



TOWN OF BEDFORD

www.bedfordny.gov

AGENDA

BEDFORD ZONING BOARD OF APPEALS
425 Cherry Street, 2nd Floor Conference Room
Bedford Hills, New York 10507
WEDNESDAY, June 1, 2016

7:30 P.M.

MINUTES: April 6, 2016, May 4, 2016

NEW APPLICATIONS:

7:30 P.M. – 7:45 P.M.

1. Nancy Herbst Trust, 68 Brundage Ridge Road, Bedford, NY 10506. Section 95.7 Block 1 Lot 23, R-2 Acre Zoning District. The applicant requests variances of Article V Section 125-50 and Article III Section 125-11 of the Town of Bedford Zoning Ordinance to permit the as-built front yard setback of 27.40 feet where 50 feet is required in the Residential 2-Acre Zoning District to legalize an existing 2-car garage (20 x 30) and deck attached to a single family residence with an existing, non-conforming front yard setback of 44.75 feet where 50 feet is required in the R-2 Acre Zoning District; and where on May 6, 2015 Resolution #05-15 Two granted a variance to permit the legalization of an existing 2-car garage (20 x 30) and deck resulting in a front yard setback of 30 feet where 50 feet is required in the Residential 2 Acre Zoning District.

7:45 P.M. – 8:00 P.M.

2. Coleman P. Burke, 52 Hook Road, Bedford, NY 10506. Section 73.10 Block 1 Lot 16, R-4 Acre Zoning District. The applicant requests a variance of Article V Section 125-50 and Article III Section 125-11 of the Town of Bedford Zoning Ordinance to permit renovations of a pre-existing, non-conforming residence including the addition of a dormer resulting in a front yard setback of 43 feet where 50 feet is required in the residential 2-Acre Zoning District where the existing front yard setback is non-conforming at 16 feet.

8:00 P.M. – 8:15 P.M.

3. Matthew & Susan Moniello, 26 Lakeside Drive, Katonah, NY 10536. Section 60.6 Block 1 Lot 7, R-1/2 Acre Zoning District. The applicants request a variance of Article V Section 125-50 and Article III Section 125-11 of the of the Town of Bedford Zoning Ordinance to permit the construction of a 2-car garage and master bedroom addition and alterations to an existing single family residence resulting in a front yard setback of 20.38 feet where 35 feet is required in the R-1/2 Acre Zoning District; and a side yard setback of 32.25 feet where 50 feet is required in the Residential 4 Acre Zoning District.

BEDFORD ZONING BOARD OF APPEALS

Wednesday, June 1, 2016

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8:15 P.M. – 8:30 P.M.

4. Christopher & Gina Reid Maxmin, 47 Hillside Avenue, Katonah, NY 10536. Section 49.19 Block 4 Lot 26, R-1/4 Acre Zoning District. The applicants request a variance of Article V Section 125-50 and Article III Section 125-11 of the of the Town of Bedford Zoning Ordinance to permit an addition to an existing single family residence resulting in a rear yard setback of 13', 5-1/2" where 40 feet is required in the R-1/4 Acre Zoning District where the existing residence has a non-conforming rear yard setback of 20.8 feet.

8:30 – 8:45 P.M.

5. Paul and Katharine Heller, 124 Black Brook Road, Pound Ridge, NY 10576. Section 62.14 Block 1 Lot 9, R-4 Acre Zoning District. The applicants request a variance of Article III Section 125-25 (3) (a) of the Town of Bedford Zoning Ordinance to permit the maintenance of five (5) horses where four (4) horses are permitted on a lot consisting of 5.22 acres located in the R-4 Acre Zoning District.

