



**Mayor Mike Spano**

**CITY OF YONKERS**

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Commissioner

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## **AGENDA FOR ZONING BOARD OF APPEALS**

### **PLEASE TAKE NOTICE:**

***THE CITY OF YONKERS ZONING BOARD OF APPEALS MEETING SCHEDULED FOR TUESDAY, MAY 19, 2020 AT 5:00 P.M. WILL BE CONDUCTED IN A MANNER PURSUANT TO GOVERNOR CUOMO'S EXECUTIVE ORDER 202.1; IN-PERSON ATTENDANCE AT THIS MEETING WILL NOT BE PERMITTED.***

***PLEASE CHECK THE WEBSITE [WWW.YONKERSNY.GOV](http://WWW.YONKERSNY.GOV), THE DAY OF THE MEETING FOR LOG-IN AND ADDITIONAL INFORMATION.***

### **DECISIONS**

**# 5660 – Area Variance** – James G. Dibbini Esq., on behalf of Nepperhan Heights Associates, LLC, owner, on premises known as 540 Nepperhan Ave, Block 2179, Lot: 25, Zone: I

**# 5661 – Area Variance** – James G. Dibbini Esq., on behalf of Nepperhan Heights Associates, LLC, owner, on premises known as 578 Nepperhan Ave, Block: 2179, Lot: 5, Zone: I

**# 5682 – Area Variance** – Jeffrey M. Gaspar, P.E., on behalf of Jose David & Wilma Cortez, owner, on premises known as 161 Bennett Avenue, Block: 5032, Lot: 69.70, Zone: T

### **CONTINUED HEARINGS**

**# 5688 – Extension of Non-Conforming Use & Area Variance** – Matthew M. Calvi, Esq., on behalf of Delano Realty Group LLC, owner, on premises known as 31 Harding Avenue, Block: 6230, Lot: 1, Zone: T

**# 5689 – Area Variance** – Andrew Romano, Esq., on behalf of Woodycrest Yonkers LLC, owner, on premises known as 41 Woodycrest Avenue, Block: 2207, Lot: 19, Zone: T

**# 5690 – Area Variance** – Andrew Romano, Esq., on behalf of 125 Orchard LLC, owner, on premises known as 125 Orchard Street, Block: 2174, Lot: 101, Zone: A

**# 5692 – Area Variance** – Steven A. Accinelli, Esq., on behalf of The Plant Manor LLC, owner, on premises known as 1097 North Broadway, Block: 3515, Lot: 80, Zone: CA

**# 5693 – Area Variance** – William S. Null, Esq., on behalf of Parkview Equities, LLC, owner, on premises known as 15 Parkview Avenue, Block: 5652, Lot: 43, Zone: A

**# 5695 – Area Variance** – Andrew Romano, Esq., on behalf of Woodycrest Yonkers LLC, owner, on premises known as 45 Woodycrest Avenue, Block: 2207, Lot: 17, Zone: T

**# 5696 – Area Variance** – Stephen A. Veneruso, Esq., on behalf of CCNA Realty LLC, owner, on premises known as 470 Nepperhan Avenue, Block: 2073, Lot: 1, Zone: I

# 5697 – **Area Variance** – Steven A. Accinelli, Esq., on behalf of Point and Ravine LLC, owner, on premises known as 56 Ravine Avenue, Block: 2115, Lot: 5, Zone: A

# 5698 – **Area Variance** – Steven A. Accinelli, Esq., on behalf of Point and Ravine LLC, owner, on premises known as 69 Ravine Avenue, Block: 2114, Lot: 42, Zone: A

# 5699 – **Area Variance** – Steven A. Accinelli, Esq., on behalf of Point and Ravine LLC, owner, on premises known as 76 Point Street, Block: 2114, Lot: 17, Zone: A

**NEW HEARINGS**

# 5700 – **Area Variance & Improvement to a Non-Conforming Use** – Andrew Romano, Esq., on behalf of Eglantina Kimbullaj, owner, to legalize rear concrete deck and front porch, interior alterations to basement for bathroom and recreation room, changes to first and second floor bathrooms, and front yard parking, having:

- Insufficient rear yard, Section 43-27, Table 43-3 (required 25', proposed 19.65');
- Insufficient front yard, Section 43-27, Table 43-3 (required 20', proposed 8.48');
- Parking within the minimum front yard not permitted, Section 43-133(A)1;
- Improvements to a non-conforming use requires ZBA approval (43-21.G);
- A non-conforming use shall not be enlarged, intensified, altered structurally or extended without ZBA approval 43-21.B.1 & 43-21.B.2);
- No more than (3) parking spaces permitted on any property in an S-50 zone as per 43-44(A)8(c);
- Not more than 50% of rear yard may be occupied by open air parking. 43-44(A)4,

on premises known as 50 Bainton Street, Block: 6161, Lot: 12, Zone: S-50

# 5701 – **Area Variance** – Andrew Romano, Esq., on behalf of CW Highridge Plaza LLC, owner, and Achieve Martial Arts, lessee, for a change of tenancy to Martial Arts, new interior and storefront, having:

- Insufficient parking, Section 43-128, Table 43-4 (required 19.4 additional cars),

on premises known as 1809 Central Park Avenue, Block: 4445, Lot: 2, Zone: M

# 5702 – **Area Variance** – James G. Dibbini, Esq., on behalf of Midland Gourmet Café LLC, owner, to legalize parking in the rear of commercial/retail space, whereas:

- Parking within 5 ft. of a property line not permitted. Ref. 43-44.B.(5). (Proposed: 1.5 ft.);
- Parking within 10 ft. of a City right of way not permitted. Ref. 43-134.A.(3). (Proposed: 2 ft.);
- Backing a vehicle across a sidewalk, or into a street, is not permitted. Ref. 43-134.A.(1),

on premises known as 868 Midland Avenue, Block: 5066, Lot: 8, Zone: B

# 5703 – **Area Variance** – James G. Dibbini, Esq., on behalf of Wee Nora Realty Corp, owner, to legalize dormer and side yard setback, having:

- Exceeding maximum permitted height, in stories, Section 43-27 Table 43-3 (required: 2 ½ stories, proposed: 3 stories);
- Insufficient side-yard, Section 43-27 Table 43-3 (required :3 ft., proposed: 1.3 ft.),

on premises known as 111 Glover Avenue, Block: 6264, Lot: 32, Zone: T

  
**JOSEPH CIANCIULLI**  
**CHAIRMAN, ZBA**  
