance with the above, the Board finds that the benefit to the Applicant from granting the requested area variance outweigh any detriment to the community of neighborhood.

[CONDITIONS?]

**BE IT FURTHER RESOLVED**, that the Applicant shall obtain a building permit from the Village of Mamaroneck Building Department and, at that time, demonstrate compliance with all New York State Building Code provisions.

**BE IT FURTHER RESOLVED**, that the Board directs that a complete copy of this resolution be filed with the Village Clerk in compliance with New York State Village Law.

On the motion of ZBA member \_\_\_\_\_, seconded by ZBA member \_\_\_\_\_ the foregoing resolution was adopted with all ZBA members voting as follows:

**David Neufeld, Chair**  
**Robin Kramer**  
**Meg Yergin**  
**Gretta Heaney**  
**Brian Glattstein**

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David Neufeld, Chair, Zoning Board of Appeals

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Meg Yergin, Secretary, Zoning Board of Appeals

DATED: Mamaroneck, New York  
January \_\_, 2022

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