

ZONING BOARD OF APPEALS FACT SHEET

ZBA Member Assigned: **Frank Franco** CASE NO.: 2018-23

Name of Applicant: **Mohd Omair Jamil**
Owner: **Same**
Address of property: **35 Townsend Rd, Mohegan Lake, NY**
SBL: **Section 24.15 Block 2 Lot 2**
Prior ZBA Case No.: **NA**
Zone: **R-40A**
Lot Size: **26,166 sq. ft. (or 0.601 Acres)**

Request: Front Yard Variance and Rear Yard Variance for an existing house with proposed additions. The request does not comply with the Cortlandt Zoning Code Chapter 307-17 Table of Dimensional Regulations – Front Yard setback and rear yard setback.

Staff Comments:

The office of Code Administration and Enforcement denied a request for a building permit on 9/12/18 for building additions, interior alterations and an expansion of an existing front porch. The request is to enlarge an existing front porch and for modifications to the existing house (in-fill additions) that don't make any existing non-conformity more non-conforming.

	<u>REQUIRED</u>	<u>PROPOSED</u>	<u>VARIANCE</u>
Front Yard Variance (to stairs)	50'	30'	20'
Front Yard Variance (to principal structure)	50'	37.16'	12.84'
Rear Yard Setback	30'	19.3'	10.7'

SEQR: TYPE II – No further compliance required

Map from WebGIS:



Google Street View:





Map produced by: user

187.5
0
93.75
187.5 Feet

1:1,125



Disclaimer: "The information contained in this data is NOT to be construed as a 'legal description'. The Town and its consultants do NOT provide any guarantee of accuracy or completeness and will NOT be held liable for any damages or losses due to its use."



Town of Cortlandt

Legend

- Parcels
- Road Labels

Notes

Google Maps 34 Townsend Rd

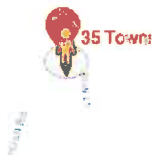


Image capture: Aug 2012 © 2018 Google

Mohegan Lake, New York

Google, Inc.

Street View - Aug 2012



Google Maps 42 Townsend Rd



Image capture: Aug 2012 © 2018 Google

Mohegan Lake, New York

Google, Inc.

Street View - Aug 2012



Case No. 2018-23
Date: 9/27/18

franco
check # 160 \$200

TOWN OF CORTLANDT
DEPARTMENT OF TECHNICAL SERVICES
Planning Division
Town Hall, 1 Heady Street, Cortlandt Manor, NY 10567
914-734-1080
www.townofcortlandt.com
ctrisk@townofcortlandt.com



ZONING BOARD OF APPEALS APPLICATION

Site Data:

Section 24.15 Block 2 Lot 2 Zone: R-40A
Street Address: 35 Townsend Rd
Project Description: Additions
Circumstances of particular application:

Application is hereby made for the following Variance, Interpretation and/or Special Permit under the Town Code:

Chapter: _____ Section: 307-17 Chapter: _____ Section: _____

Is adjacent property in the same ownership? Yes _____ No X

Does any officer/employee of the Town of Cortlandt have any interest in this application as defined in the General Municipal Law Section 809? Yes _____ No X If yes, attach a sheet describing the nature and extent of that interest.

Applicant:

Name: Mohid Omair Jamil
Address: 14 Gabriel Drive, Cortlandt
Phone: _____ Mobile: _____

Owner:

Name: _____
Address: _____
Phone: _____ Mobile: _____

Lessee:

Name: _____
Address: _____
Phone: _____ Mobile: _____

Architect/ Engineer/ Surveyor:

Name: Jim Flandreau
Address: 2287 Mark Rd, Yorktown
Phone: _____ Mobile: 914 733-2214

Attorney:

Name: _____
Address: _____
Phone: _____ Mobile: _____

MARY E. BREINING

Receiver of Taxes, Town of Cortlandt

Date: SEP 27 2018

Confirmation All Taxes Paid: Michelle Lewis

Authorization:

State of New York, County of Westchester, _____ being duly sworn deposes and says he/she is the owner, or authorized representative by attached completed proxy statement, and is duly authorized to perform or have performed said work and to make and file this application: that all statements are true and to the best of their knowledge and belief, and that he/she has read the foregoing appeal and knows the contents thereof.