Supporting documentation for all items on this agenda is available at the Town of Bedford website www.bedfordny.gov. Town Government –Boards--Zoning Board of Appeals-Calendar of Meetings. Larger documents and plans are available at the office of the Board of Appeals

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **Nancy Herbst Trust**
68 Brundage Ridge Road
Bedford, NY 10506

for a variance of the Town of Bedford Zoning Ordinance to permit:

The As-built front yard setback of 27.40 feet where 50 feet is required in the Residential 2-Acre Zoning District to legalize an existing 2-car garage (20 x 30) and deck attached to a single family residence with an existing, non-conforming front yard setback of 44.75 feet where 50 feet is required in the R-2 Acre Zoning District; and where on May 6, 2015 Resolution #05-15 Two granted a variance to permit the legalization of an existing 2-car garage (20 x 30) and deck resulting in a front yard setback of 30 feet where 50 feet is required in the Residential 2 Acre Zoning District. This request being a variance of Article III Section 125-11 and Article V Section 125-50 for property owned by the applicant and located on:

68 Brundage Ridge Road
Bedford, NY 10506

designated as Section 95.7 Block 1 Lot 23 on the Tax Map of the Town of Bedford in the R-2 Acre Zoning District. Said hearing will take place on **Wednesday, the 1st day of June 2016**, at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York, at **7:30 P.M.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicants or their representative must be present. NOTE: All presentations from all Applicants will be limited to 15 minutes. Others wishing to speak can have 5 minutes but can also submit written comments. The Applicants can then have 5 minutes of rebuttal.

DATED: May 10, 2016

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:

Alexandra J. Costello, Secretary
Town of Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov



ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

APPLICATION FOR A VARIANCE

1. Name of Owner: Nancy Herbst Trust
Address: 68 Brundage Ridge Road, Bedford, NY 10506
Telephone/Email: 914-234-9764 (H) 519-7622 (cell)
2. Name of Applicant, if other than Owner: Same
Address: Same
Telephone/Email: N/A
3. Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):
Thomas C. Merritts Land Surveyors, P.C.
Address: 394 Bedford Road, Pleasantville, NY 10570
Telephone/Email: 914-769-8003
4. Identification Property:
Street Address: 68 Brundage Ridge Road, Bedford, NY 10506
Tax ID: 95.7-1-23 Zoning District: 2A Total Land Area: 2.003 Acre
Age of the Building 1979
Is the property located in a designated Historic District? No
% of Building Coverage: 2.61% (Asbuilt) % of Impervious Surface 4.05% (Asbuilt)
Property Abuts a State or County highway, parkway, thruway or park: Yes No X
Property is within 500 feet of the boundary of the Town of Bedford: Yes: No: X
Property is on the South side of Brundage Ridge within the unincorporated area of
the Town of Bedford. Road

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BEDFORD ZONING
BOARD OF APPEALS

ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE

Page 2

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: V Section: 125-50

To Permit: III 125-11

~~Asbuilt front yard setback of 27.40 feet where 50 feet is required in the R-2 Acre Zoning District to legalize an existing 2-car garage (20 x 30) and deck attached to a single family residence with an existing, non-conforming front yard setback of 44.75 feet where 50 feet is required in the R-2 Acre Zoning District.~~

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance

(As required by Fee Schedule Town of Bedford Code)

Residential: \$350.00

Commercial: \$550.00

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MAY 2 2016

BEDFORD ZONING
BOARD OF APPEALS

X *Nancy Herbert*
Signature of Owner

5/2/16

Date

Signature of Applicant

Date

**ZONING BOARD OF APPEALS
Town of Bedford
Westchester County, New York**

**Resolution #05-15 Two
Nancy Herbst Trust
Legalization of 2-Car Garage and Decks**

WHEREAS, application has been made pursuant to Article V Section 125-50 and Article III Section 125-11 of the Code of the Town of Bedford for a variance to permit the legalization of an existing 2-car garage (20 x 30) and deck resulting in a front yard setback of 30 feet where 50 feet is required in the Residential 2 Acre Zoning District; and the legalization of an existing low deck resulting in a side yard setback of 35 feet where 40 feet is required in the Residential 2 Acre Zoning District, for premises located at 68 Brundage Ridge Road, Bedford, New York 10506, being known and designated on the Tax Maps of the Town of Bedford as Section 95.7 Block 1 Lot 23 in the R-2 Acre Zoning District, and shown on plans submitted on March 27, 2015; and

