

BUILDING DEPARTMENT

VILLAGE OF RYE BROOK

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Memorandum

To: Board of Trustees

From: Michael J. Izzo, Building & Fire Inspector

CC: Ralph G. Mastromonaco, P.E.
Rye Brook Planning Board



Date: October 19, 2018

Re: **REVISED** Zoning Analysis: 259 North Ridge Street, Subdivision of Land & FAH Housing

The applicant proposes to subdivide the lot into three (3) separate parcels; Lot 1, Lot 2, and Lot 3. He then proposes to re-zone Lot 1 from R-15 to the FAH Floating Zone and construct two detached 2-family FAH dwellings on Lot 1; perform additions and alterations to the existing single family dwelling located on Lot 2; and construct a new zoning compliant market-rate single family dwelling on Lot 3.

This analysis is based on materials received from the developer, Lazz Development, on behalf of the current property owner, Dan Greto and include;

- Application for Subdivision of Land, dated 9/4/18.
- Application for Site Plan Approval, dated 9/4/18.
- Exterior Building Permit Application for Lot 1 Building 1A for a detached 2-family FAH dwelling, revised 9/28/18.
- Exterior Building Permit Application for Lot 1 Building 1B for a detached 2-family FAH dwelling, revised 9/28/18.
- Exterior Building Permit Application for Lot 2 for an addition & alterations to the existing single family dwelling, revised 9/28/18.
- Exterior Building Permit Application for Lot 3 for the construction of a market-rate single family dwelling, revised 9/28/18.
- North Ridge Street Development Affordable Housing plan set, cover sheet and pages 1 of 5 through 5 of 5, revised 9/27/18, prepared by Ralph G. Mastromonaco, P.E., P.C. Consulting Engineers, and sealed by Ralph George Mastromonaco, P.E.
- Preliminary Subdivision Plat, North Ridge Street Development plan, page 1 of 1, dated April 10, 2018, also prepared & sealed by Mr. Mastromonaco.
- Fire Access Plan, North Ridge Street Development, dated August 28, 2018, also prepared & sealed by Mr. Mastromonaco.
- North Ridge Street Development Building 1A, plan set pages 1 through 5, dated 4/27/18. There is no indication of the design professional and the plans are not sealed or signed.
- North Ridge Street Development Building 1B, plan set pages 1 through 5, dated 4/27/18. There is no indication of the design professional and the plans are not sealed or signed.

Lot 1 - FAH DWELLINGS 1A and 1B & SITE IMPROVEMENTS
R-15 Single Family Residential S.R.O.D. Zoning District

1. **§250-20.A., B., C. and D.** Within the R-15 Zone, the proposed 2-family use is not a permitted principal use, not a permitted accessory use, not a use permitted at the discretion of the Village Board, and not a use permitted at the discretion of the Planning Board. However upon rezoning to the FAH District, the proposed use is a permitted principal use under §250-26.1.F.(1)(b).
2. **§250-20.A., B., C. and D. / §250-4.B.** The proposed construction of two detached dwellings on a single lot regardless of the number of families is not a permitted principal use, not a permitted accessory use, not a use permitted at the discretion of the Village Board, and not a use permitted at the discretion of the Planning Board in either the R-15 zone or in the FAH zone. Therefore the applicant would need to pursue one of the following options;
 - a. The applicant would need a BOT waiver pursuant to §250-26.1.F.(3)(a) from the requirement in §250-4.B. which permits only one main building per lot, except for nonresidential and multifamily where such uses are permitted, OR
 - b. The BOT would need to pass a local law amending §250-26.1. clarifying that more than one main building per lot is permitted within the FAH zone.
3. **§250-20.G.(1)/250-7.F.(6)(b).** The minimum required front yard setback within the S.R.O.D. is 60 feet. Both proposed 2-family FAH dwellings are proposed with a 30 foot front yard setback. Therefore a front yard setback waiver of 30 feet will be required for both building.
4. **§250-7.F.(6)(c).** The minimum required vegetative buffer along North Ridge Street within the S.R.O.D. is 35 feet. Both 2-family FAH buildings are proposed to be set 30 feet from the front property line. Therefore an S.R.O.D. vegetative buffer waiver of 5 feet will be required for both buildings.
5. **250-6.G.(1)(d)2].** The minimum required front yard setback for any unenclosed off-street parking facility is 25 feet. Both 2-family FAH buildings are proposed to be provided with a parking court encroaching to within 14.7 feet of the front lot line. Therefore a front yard unenclosed off-street parking setback waiver of 10.3 feet will be required for both FAH parking courts.
6. **§250-20.I.(1).** The maximum allowable front height setback ratio is .60. The proposed construction of FAH Building 1A will result in a front height setback ratio of .88. Therefore a front height setback ratio waiver of .28 will be required for FAH Building 1A.
7. **§250-20.I.(1).** The maximum allowable front height setback ratio is .60. The proposed construction of FAH Building 1B will result in a front height setback ratio of .82. Therefore a front height setback ratio waiver of .22 will be required for FAH Building 1B.
8. **§250-20.I.(2).** The maximum allowable side height setback ratio is 1.60. The proposed construction of FAH Building 1B will result in a side height setback ratio of 2.20. Therefore a side height setback ratio waiver of .60 will be required for FAH Building 1B.

Lot 2 EXISTING SINGLE FAMILY DWELLING
R-15 Single Family Residential S.R.O.D. Zoning District

1. **§250-20.g.(1)/250-7.F.(6)(b)**. The minimum required front yard setback within the S.R.O.D. is 60 feet. The proposed side addition will result in a front yard setback of 27.4 feet. The applicant must redesign the addition or seek relief from the Zoning Board of Appeals.

2. **§250-20.g.(1)/250-7.F.(6)(b)**. The minimum required vegetative buffer along North Ridge Street within the S.R.O.D. is 35 feet. The proposed side addition will result in a 27.4 foot vegetative buffer. The applicant must redesign the addition or seek relief from the Zoning Board of Appeals.