

VILLAGE OF PELHAM

Zoning Board of Appeals

**EMILIA GRABOWSKI
432 Sixth Avenue
Pelham, New York 10803
Parcel 164.21-1-30**

February 24, 2016

PRESENT: Chairman Smith, Messrs. Shirreffs, Brown, Diffley & Hartley,
Deputy Clerk Debra DelGrosso, Attorney Robert G. Wise &
Building Inspector Leonard Russo.

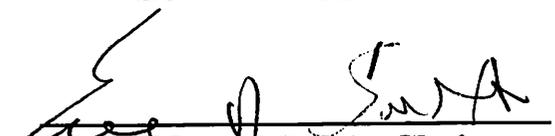
The applicant sought a variance from the provisions of Section 98-104 D. 1 to construct and open (uncovered) balcony/entry porch to her home at 432 Sixth Avenue, which porch would have a width of 34 feet 3 inches. The Zoning Code requires a maximum width for a porch of ten feet. The residence is more particularly described as Parcel 164.21-1-30 on the Tax Map of the Village of Pelham. Mr. Diffley made a motion that for a determination that the application would not have a negative environmental impact. The motion was seconded by Mr. Shirreffs and unanimously approved.

Ms. Grabowski and her architect, Herbert Feuerstein, were present in support of the application. Mr. Feuerstein said the residence was constructed in 1987 and front steps are both long and steep. The applicant wanted to install a new staircase with a break. There is a question whether the original staircase was in compliance with applicable New York State. Because the entry door to the residence is so far above grade and the residence has two separate one family garages below the entry level there is

no physical way to install a stairway with code compliant balcony/entry porch. He also noted that the stairway lacks a middle railing and the rise of the various steps varies. Mr. Brown agreed that the stairs presently are dangerous. Mr. Smith said he was skeptical regarding the grant of the variance before the discussion, but was now convinced that the variance should be granted. He said while the area variance was substantial and difficulty self created since the applicant purchased the residence with the staircase in place, granting the variance wouldn't change the neighborhood and other homes on the block have similar issues. He further noted that the present staircase was dangerous and not in compliance with New York State requirements. He finally noted there was not an alternative manner of replacing the staircase.

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

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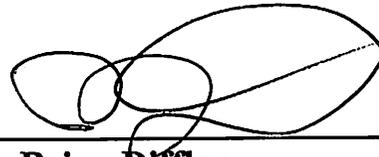
Edward Smith, Chairman



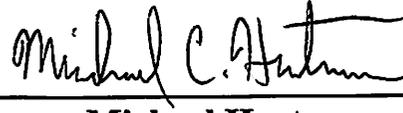
Kenneth Shirreffs



David Brown



Brian Duffley



Michael Hartmere