WHEREAS, a public hearing was held on May 6, 2015, at which time all those present wishing to speak were given an opportunity to be heard; and

WHEREAS, all members of the Board of Appeals have had an opportunity to inspect the site; and

NOW THEREFORE, on a motion by Ms. Black, seconded by, Mrs. Spano, it is

RESOLVED, that the application for a variance of Article V Section 125-50 and Article III Section 125-11 to permit the legalization of an existing 2-car garage (20 x 30) and deck resulting in a front yard setback of 30 feet where 50 feet is required in the Residential 2 Acre Zoning District; and the legalization of an existing low deck resulting in a side yard setback of 35 feet where 40 feet is required in the Residential 2 Acre Zoning District, be approved in accordance with the plans submitted on March 27, 2015 entitled "Nancy Herbst, 68 Brundage Ridge Rd, Bedford, NY, 1st Floor Plan @ 2-Car Garage – Side Deck & Rear Deck – Legalization," prepared by John D. Whalen, Architect, dated March 30, 2015. In particular, the Board finds that the benefit to the applicant by the granting of the variance outweighs any alleged detriment to the community and determined the following.

1. The benefit cannot be achieved by another feasible means to the applicant because today the garage would not be able to be built at the location it is from the setback without a variance and the decks were built to allow for convenient access into and out of the home; and
2. There will be no undesirable change to the character of the neighborhood or detriment to nearby properties because the garage has existed since the 1980's and the decks have existed for a significant amount of time and have not created a problem; and
3. The variance request is not substantial due to the orientation of the house and since it is just a setback request and the coverage calculations on the lot are in compliance; and
4. The request will not have an adverse physical or environmental effect on the neighborhood or community; and
5. That the alleged difficulty is self-created, but it is only one of the factors to be considered by the Board in making its decision and is not determinative.

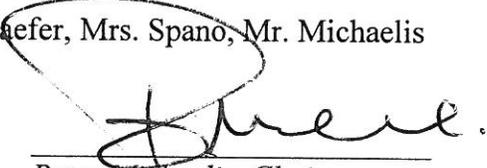
Resolution #05-15 Two
Nancy Herbst Trust
Legalization of 2-Car Garage and Decks
Page Two

And, subject to the following conditions:

1. The applicant must apply for a building permit and satisfy all the requirements of the Building Department to legalize the Garage and Decks 1 and 2 and obtain Certificates of Occupancy.
2. The applicant shall submit an as-built survey to the Building Department prior to the issuance of a Certificate of Occupancy.
3. The applicant shall submit as-built certified coverage calculations to the Building Department prior to the issuance of a Certificate of Occupancy.
4. The approval is granted in accordance with the plans submitted on March 27, 2015 entitled "Nancy Herbst, 68 Brundage Ridge Rd, Bedford, NY, 1st Floor Plan @ 2-Car Garage – Side Deck & Rear Deck – Legalization," prepared by John D. Whalen, Architect, dated March 30, 2015.

Vote taken on the foregoing motion was as follows:

Ayes – Mr. Petschek, Ms. Black, Ms. Schaefer, Mrs. Spano, Mr. Michaelis



Peter Michaelis, Chair

The foregoing is certified to be a true copy of a Resolution of the Zoning Board of Appeals of the Town of Bedford that was filed in the Office of the Clerk of the Town of Bedford on 7-16, 2015.



Alexandra J. Costello, Secretary
Zoning Board of Appeals

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **Coleman P. Burke**
52 Hook Road
Bedford, NY 10506

for a variance of the Town of Bedford Zoning Ordinance to permit:

Renovations of a pre-existing, non-conforming residence including the addition of a dormer resulting in a front yard setback of 43 feet where 50 feet is required in the Residential 2-Acre Zoning District where the existing front yard setback is non-conforming at 16 feet. This request being a variance of Article V Section 125-50 and Article III Section 125-11 for property owned by the applicant and located on:

52 Hook Road
Bedford, NY 10506

designated as Section 73.10 Block 1 Lot 16 on the Tax Map of the Town of Bedford in the R-2 Acre and R-4 Acre Zoning Districts. Said hearing will take place on **Wednesday, the 1st day of June 2016**, at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York, at **7:30 P.M.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicants or their representative must be present. NOTE: All presentations from all Applicants will be limited to 15 minutes. Others wishing to speak can have 5 minutes but can also submit written comments. The Applicants can then have 5 minutes of rebuttal.

