

Jason Justiniano
14 Washburn Road
Mount Kisco, NY 10549

RECEIVED

FEB 18 2022

Zoning Board of Appeals
Village/Town of Mount Kisco

February 18, 2022

VIA EMAIL AND HAND DELIVERY

Chairman Boxer and Members of the Zoning Board of Appeals
Village of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

Re: Justiniano- - request for variance, zoning code 110-8 for side yard setback for the property at 14 Washburn Road, Mount Kisco, NY.

Dear Chairman Boxer and Members of the Zoning Board of Appeals:

In connection with the above referenced application, enclosed is the following:

1. Ten (10) copies of a completed, executed, and notarized application;
2. Ten (10) copies of the deed to the premises;
3. Ten (10) copies of the Notice of Appeal with a copy of the denial memorandum attached;
4. Ten (10) copies of the full statement of the principal points upon which the application is based;
5. Ten (10) copies of the block diagram provided by the Village for notice purposes;
6. Ten (10) copies of the full list of the names and addresses of owners of all property shown on the block diagram located within 300 feet of our property;
7. Ten (10) copies of the Public Notice;
8. A copy of our check in the amount of \$130 representing the application fee; and
9. Eight photos demonstrating our home's elevation, the tree line on the south side of our property (note: photos taken on February 17, 2022 during winter), and the distance between our property line and our north-side neighbors.

We will provide an affidavit of mailing of the public notice and an affidavit of publication in advance of the hearing.

Thank you,


Jason Justiniano

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Zoning Board of Appeals
Village/Town of Mount Kisco

Jason Justiniano
14 Washburn Road
Mount Kisco, NY 10549

February 18, 2022

VIA HAND DELIVERY

Chairman Harold Boxer and Members of the Zoning Board of Appeals
Village of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

Re: Appeal of Determination of Building Inspector dated February 18, 2022 relating to
14 Washburn Road, Mount Kisco, NY 10549

Dear Chairman Boxer:

In accordance with the procedures specified for appeals to the Zoning Board of Appeals of the Village of Mount Kisco, we hereby provide you with notice of our intent to appeal the above referenced Denial letter/Notice of Denial issued by the Building Inspector (copy attached) to your Board.

We will submit the application and all other required materials within the time period specified by the Code and request a public hearing on the matter. We look forward to appearing before your Board.

Thank you,

A handwritten signature in black ink, appearing to read 'Jason Justiniano', with a long, sweeping horizontal line extending to the right.

Jason Justiniano



Village/Town of Mount Kisco Building Department
104 Main Street
Mount Kisco, New York 10549
Ph. (914) 864-0019-fax (914) 864-1085

MEMORANDUM

February 18, 2022

Jason Justiniano
14 Washburn Road
Mount Kisco, NY 10549

Re: Notice of Denial
14 Washburn Road
Mount Kisco, NY 10549
(SBL) 69.64-2-7

Dear Mr. Justiniano,

Your recent Building Permit application for the proposed vertical enlargement and alteration has been denied for the following reasons:

1. The property is located within the RS-12 (Low-Density One-Family Residence) Zoning District where the required side yard setback is 15 feet and the existing building is located 10.5 feet from the south side property line. Therefore; the existing structure does not comply with the current RS-9 Zoning district. According to Chapter 110-35 (D) *Noncomplying buildings and structures may not be enlarged without a variance being obtained from the Zoning Board of Appeals pursuant to this chapter. No building or structure which is noncomplying with respect to applicable developmental regulations (by illustration, but not by limitation, height, setbacks, building and development coverage, lot area or lot width) shall be enlarged or altered in such a manner as to increase any such noncompliance or so as to enlarge or increase the area of such building or structure, including but not limited to the alteration of roof or floor levels or the addition of area above, below or adjacent to such noncomplying building or structure.* Therefore; a variance is required in accordance with §110-35 (D) of the Village/Town of Mount Kisco Code.
2. The minimum required side yard setback is 15 feet and the existing side yard setback is 10.5 feet. Therefore; a side yard setback variance of 4.5 feet is required in accordance with §110-8 C (1) (f) [3] of the Village/Town of Mount Kisco Code.

You have the right to appeal this decision within 60 days.

