

**AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF
MAMARONECK, HELD ON JUNE 3, 2021, THE FOLLOWING RESOLUTION WAS
ADOPTED:**

APPLICATION NO. 1A 2021

Name: The Dental Equation
Premises: 620 East Boston Post Road
District: C-1
Tax I.D.: Section 4, Block 53, Lot 2B



WHEREAS, The Dental Equation ("Applicant") has applied to this Board for an area variance granting relief from Section 286-12.B(3) of the Village Code, which states that, "[o]ne accessory sign may be permitted on the side or rear of a building, provided that the rear or side of the building faces a public or private off-street parking area. The accessory sign shall be similar in appearance and content to the facade sign facing the principal street and shall be 50% or less than the size of the facade sign[]"; and

WHEREAS, here, the Applicant is seeking an area variance from this Board pursuant to Village Code Section 286-6(A) to construct two signs of equal size on the Premises; and

WHEREAS, the Premises is currently improved with an existing small shopping center containing commercial and medical uses; and

WHEREAS, the existing shopping center is located on the corner of East Boston Post Road and N. Barry Avenue, with off-street parking located on N. Barry Avenue; and

WHEREAS, the application materials show that there will be 1 sign on the façade of the existing building with frontage on East Boston Post Road as well as a sign in the rear of the Premises facing the off-street parking area along N. Barry Avenue; and

WHEREAS, both proposed façade signs are approximately 21 feet and 4 ½ inches in length and 2 feet 4 inches in height; and

WHEREAS, the Board considered the Applicant's request for an area variance during two duly noticed public hearings on April 1, 2021 and May 6, 2021 and received and considered comments from members of the public; and

WHEREAS, the Board closed the public hearing on May 6, 2021; and

WHEREAS, the Board has previously determined that a similar area variance was warranted for PM Pediatrics, a tenant on the Premises, by resolution dated September 10, 2015; and

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

NOW, THEREFORE, BE IT RESOLVED, that, after duly reviewing the Applicant's materials and information provided during the public hearing, in accordance with its jurisdiction under Village Code Section 286-6(A), the Board approves the requested area variance relief to permit the construction of an accessory façade sign on the rear of the building, equal in size to the business's primary façade sign facing the principle street, as depicted in the proposed site plan dated December 3, 2020. In making its determination, the Board finds that the benefit to the Applicant from granting the requested area variance outweighs any detriment to the community of neighborhood based on the following findings:

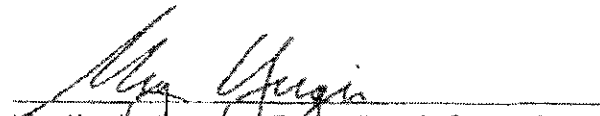
- 1) The requested area variance, to permit an accessory façade sign on the rear of the building, equal in size to the business's primary façade sign on the Premises will not result in any detriment or undesirable change to the community because the proposed signage is consistent with the signage for other tenants within the same shopping center and the business is located within the commercial area of the Village.
- 2) That the benefit sought by the applicant cannot be achieved by another method because equal sized signage is needed along the East Boston Post Road façade and the N. Barry Avenue façade to ensure that the public can properly identify the dentist office. Reducing the size of the proposed signage on either frontage would decrease the visibility from the roadway and would be inconsistent with previously permitted signs on the shopping center.
- 3) The Board finds that the requested area variance is not substantial because it is consistent with previously permitted signs on the shopping center (PM Pediatrics).
- 4) The Board finds that the proposed area variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because the subject property is within the Village's commercial district where commercial signage is customary. Further, the proposed signage is consistent with previously permitted signs on the shopping center and therefore will blend with the character of the neighborhood.
- 5) The Board does find that the requested area variance is self-created, however, in balancing the factors that the Board is to consider, this consideration is given less weight because the proposed signage is consistent with previously permitted signage on the existing shopping center and is designed to ensure that patients are safely directed to the proposed dental office.

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 YERGIN seconded by ZBA member KRAMER, the foregoing resolution was adopted with all ZBA members voting as follows:

Robin Kramer, Chair	YES
Meg Yergin	YES
Gretta Heaney	YES
Abigail Roberts	YES
David Neufeld	YES


Robin Kramer, Chair, Zoning Board of Appeals


Meg Yergin, Secretary, Zoning Board of Appeals

DATED: Mamaroneck, New York
June 3, 2021

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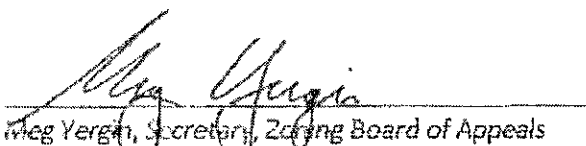
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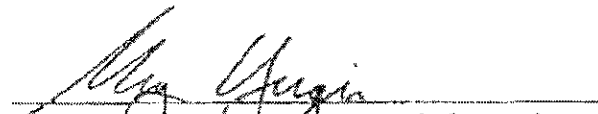
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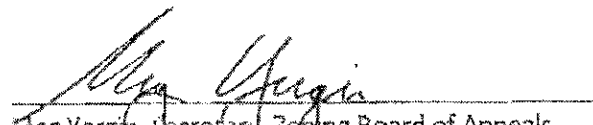
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