DATED: May 10, 2016

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:
Alexandra J. Costello, Secretary
Town of Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov
www.bedfordny.gov

LETTER OF PERMIT DENIAL



Town of Bedford
Building Dept.
425 Cherry St.
914-666-8040

Application #:

Date: 5/10/2016

Parcel ID: 73.10-1-16

Owner Information

Burke, Coleman

Applicant Information

Burke, Coleman

52 Hook Rd

Bedford NY 10506

Location: 52 Hook Rd

Parcel ID: 73.10-1-16

Permit Type: Additions & Alterations

Work Description: Renovations and addition to existing residence; and dormer

Dear Resident,

Regarding the application for a Building Permit on the property referenced above, the following facts are noted. This property is located in R-2A Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

The renovations to a pre-existing, non-conforming residence including the addition of a dormer will result in a front yard setback of 43 feet where 50 feet is required in the Residential 2 Acre Zoning District where the existing front yard setback is 16 feet and will require a variance of Article V Section 125-50 and Article III Section 125-11 from the Board of Appeals.

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,

Ralph Tarchine, Jr.

Acting Building Inspector



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ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

APPLICATION FOR A VARIANCE

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- Name of Owner: Coleman P. Burke
Address: 52 Hook Rd Bedford, NY 10506
Telephone/Email: 212-695-8090 cpb@wfnny.com
- Name of Applicant, if other than Owner: Leonard Woods Architect
Address: 290 West End Ave 15B New York, NY 10023
Telephone/Email: 212-813-7937 Leonard@LWArchitect.com
- Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):
Leonard Woods Architect
Address: 290 West End Ave 15B New York, NY 10023
Telephone/Email: 212-813-7937 Leonard@LWArchitect.com
- Identification Property:
Street Address: 52 Hook Road Bedford, NY 10506
Tax ID: 73.10-1-16 Zoning District: R-2A/ Total Land Area: 4.12 Acres
Age of the Building 1830-1864 years R-4A (2.733 Acres
old. in R-2A zone
Is the property located in a designated Historic District? yes
% of Building Coverage: 6.12% % of Impervious Surface 11.86%
Property Abuts a State or County highway, parkway, thruway or park: Yes No
Property is within 500 feet of the boundary of the Town of Bedford: Yes: No:
Property is on the North side of Hook Rd. within the unincorporated area of the Town of Bedford.

ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE

Page 2

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: III Section: 125-11

To Permit:

The addition of a roof dormer 43'
from the front property line where the
setback is 50'.

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

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BEDFORD ZONING

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance

(As required by Fee Schedule Town of Bedford Code)

Residential: \$350.00

Commercial: \$550.00

C. Burke

Signature of Owner

4-28-16

Date

[Signature]

Signature of Applicant

4.28.16

Date

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **Christopher and Gina Reid Maxmin**
47 Hillside Avenue
Katonah, NY 10536

for a variance of the Town of Bedford Zoning Ordinance to permit:

An addition to an existing single family residence resulting in a rear yard setback of 13', 5-1/2" where 40 feet is required in the R-1/4 Acre Zoning District where the existing residence has a non-conforming rear yard setback of 20.8 feet. This request being a variance of Article V Section 125-50 and Article III Section 125-11 for property owned by the applicants and located on:

47 Hillside Avenue
Katonah, NY 10536

designated as Section 49.19 Block 4 Lot 26 on the Tax Map of the Town of Bedford in the R-1/4Acre Zoning District. Said hearing will take place on **Wednesday, the 1st day of June 2016**, at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York, at **7:30 P.M.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required.

