

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF MAMARONECK, HELD ON SEPTEMBER 7, 2023, THE FOLLOWING RESOLUTION WAS ADOPTED:

APPLICATION NO. ZON-23-0005

Name: 2 Shore Road LLC (the "Applicant")
Premises: 2 Shore Road ("Premises")
District: R-15
Tax I.D.: Section 4, Block 77-25, Lot 1B

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VILLAGE OF MAMARONECK

WHEREAS, the Applicant has applied to the Zoning Board of Appeals ("Board") for variance relief in connection with the proposed elevation and renovation of a pre-existing single-family residence located on the Premises which is in the R-15 zoning district; and

WHEREAS, the Premises is located partially within the AE flood zone and partially within the VE flood zone, with the existing residence located within the AE flood zone portion of the Premises ("Improvements"); and

WHEREAS, the Applicant states that the first floor of the existing residence has been damaged in prior flood events and the proposed Improvements would include elevating the first floor to 2 feet above the base flood elevation in compliance with Chapter 186 of the Village of Mamaroneck Code and applicable FEMA regulations; and

WHEREAS, the Improvements will require the residence to be elevated approximately five feet higher than the current conditions resulting in an overall height of 36.75 feet where 35 feet is permitted in the R-15 zone thus requiring a variance of 1.75 feet or 5% ("Area Variance"); and

WHEREAS, in furtherance of the request for the Area Variance, the Applicant submitted materials for the Board to consider, which included but were not limited to architectural drawings titled "Miller Residence" dated June 30, 2023 and prepared by Cardello Architects, last revised September 5, 2023, a zoning site plan prepared by Redniss & Mead dated June 30, 2023, aerial and street level photos, and correspondence from their attorneys ("Application Materials"); and

WHEREAS, the Board considered the Applicant's request during a duly noticed public hearing opened on July 27, 2023 at which the Applicant's consultants were present, made a presentation and provided answers to questions posed by the Board, and written public comments were received and entered into the record with the hearing adjourned to September 7, 2023 to allow time for the Applicant to respond to the Board's request for further information; and

WHEREAS, the proposed action is classified as Type II pursuant to the New York State Environmental Quality Review Act ("SEQRA") regulations, 6 NYCRR §617.5(c)(17); and

WHEREAS, the public hearing was closed by the Board on September 7, 2023.

NOW, THEREFORE BE IT RESOLVED, that, after duly reviewing the Application Materials and information provided during the public hearing process, the Board approves the requested Area Variance. 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 or neighborhood based on the following findings:

- 1) The Area Variance is necessary to elevate the residence above the base flood elevation and will not result in an undesirable change to the character of the neighborhood or a detriment to nearby properties. The increase of 1.75 feet above the maximum permitted height in the district will not be significantly out of scale with respect to other residences in the area.
- 2) The specific benefits associated with the Applicant's Improvements cannot be achieved by some method feasible for the Applicant to pursue, other than the Area Variance. This is because the increase in height is necessary to raise the level of the elevation of the first floor to meet the mandatory requirements under the Mamaroneck Code and FEMA regulations based on the location of the Premises along the Long Island Sound within a flood zone. Further, the mechanical equipment will also be moved from the lower levels of the residence into the attic.
- 3) The Board finds that the Area Variance of 5% is not substantial.
- 4) The Area Variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because the Improvements will result in more pervious surface at the Premises.
- 5) The Board finds that the requested Area Variance is not self-created due to the existence of flood zones on the Premises and the need for public safety.

BE IT FURTHER RESOLVED, that, the granting of the Area Variances for the Improvements is conditioned on the following:

- 1) That the Applicant shall obtain a building permit from the Village of Mamaroneck Building Department and all other approvals detailed in the Building Determination Letter last revised July 7, 2023.
- 2) The Applicant shall complete construction within 18 months of the date of this Resolution, unless an extension is otherwise granted by the Board.
- 3) The Improvements shall be constructed in compliance with the Application Materials and the Area Variance detailed in this Resolution, except for non-substantial revisions to the Improvements that may occur subject to the approval of the Building Inspector, but which shall not substantially change the Area Variance.
- 4) The granting of this Area Variance does not relieve the Applicant from complying with all other applicable laws and regulations.

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 Board member Glattstein, seconded by Board member Heaney, the foregoing resolution was brought before the Board with the Board members voting as follows:

Robin Kramer, Chair -YES
Brian Glattstein -YES
Gretta Heaney -YES
David Neufeld -ABSTAIN
Angelique Shingler - YES

The motion was carried on a vote of 4-0, with one abstention.

Robin A Kramer

Robin A Kramer (Sep 13, 2023 21:26 EDT)

Robin Kramer, Chair, Zoning Board of Appeals

Brittanie O'Neill

Brittanie O'Neill (Sep 15, 2023 12:01 EDT)

Board Secretary

DATED: Mamaroneck, New York
September 7, 2023










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Final Audit Report

2023-09-15

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