

KIER B. LEVESQUE ARCHITECT

49 Third Avenue Nyack, New York 10960 845-358-2359

Zoning Board Appeals
Village of Upper Nyack
328 North Broadway
Upper Nyack, NY 10960

October 10, 2023

Re: 23 Westend Ave.
Upper Nyack, NY 10960

Job # 202312

Board Chair,

This application is for the replacement of an existing front porch (aka. covered stoop) with a new covered porch for the full width of the front. Access to this property is from the very end of Westend Ave in the Village of Nyack. The property was developed in 2016 by SMK Home Builders. A variance was granted to Julie Lifton for frontage on February 22, 1989. The new porch will require a front yard setback variance of 32.42' where 35' is required and FAR. The front yard variance required is 2.58'. To allow walking and passage by the box bay window on the right side of the front door on the new porch and sitting we set the front of the porch +/- 50" from the window. This will allow access to the porch directly from the driveway. The FAR requirement is new under the current zoning code. The existing FAR is 31% (3,948 sf) where 25% (3,144) is required. The proposed is 33% (4,109) with the added 210 sf new porch.

The front yard requested area variance is minimal and is the least amount needed for the intended use. The FAR variance is substantial with respect to the code but minimal under the current conditions that predated the current zoning code. Neither of these variances will alter the character of the neighborhood or be a detriment in any way. Pictures are attached.

As noted on the site plan the additional storm water generated by this project is minimal and requires no retention. Currently there is a sewer line cleanout in the landscaping on the east side of the existing porch. We will be relocating that cleanout into the new planting bed between the new porch and the new paver walkway.

Please let me know if there is additional information required prior to the hearing.

Respectfully,

Kier B. Levesque, Architect
NYS Lic # 15938



FOR AREA VARIANCES ONLY

(ALL QUESTIONS MUST BE ANSWERED)

- Describe the improvement for which the variance is needed.
 new full width of the house covered porch. Front yard setback variance and FAR variance required

- Describe the extent of the Variance(s)(use additional sheets if more space is needed).

IMPROVEMENT	REQUIRED DIMENSION	PROPOSED DIMENSION	EXTENT OF DEVIATION FROM CODE	
			Ft/sqft/# as applicable	%
front yard setback	35'	32.42		7%
floor area ratio	25%	33%	963 sf	31%

AREA VARIANCE STANDARD

(use additional sheets if more space is needed)

- Explain the benefit the applicant is seeking to achieve by the grant of the variance.
 front yard - a useable front porch for sitting and traveling under cover from the driveway to the front door. FAR - the current code now requires FAR. The new porch and the current sf of the dwelling places the FAR over the allowable. The porch is 216
- Will the grant of the proposed variance cause an undesirable change in the character of the surrounding neighborhood or cause a detriment to nearby property owners?
 No - the house sits at the end of the street and will impact not the front yard or neighbors. it is an improvement and does not impact any neighbor.
- Explain how the granting of the variance is consistent with the character of the surrounding neighborhood.
 This home sits in a neighborhood that is governed by the Village of Nyack.
 The character of the street is small homes some with and some without front porches
 This project is consistent with the surrounding neighborhood.

FOR AREA VARIANCES ONLY

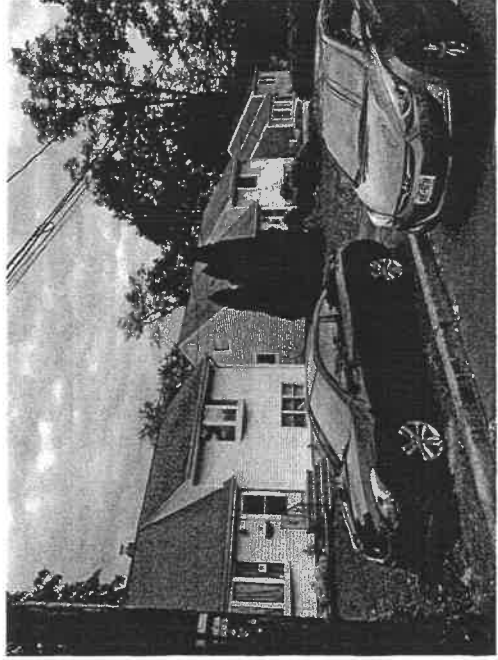
(ALL QUESTIONS MUST BE ANSWERED)

6. Can the benefit sought by the applicant be achieved by a means other than the grant of the variance? If no, explain in detail what other alternatives were considered and why such alternative means of accomplishing the benefit sought are not feasible.
No. The current front yard set back is 38.3. adding a minimum porch depth of 6' allows the section near the driveway for sitting and walking by the seats. FAR is new for this property. Existing home is at 31% with the porch addition its 33%
7. Are the requested variances substantial? Explain the anticipated impact of the proposed variances.
The front yard variance is not substantial. The FAR variance is substantial based upon the code but not in relation to the existing conditions.
8. Will the grant of the variance have an adverse effect on physical or environmental conditions in the surrounding neighborhood?
No. The improvement will not require any storm water abatement or mitigation
9. Was the zoning law imposing the restrictions from which the variance is requested in place when the current owner purchased the property?
Yes for the front yard and No for the FAR. This property was purchaed in 2016 prior to the current code.
10. Is the applicant's difficulty self-created? If no, explain why not.
Yes for the front yard setback. No for the FAR which is a new code requirement.
11. Describe all mitigation measures proposed to buffer or lessen the impacts of the proposed variance.
There will be new landscaping installed to soften the porch appearance to the street the existing mature trees and fences will remain.

Rohlwing pictures



Existing conditions 23 Westend Ave. North end of Westend Ave.



West side Westend Ave. neighbors.



East side Westend Ave neighbors.