Applicants or their representative must be present. NOTE: All presentations from all Applicants will be limited to 15 minutes. Others wishing to speak can have 5 minutes but can also submit written comments.

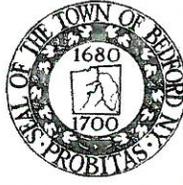
The Applicants can then have 5 minutes of rebuttal.

DATED: May 10, 2016

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:

Alexandra J. Costello, Secretary
Town of Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov
www.bedfordny.gov



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ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

APPLICATION FOR A VARIANCE

1. Name of Owner: Chris & Gina Maxmin

Address: 47 Hillside Avenue, Katonah, New York 10536

Telephone/Email: 914 232 6773 / CMaxmin@aol.com

2. Name of Applicant, if other than Owner: _____

Address: _____

Telephone/Email: _____

3. Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):

Martin Kravitt, R.A.

Address: 702 Rupert Mountain Road, Pawlet, Vermont 05761

Telephone/Email: ~~802~~ 802 325 2051 /914 646 3441 mobile

4. Identification Property:

Street Address: 47 Hillside Avenue, Katonah, NY

Tax ID: 49.19.4.26 Zoning District: R-1/4 ac Total Land Area: .2967 acres

Age of the Building 61 years 12,937 sf

Is the property located in a designated Historic District? No

% of Building Coverage: 13.9% % of Impervious Surface 21.1%

Property Abuts a State or County highway, parkway, thruway or park: Yes XXX No _____

Property is within 500 feet of the boundary of the Town of Bedford: Yes: XXX No: _____

Property is on the westerly side of Hillside Ave within the unincorporated area of the Town of Bedford.

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BEDFORD ZONING
BOARD OF APPEALS

**ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE**

Page 2

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: _____ Section: _____

To Permit:

Addition to existing singlefamily residence to expand kitchen
and master bedroom.

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance

(As required by Fee Schedule Town of Bedford Code)

Residential: \$350.00

Commercial: \$550.00



Signature of Owner

4 May 2015

Date

Signature of Applicant

Date

LETTER OF PERMIT DENIAL



Town of Bedford
Building Dept.
425 Cherry St.
914-666-8040

Application #:

Date: 1/1/1900

Parcel ID: 49.19-4-26

Owner Information

Maxmin, Christopher & Maxmin, Gina Reid

Applicant Information

Maxmin, Christopher & Maxmin, Gin
47 Hillside Ave

Katonah NY 10536

Location: 47 Hillside Ave

Parcel ID: 49.19-4-26

Permit Type: Additions & Alterations

Work Description: Addition to existing structure to expand kitchen and master bedroom

Dear Resident,

Regarding the application for a Building Permit on the property referenced above, the following facts are noted. This property is located in R-1/4A Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

The rear yard addition to an existing, single family residence will result in a rear yard setback of 13', 5-1/2" where 40 feet is required in the R-1/4 Acre Zoning District where the existing residence has a non-conforming rear yard setback of 20.8. The proposal will require a variance of Article V Section 125-50 and Article III Section 125-11 from the Board of Appeals.

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,

Ralph Tarchine, Jr.
Building Inspector

ZONING BOARD OF APPEALS
Town of Bedford
Westchester County, New York
Resolution #2-96 Two
Mr. and Mrs. Maxmin

WHEREAS, application has been made pursuant to Article V, Section 125-50 of the Code of the Town of Bedford, for a variance to permit the construction of an addition to the residence. The addition would result in a ten foot side yard setback where fifteen feet is required and a front yard setback of thirty six feet where forty feet is required. The house has a pre-existing non-conforming rear yard setback of twenty two feet. Premises being known and designated on the tax map of the Town of Bedford as Section 49.19, Block 4, Lot 26, R1/4A Zone, and shown on the survey of property submitted on December 22, 1995, and

WHEREAS, a public hearing was held on February 7, 1996, on this application, at which time all those present wishing to be heard were given the opportunity to be heard, and

WHEREAS, members of the Board of Appeals have inspected the site, and

WHEREAS, The Board of Appeals has received substantial evidence regarding the benefits sought by the applicant as well as evidence that these benefits cannot be achieved by a satisfactory alternate method that would not require a variance, and

WHEREAS, The granting of this variance would not change the nature of the neighborhood and would have no negative effect on the properties of the immediate neighbors.

