

September 15, 2015

Zoning Board of Appeals
Hastings on Hudson, NY

Re: Orkus 42 Villard Avenue

Dear Board Members,

I am requesting a zoning variance for my clients, Spencer Orkus and Sarah Moore, granting them relief from requirements for front and side yard setbacks. Additionally, I am requesting relief from the building and development coverage requirements.

Spencer and Sarah have an infant and see their family growing over the next few years. They would like to make three small additions now that will accommodate their needs in the years to come.

1. They would like to create a closet and master bathroom off their bedroom by building above the existing sun porch. The sun porch measures approximately 10'x20' and sits within the side yard setback – it is 8.6' from the property line.
2. They would like to build a 180sf second floor bedroom on the south side of the house, with a screen porch below it. These both conform to the setback requirements. They wish to rebuild an existing open deck where they BBQ. This deck is non-conforming.
3. Lastly, they would like to extend a roof over their existing, non-conforming front porch to protect them from the elements.

These changes will increase the building coverage to be .6% over the allowable 25%. Additionally, the already nonconforming development coverage of 42.9% will increase to 46.5%. To manage the additional water runoff, Spencer plans to put water storage tanks below the new deck. This water will be used as an irrigation system. My clients have been mindful of their neighbors and have shared their plans with them throughout.

Thank you for your consideration.
Mitchell Koch, R.A.





VILLAGE OF HASTINGS-ON-HUDSON
 Zoning Board of Appeals
 Application and Procedure for Application for
 Variance/Interpretation/View Preservation



Case number: Date of application:

Property owner: Spencer and Sarah Orkus
 Property address: 42 Villard Avenue
 Name all streets on which the property is located: Villard Avenue and Old Croton Aqueduct Trail
 Sheet: 4.40 Block: 37 Lot/Parcel: 7 Zoning District: R-10

Applicant: Mitchell Koch
 Standing of applicant if not owner: Architect
 Address: 20 Marble Terrace, Hastings on Hudson, NY
 Daytime phone number: 914-623-0230 Fax number: 914-219-1929
 E-mail address: mitch@mkastudio.com

ZBA action requested for (See §295-146B & C : Use Variance/s; Area Variance/s;
 Special use Permit; Interpretation; View Preservation (See §295-82) Other;

List code sections & provisions from which the variance or interpretation is requested:

Section*	Code Provision*	Existing Condition*	Proposed Condition*
295-68F.1a	Front Yard Min. 30 ft. deep	20.1 / 24	15.8 / 24
295-68F.1c	Side Yard Total Min. 30 ft./ Each of which Min. 12 ft.	5.4 / 8.6	no change
295-68F.2a [1]	Bldg Cov Max. 25% Lot Area	22.6 %	25.6 %
295-68F.2a [2]	Lot Cov Max. 35% Lot Area	42.9%	46.5 %
295-20B6	6' OR 1/2 THE DISTANCE FROM PROJECT INTO STREET	5.4	5.4'

295-55A INTERPRETATION OF NONCONFORMITY
 *See example below:

...295-68F.1a...Front Yard Min. 30 ft. deep.....26.5 ft.....19.5 ft.....
...295-68A.....Permitted Principal Use.....Single Family Home.....Conversion to Dental Office.....

VILLAGE OF HASTINGS-ON-HUDSON
 Zoning Board of Appeals
 Zoning Analysis



ZONING REQUIREMENTS:

YARD SETBACKS
 (Principal Structure)

	REQUIRED	EXISTING	PROPOSED
FRONT	30'	20.1' /24	15.8 /24 no change
REAR	30'	47.8'	39.3
SIDE ONE	12'	5.4'	no change
SIDE TWO		8.6'	no change
TOTAL OF TWO SIDES	30'	14'	no change

YARD SETBACKS
 (Accessory Structure)

	REQUIRED	EXISTING	PROPOSED
TO PRINCIPAL BLDG.	N/A	N/A	N/A
REAR	N/A	N/A	N/A
SIDE	N/A	N/A	N/A

BUILDING HEIGHT

	PERMITTED	EXISTING	PROPOSED
STORIES	2.5	2	no change
FEET	35'	32.1'	no change

LOT COVERAGE

	PERMITTED	EXISTING	PROPOSED
LOT AREA	10,000 S.F.	5861.7 S.F.	no change
BLDG. COVERAGE/ % OF LOT AREA	25%	22.6%	25.6%
DEVELOPMENT COVERAGE / % OF LOT AREA	35%	42.9%	46.5%

*See Definitions of Building and Development Coverage in Section 295-5 of the Village code.