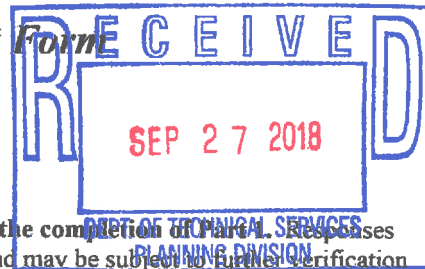
Sworn to before me this 26 day of Sept, 2018.

Notary Public: _____

Owner or Authorized Representative Signature: Mohid Omair Jamil

NOTARY PUBLIC FOR THE STATE OF NEW YORK WESTCHESTER JAMES M FLANDREAU

Short Environmental Assessment Form
Part 1 - Project Information



Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: 35 Townsend Addition			
Project Location (describe, and attach a location map): 35 Townsend Rd, Cortlandt			
Brief Description of Proposed Action: First story addition to extend the kitchen, New front porch, Second story additions			
Name of Applicant or Sponsor: Mohd Omaisr Jamil		Telephone: (914) 482-2781	
		E-Mail: OJAMIL88@GMAIL.COM	
Address: 14 GABRIEL DRIVE			
City/PO: CORTLANDT MANOR		State: N.Y	Zip Code: 10567
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		29,741.9 acres	
b. Total acreage to be physically disturbed?		105.5F acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>* Applicant/sponsor name: <u>SHAHID F JAMIL</u></p> <p>* Signature: <u><i>Shahid F Jamil</i></u></p>	<p>Date: <u>9/26/2018</u></p>	



TOWN OF CORTLANDT
DEPARTMENT OF TECHNICAL SERVICES
CODE ENFORCEMENT DIVISION

Michael Preziosi, P.E.
Director - D.O.T.S

Martin G. Rogers, P.E.
Director of Code Enforcement / D.O.T.S.

Ken Hoch
Assistant to the Director / D.O.T.S.

Town Hall, 1 Heady Street
 Cortlandt Manor, NY 10567
 Main #: 914-734-1010
 Fax #: 914-293-0991

Town Supervisor
 Linda D. Puglisi

Town Board
 Richard H. Becker
 Debra A. Costello
 James F. Creighton
 Francis X. Farrell

Mohd Omair Jamil
 14 Gabriel Drive
 Cortlandt Manor, NY 10567

September 24, 2018

Re: Proposed Conversion to 2 Family Residence
 35 Townsend Road
 Tax ID 24.15-2-2 Zone R-40A



Mr. Jamil:

I am in receipt of your Building Permit Application received September 12, 2018 for Addition, interior alteration, front porch, convert dwelling to 2 family at the above referenced premises.

I must deny this request under the following chapter of the Town of Cortlandt Zoning Code: Section 307-17 Table of Dimensional Regulations, Residential Districts. Request for a variance from the Code is required. 50' Front Yard setback is required. 30.0' is proposed to the Front Entry Stair and 37.16' is proposed to the Principal Structure requiring a variance for 20.0' and 12.84'. 30' Rear Yard setback is required. 19.3' is proposed requiring a variance for 10.7'

The Zoning Board of Appeals application form and the short EAF Form shall be completed and returned to the Division of Planning with ten (10) copies of the revised plans and \$200.00 Zoning Board of Appeals application fee. If the application is deemed complete the project will then be placed on the agenda for the next available Zoning Board of Appeals meeting.

Additional information may be required upon subsequent reviews. Technical comments for the submission may be issued separately. If you have any questions or comments please feel free to contact me by email or at 914-734-1010.

Sincerely,

Martin G. Rogers, P.E.
 Director of Code Enforcement
 Department of Technical Services

Cc: Architect
 Chris Kehoe, Town Planner