NOW, THEREFORE, on a motion by Mrs. Barton, Seconded by Mr. McMillan.

RESOLVED, that the application for a variance according to the plans submitted on January 4, 1996 with the condition that if the screening should need to be replaced, it should be replaced with pine trees.

Vote taken on the foregoing motion was as follows:

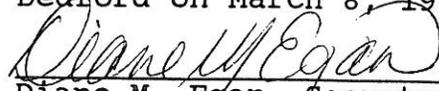
Ayes - Mr. McGovern, Mrs. Barton, Mrs. Arnold,
Mr. McMillan.

Nays - Mr. Ranscht.



Hugh C. McMillan, Chairman

The foregoing is certified to be a true copy of a Resolution of the Zoning Board of Appeals of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on March 8, 1996.



Diane M. Egan, Secretary

ZONING BOARD OF APPEALS
Town of Bedford
Westchester County, New York

Resolution #10-00 Eight
Christopher and Gina Maxmin

WHEREAS, application has been made pursuant to Article V Section 125-50 of the Code of the Town of Bedford for a variance to permit the construction of an addition to an existing residence resulting in a rear yard setback of 33 feet where 40 feet is required. Premises located at 47 Hillside Avenue, Katonah, New York, being known and designated on the tax map of the Town of Bedford as Section 49.19 Block 4 Lot 26, R-1/4A Zone, and shown on the survey submitted on August 31, 2000, and

WHEREAS, a public hearing was held on October 4, 2000 on this application, at which time all those present wishing to be heard were given the opportunity to be heard, and

WHEREAS, members of the Board of Appeals have inspected the site, and

WHEREAS, the Board of Appeals has received substantial evidence regarding the benefits sought by the applicant as well as evidence that these benefits cannot be achieved by a satisfactory alternate method that would not require a variance, and

WHEREAS, the granting of this variance would not change the nature of the neighborhood and have no negative effect on the properties of the immediate neighbors and,

NOW, THEREFORE, on a motion by Mr. Govern, seconded by Mrs. Barton,

RESOLVED, that the application for a variance to permit the construction of an addition to an existing residence resulting in a rear yard setback of 33 feet where 40 feet is required be approved in accordance with the plan entitled, "Alterations for: Maxmin Residence 47 Hillside Av. Katonah, NY," dated April 10, 2000, prepared by Martin Kravitt, Architects & Planners.

Vote taken on the foregoing motion was as follows:

Ayes - Mr. McGovern, Mrs. Barton, Mr. Otto, Mr. McMillan

Nays - None



Hugh C. McMillan, Chairman

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **Matthew & Susan Moniello**
26 Lakeside Drive
Katonah, NY 10536

for a variance of the Town of Bedford Zoning Ordinance to permit:

A 2-car garage and master bedroom addition and alterations to an existing single family residence resulting in a front yard setback of 20.38 feet where 35 feet is required in the R-1/2 Acre Zoning District. This request being a variance of Article V Section 125-50 and Article III Section 125-11 for property owned by the applicants and located on:

26 Lakeside Drive
Katonah, NY 10536

designated as Section 60.6 Block 1 Lot 7 on the Tax Map of the Town of Bedford in the R-1/2 Acre Zoning District. Said hearing will take place on **Wednesday, the 1st day of June 2016**, at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York, at **7:30 P.M.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required.

Applicants or their representative must be present. NOTE: All presentations from all Applicants will be limited to 15 minutes. Others wishing to speak can have 5 minutes but can also submit written comments.

The Applicants can then have 5 minutes of rebuttal.