OCCUPANCY AND USE

	PERMITTED	EXISTING	PROPOSED
CURRENT USE**	Single Family	Single Family	no change

** Single Family, Two Family, Commercial, Mixed Use etc.

VILLAGE OF HASTINGS-ON-HUDSON
Zoning Board of Appeals
Application and Procedure for Application for
Variance/Interpretation/View Preservation



- List any previous application or appeal filed with The Zoning Board of Appeals for this premises:

Date of Appeal	Purpose of the Appeal	Resolution if any	Date of Action
.....
.....

- List pending violations on this property if any:

.....

- Is there an approved site plan for this property?:(Yes)(No)
- Is there an Accessory Apartment at this property?:(Yes)(No)
- Does this property have Boarder's Permit?:(Yes)(No)
- On a separate typewritten sheet of paper, state the principal points on which you are making this application. Describe the construction, addition or alteration that requires the variance. Explain why a variance is necessary and demonstrate how the variance satisfies the criteria for the type of variance (use or area) sought. The criteria for the two types of variances are attached. (If an interpretation is sought, explain the issue. If you wish you may also state your argument for how the issue should be resolved.)

Submit nine (9) copies of the application along with the required fee, 8 copies of property survey showing the existing and proposed construction and 8 copies of all other supporting documents (plans, drawings, site maps, photographs, etc. as necessary to describe and support your application) to the Office of the Building Inspector, no less than six (6) weeks prior to the date of scheduled meeting of the Zoning Board of Appeals.

STATE OF NEW YORK
 COUNTY OF WESTCHESTER ss.:

I hereby depose and say that all of the above statements and statements contained in all papers I have submitted in connection with this application are true:

Mitchell Kor

 Applicant

Sworn to before me this 19th day
 of AUGUST, 2005

Karen Boyd

 Notary Public

KATHLEEN BOYD
 NOTARY PUBLIC STATE OF NEW YORK
 WESTCHESTER COUNTY
 LIC. #01BO6217237
 COMM. EXP. 2-8-2018

VILLAGE OF HASTINGS-ON-HUDSON
Zoning Board of Appeals
Application and Procedure for Application for
Variance/Interpretation/View Preservation



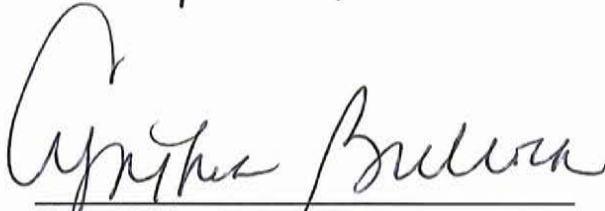
STATE OF NEW YORK
COUNTY OF WESTCHESTER
VILLAGE OF HASTINGS ON HUDSON

Name : SPENCER ORKUS, being duly sworn, deposes and says that he/she resides at 42 Villard Avenue in the Village of Hastings-on-Hudson in the County of Westchester, in the State of New York, that he/she is the owner of all that certain lot, parcel of land, in fee, lying and being in the Village of Hastings-on-Hudson aforesaid and known and designated as Sheet 4.40 Block 37 and Lot 7 of the tax map, and that he/she hereby authorized Mitchell Koch to make the annexed application in his/her behalf and that the statement of fact contained in said application are true.



Owner

SWORN TO BEFORE ME THIS 17th DAY
OF Aug 2015



Notary Public

CYNTHIA BULLOCK
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BU6255845
Qualified in Kings County
My Commission Expires February 12, 2016

NOTICE

This application will not be accepted for filing unless accompanied by all necessary papers, plans and data, in accordance with the foregoing and as required by law.



LOCATION MAP
ORKUS RESIDENCE
42 VILLARD AVENUE

9/15/15

mitchell koch architects
 hastings on hudson, ny



1 VIEW FROM BUENA VISTA



2 VIEW FROM AQUEDUCT



3 PROPERTY TO EAST



4 PROPERTY TO WEST

LOCATION MAP

ORKUS RESIDENCE
42 VILLARD AVENUE

9/15/15

mitchell koch architects
hastings on hudson, ny

