

VILLAGE OF PELHAM

Zoning Board of Appeals

PHILLIP PIERCE
106 Monterey Avenue
Pelham, New York 10803
Parcel 164.45-1-37

June 29, 2016

PRESENT: Chairman Smith, Messrs. Shirreffs, Brown, Diffley & Hartley, Deputy Clerk Debra DelGrosso, Attorney Robert G. Wise & Building Inspector Leonard Russo were not present.

The applicant sought a variance from the provisions of Section 98-16 A. & B. to construct an extension of the second floor of the residence at the front and rear of the structure over the existing garage and the extension of the building at the front entry area on the first entry area on the first floor and above on the second floor of his residence located at 106 Monterey Avenue. The residence is more particularly described as Parcel 164.45-1-37 on the Tax Map of the Village of Pelham. Section 98-16 of the Zoning Code requires a front yard setback of 30 feet and a side yard setback of 10 feet where Applicant's plans have a 25 foot front yard setback and side yard setbacks of 2 feet, 10 $\frac{3}{4}$ inches. Chairman Smith stated that since the application was for an area variance for single family residence a SEQRA review was not required.

Mr. Pierce was present in support of the application with his architect, Eric Jacobsen. Mr. Jacobsen told the Board the addition to the first floor was to allow the construction of powder room, mud room, and to expand the kitchen. The second floor addition was to expand the expand the master bathroom and enclose the existing open porch. The second floor additions

followed the existing footprint to the residence and were trying to clean up some unattractive areas. The Applicant presented photographs of residences abutting his home on First Street which are located close to the northerly side of his home. He said the closest neighbors, the Rizzo's were approving of the alterations and he had not heard from any other owners.

Chairman Smith asked the meeting if there were any questions or concerns. There were none and there were additionally no members of the community in the audience. He then discussed the factors to be considered in the granting the requested variance. He said in his opinion there would not be an undesirable change in the neighborhood and would not have an adverse impact on the neighborhood. He said in his opinion the requested variance was not substantial, but was self created, although it was an improvement on the residence. He asked if the applicant had considered alternatives and Mr. Jacobsen said they had and the current application was the least intrusive alternative.

Mr. Shirreffs made a motion the Variance be granted as requested. Mr. Diffley seconded the motion, which was unanimously approved.

**VILLAGE OF PELHAM
ZONING BOARD OF APPEALS**



Edward Smith, Chairman

Kenneth Shirreffs

followed the existing footprint to the residence and were trying to clean up some unattractive areas. The Applicant presented photographs of residences abutting his home on First Street which are located close to the northerly side of his home. He said the closest neighbors, the Rizzo's were approving of the alterations and he had not heard from any other owners.

Chairman Smith asked the meeting if there were any questions or concerns. There were none and were additionally no members of the community in the audience. He then discussed the factors to be considered in the granting the requested variance. He said in his opinion there would not be an undesirable change in the neighborhood and would not have an adverse impact on the neighborhood. He said in his opinion the requested variance was not substantial, but was self created, although it was an improvement on the residence. He asked if the applicant had considered alternatives and Mr. Jacobsen said they had and the current application was the least intrusive alternative.

Mr. Shirreffs made a motion the Variance be granted as requested. Mr. Diffley seconded the motion, which was unanimously approved.

**VILLAGE OF PELHAM
ZONING BOARD OF APPEALS**

Edward Smith, Chairman



Kenneth Shirreffs

David M. Brown

David Brown

Brian Duffley

Brian Duffley

Michael Hartmere

Michael Hartmere

VILLAGE OF PELHAM

Zoning Board of Appeals

PIERRE PAUL LAROCHE & SONIA LAROCHE
128 Sixth Street
Pelham, New York 10803
Parcel 164.21-1-2.6

June 29, 2016

PRESENT: Chairman Smith, Messrs. Shirreffs, Brown, Diffley & Hartmere, Deputy Clerk Deborah DelGrosso. Attorney Robert G. Wise & Building Inspector Leonard Russo were not present.

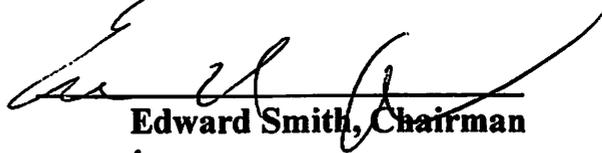
The applicant sought a variance from the provisions of Section 98-44 B. (1) to construct a new rear porch and stairway to a new rear entry to the second floor entrance of a two family residence at their home at 128 Sixth Street, where rear porch would have a side yard setback of 2.1 feet where the Zoning Code requires a minimum side yard setback of 6 feet. Additionally the rear yard setback of the porch and stairway is shown as 20 feet on the plans where the Zoning Code requires a minimum rear yard setback of 20 feet. The residence is more particularly described as Parcel 164.21-1-2.6 on the Tax Map of the Village of Pelham. Chairman Smith noted that since the application was for a area variance for single family residence a SEQRA review was not required.

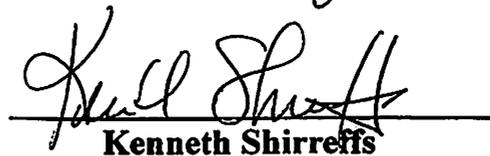
Mr. & Ms. Laroche and their architect, Herbert Feuerstein, were present in support of the application. Mr. Feuerstein gave the board photographs of the rear of the residence which was affected by the proposed alteration. He said the majority of the living space in the second floor residence was located in the rear of the structure. He noted that the

proposed staircase and porch would make the residence more convenient and safe for the occupants. He said the stairway would be 3 feet wide with side rails under 4 feet. He added that many homes in the area are non-confirming.

Mr. Smith asked the meeting if there were any questions or concerns. There were none and there were additionally no members of the community in the audience. Chairman Smith then recited the factors the Board must consider in considering the variance application. He asked if the application would result in an undesirable change in the neighborhood and if the hardship was self-created, which it was since the residence was purchased with existing configuration. He also said the Board must consider if the requested variance was substantial, and if alternatives had been considered. Mr. Feuerstein said alternatives had been considered and the proposed alteration was the minimal alteration which would accomplish the applicants' objectives. Mr. Diffley made a motion the Variance be granted as requested. Mr. Brown seconded the motion, which was unanimously approved.

**VILLAGE OF PELHAM
ZONING BOARD OF APPEALS**


Edward Smith, Chairman


Kenneth Shirreffs


David Brown

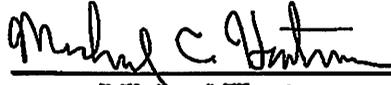


Brian Diffley

Michael Hartmere



Brian Duffley



Michael Hartmere