DATED: May 13, 2016

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:
Alexandra J. Costello, Secretary
Town of Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov
www.bedfordny.gov



ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

APPLICATION FOR A VARIANCE

RECEIVED
MAY 19 2016

BEDFORD ZONING
BOARD OF APPEALS

1. Name of Owner: Mathew & Susan Moniello

Address: 26 Lakeside Drive, Katonah NY, 10536

Telephone/Email: (917)-864-0862 / moniello@benchmarkmgt.com

2. Name of Applicant, if other than Owner:

Address:

Telephone/Email:

3. Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):

DeMasi Architects P.C.

Address: 239 Lexington Ave, Mt. Kisco NY, 10549

Telephone/Email: (914)-666-3858 / lou@demasiarchitects.com

4. Identification Property:

Street Address: 26 Lakeside Drive, Katonah NY, 10536

Tax ID: 60.06 - 1 - 7 Zoning District: R-1/2 A Total Land Area: 35,502 SF

Age of the Building Built 1966

Is the property located in a designated Historic District? No

% of Building Coverage: 6.86 % % of Impervious Surface 13.88 %

Property Abuts a State or County highway, parkway, thruway or park: Yes No

Property is within 500 feet of the boundary of the Town of Bedford: Yes: No:

Property is on the South side of Lakeside Drive within the unincorporated area of the Town of Bedford.

pa
ca #
2994
Receipt
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**ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE**

5. Request: The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: V / III Section: 125-50 / 125-11

To Permit: A 20 Foot Front Setback For A New 2 Car Garage & Master Bedroom Addition With A New Covered Front Porch & Steps.

6. Plans required: Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice: Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

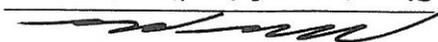
Variance
Residential: (As required by Fee Schedule Town of Bedford Code)
Commercial:
\$350.00
\$550.00

RECEIVED
MAY 10 2016
BEDFORD ZONING
BOARD OF APPEALS

Date 5/10/16

Date 5/10/16

Signature of Owner


Signature of Applicant


LETTER OF PERMIT DENIAL



Town of Bedford
Building Dept.
425 Cherry St.
914-666-8040

Parcel ID: 60.6-1-7

Application #:

Date: 4/7/2016

Owner Information

Moniello, Matthew & Susan

Applicant Information

Moniello, Matthew & Susan

26 Lakeside Dr

Katonah

NY 10536

Location: 26 Lakeside Dr

60.6-1-7

Parcel ID: 60.6-1-7

Permit Type: Additions & Alterations

Work Description: 2-car garage & master bedroom addition; the expansion of the living room & finished basement; renovation of basement level & expansion into existing garage area.

Dear Resident,

Regarding the application for a Building Permit on the property referenced above, the following facts are noted. This property is located in R-1/2A Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

The addition of a new 2-car garage and master bedroom addition; and the expansion of the living room and finished basement. Renovation of basement level and expansion into existing garage area will result in a front yard setback of 20.38 feet where 35 feet is required in the R-1/2 acre zoning district and will require a variance from the Board of Appeals. A permit from the Wetland Control Commission is required.

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,

Steven Fraietta

Building Inspector

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **Paul and Katharine Heller**
124 Black Brook Road
Pound Ridge, NY 10576

for a variance of the Town of Bedford Zoning Ordinance to permit:

The maintenance of five (5) horses where four (4) horses are permitted on a lot consisting of 5.22 acres located in the R-4 Acre Zoning District. This being a variance of Article III Section 125-25 (3) (a) for property owned by the applicants and located on:

124 Black Brook Road
Pound Ridge, NY 10576

designated as Section 62.14 Block 1 Lot 9 on the Tax Maps of the Town of Bedford in a Residential 4-Acre Zoning District. Said hearing will take place on **Wednesday, the 1st day of June 2016**, at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York, at **7:30 P.M.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicants or their representative must be present. NOTE: All presentations from all Applicants will be limited to 15 minutes. Others wishing to speak can have 5 minutes but can also submit written comments. The Applicants can then have 5 minutes of rebuttal.

