**Village of Upper Nyack**

**Zoning Board of Appeals**

**Tuesday, April 20, 2021 8:00pm**

# AGENDA

**Approval of Minutes from September 15, 2020**

1. **Peter and Mia Marsh, 661 North Broadway, County Map No. 60.6-1-1. Appeal #2021-01.** Appeal from the Code Enforcement Official’s 1/13/21 building permit denial and seeking an interpretation that a building on the Property is a part of the principal structure and not an accessory structure and therefore qualifies as a legally existing non-conformity pursuant to **Article III, Section 7** of the Zoning Ordinance of the Village of Upper Nyack; request to modify a condition of an area variance granted for the subject building on 2/21/1962 limiting the use of such building to a tool shed/garage to permit a pool cabana use; and request the following area variances from the requirements of the Zoning Ordinance of the Village of Upper Nyack for **Article V, Section 19:1 and Article IV, Section 10.4** Minimum front yard setback (35 feet required, 28 feet, 6 inches permitted per variance granted 6/19/1980, 27 feet proposed) for an existing building on a lot improved with an existing single-family residence located in Residential Zoning District R-1.
2. **Gianni Zanin and Elizabeth Edwards, 327 North Broadway, Upper Nyack, County Map No. 60.18-01-34. Appeal # 2021-03.** Request for a Special Permit pursuant to the requirements of the General Ordinance 5.13 of the Code of General Ordinances of the Village of Upper Nyack to keep, harbor or breed chickens located in Residential Zoning District R-4.
3. **Paul and Melissa Curley, 211 Kuyper Drive, County Map No. 60.05-2-33. Appeal #2021-02.** Request an interpretation of the Zoning Ordinance of the Village of Upper Nyack regarding setback requirements for swimming pools, or, in the alternative, seeking area variances from the requirements of the Zoning Ordinance of the Village of Upper Nyack for **Article V, Section 19:1 and Article IV, Section 10.4** Minimum rear yard setback (30 feet required, 10 feet proposed) for the addition of an in-ground swimming pool on a lot improved with an existing single-family residence located in Residential Zoning District R-1.