DATED: May 10, 2016

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

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5-6-18
aw # 1473
Receipt
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ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

APPLICATION FOR A VARIANCE

1. Name of Owner: Paul & Katharine Heller

Address: Heller
124 Black Brook Road

Telephone/Email: Pound Ridge, NY 10576 234-6466 pheller124@gmail.com

2. Name of Applicant, if other than Owner: _____

Address: Sund

Telephone/Email: _____

3. Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, and Landscape Architect): _____

Address: _____

Telephone/Email: _____

4. Identification Property:

Street Address: 124 Black Brook Rd

Tax ID: 62-14-1-9 Zoning District: 4A Total Land Area: 5.22 Acres

Age of the Building NA

Is the property located in a designated Historic District? No

% of Building Coverage: NA % of Impervious Surface NA

Property Abuts a State or County highway, parkway, thruway or park: Yes _____ No

Property is within 500 feet of the boundary of the Town of Bedford: Yes: _____ No: _____

Property is on the _____ side of _____ within the unincorporated area of the Town of Bedford.

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MAY 6, 2018
BEDFORD ZONING
BOARD OF APPEALS

**ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE**

Page 2

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

? Article: III Section: 125-25 (3) (A)

To Permit:

5 Horses on 5.22 Acres

We own 4 Horses, 1 for Each Member of
Our Family, Katharine's Mare is about to have
a Foal which will make 5 Horses

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance

(As required by Fee Schedule Town of Bedford Code)

Residential:

\$350.00

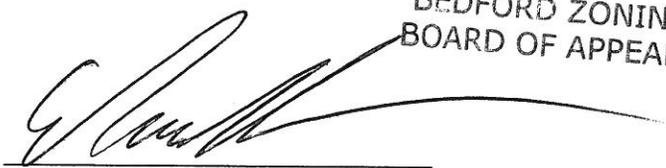
Commercial:

\$550.00

RECEIVED

MAY 6 2016

BEDFORD ZONING
BOARD OF APPEALS


Signature of Owner

5/6/16
Date

Signature of Applicant

Date

LETTER OF PERMIT DENIAL



Town of Bedford
Building Dept.
425 Cherry St.
914-666-8040

Application #:

Date: 5/10/2016

Parcel ID: 62.14-1-9

Owner Information

Heller, Paul & Katharine

Applicant Information

Heller, Paul & Katharine

124 Black Brook Rd

Pound Ridge NY 10576

Location: 124 Black Brook Rd

Parcel ID: 62.14-1-9

Permit Type: Zoning

Work Description: To permit the maintenance of five (5) horses where four (4) horses are permitted on a lot consisting of 5.22 acres located in the R-4 Acre Zoning District.

Dear Resident,

Regarding the application for a Zoning Permit on the property referenced above, the following facts are noted. This property is located in R-4A Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

The maintenance of five (5) horses where four (4) horses are permitted on a lot consisting of 5.22 acres located in the R-4 Acre Zoning District will require a variance of Article III Section 125-25 (3) (a) from the Board of Appeals.

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,

Ralph Tarchine, Jr.
Building Inspector

Paul & Katharine Heller
124 Black Brook Rd.
Pound Ridge, N.Y. 10576
914 234-6466

Town of Bedford-ZBA
425 Cherry St.
Bedford Hills, NY 10507

May 25, 2016

Dear Members of the Zoning Board of Appeals,

My wife Katharine and I, along with our two children, Kyle 18 and Melanie 16, currently own 4 horses. Katharine's mare, Macy, is due to foal soon so that would make 5 horses, hence our need for a variance.

Originally, our intent was to sell one of the horses, "Energee", after training him. At the time our son, Kyle, showed little interest in riding. However, that has recently changed and he even took "Equestrian" as a sport in school. "Energee" seems to be a perfect match for him so we've decided to keep him and support his desire to continue with the sport.

Our barn and property could easily accommodate 5 horses. We are lifelong horsemen and good stewards of the land. We have 7 nicely fenced turnout paddocks with plenty of grass, allowing us to rotate grazing and maintain the integrity of our gentleman's farm.

We appreciate your consideration and are happy to answer any further questions or concerns.

Best Regards,


Paul Heller

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MAY 26 2016
BEDFORD ZONING
BOARD OF APPEALS