Sincerely,


Peter J. Miley,
Building Inspector

RECEIVED

Date: _____

FEB 18 2022

Case No.: ZBA22-1

Fee: 130.00

pdck # 358
rec # 28454

Zoning Board of Appeals
Village/Town of Mount Kisco

Date Filed: _____

Village/Town of Mount Kisco
Municipal Building
104 Main Street, Mt. Kisco, NY 10549

**Zoning Board of Appeals
Application**

Appellant: Jason Justiniano

Address: 14 Washburn Rd, Mount Kisco, NY 10549

Address of subject property (if different): _____

Appellant's relationship to subject property: X Owner _____ Lessee _____ Other _____

Property owner (if different): _____

Address: _____

TO THE CHAIRMAN, ZONING BOARD OF APPEALS: An appeal is hereby taken
from the decision of the Building Inspector, Peter J. Miley
dated February 18, 2022. Application is hereby made for the following:

X Variation or _____ Interpretation of Section §110-8(C)(1)(f)(3)
of the Code of the Village/Town of Mount Kisco,

to permit the: _____ Erection; X Alteration; _____ Conversion; _____ Maintenance
of _____ of second story on 14 Washburn Rd

_____ in accordance with plans filed on (date) February 9, 2022
for Property ID # 69.64-2-7 located in the RS-12 Zoning District.
The subject premises is situated on the West side of (street) Washburn Rd
_____ in the Village/Town of Mount Kisco, County of Westchester, NY.

Does property face on two different public streets? Yes/No No
(If on two streets, give both street names) _____

Type of Variance sought: _____ Use X Area _____

Is the appellant before the Planning Board of the Village of Mount Kisco with regard to this property? No

Is there an approved site plan for this property? No in connection with a N/A Proposed or N/A Existing building; erected (yr.) N/A

Size of Lot: 86'-8" feet wide 178'-9" feet deep Area 14,897 sq. ft.

Size of Building: at street level 41' feet wide 30' feet deep

Height of building: 25'-1" Present use of building: Single-Family Dwelling

Does this building contain a nonconforming use? No Please identify and explain: _____

Is this building classified as a non-complying use? No Please identify and explain: _____

Has any previous application or appeal been filed with this Board for these premises?
Yes/No? No

Was a variance ever granted for this property? No If so, please identify and explain: _____

Are there any violations pending against this property? No If so, please identify and explain: N/A

Has a Work Stop Order or Appearance Ticket been served relative to this matter?
____ Yes or X No Date of Issue: N/A

Have you inquired of the Village Clerk whether there is a petition pending to change the subject zoning district or regulations? Yes

I submit the following attached documents, drawings, photographs and any other items listed as evidence and support and to be part of this application:

The following items MUST be submitted:

- a) Attached hereto is a copy of the order or decision (Notice of Denial) issued by the Building Inspector or duly authorized administrative official issued on February 18, 2022 upon which this application is based.
- b) Copy of notice to the administrative official that I have appealed, setting forth the grounds of appeal and have requested the application to be scheduled for a public hearing.
- c) A typewritten statement of the principal points (facts and circumstances) on which I base my application with a description of the proposed work.
- d) Ten (10) sets of site plans, plat or as-built survey drawings professionally signed and sealed (as may be required).
- e) A block diagram with street names, block and lot numbers, and street frontage showing all property affected within 300' of the subject property, with a North point of the compass indicated.
- f) A full list of names and addresses of the owners of all property shown on the above noted block diagram that lie within or tangent to the 300' radius from the subject property.
- g) A copy of the Public Notice for the public hearing of this application.
- h) A sworn Affidavit of Mailing, duly notarized, that a true copy of said Public Notice has been sent by mail to all property owners within 300 feet of this premises at least 10 days prior to the public hearing.

NOTE: APPLICANT MUST CAUSE A TRUE COPY OF THE PUBLIC NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE VILLAGE AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING.

- i) A true copy of the filed deed and/or signed lease or contract for the use of the subject property.
- *j) At least two sets of unmounted photographs, 4" by 6" in size, showing actual conditions on both sides of street, between intersecting streets. Print street names and mark premises in question.
- *k) A floor plan of the subject building with all the necessary measurements.
- *l) A longitudinal section of the subject building and heights marked thereon as well as front elevations.

*** Optional - As Needed**

I hereby depose & say that all the above statements and the statements contained in the papers submitted herewith are true.

Jason J. J. J.
(Appellant to sign here)

Sworn to before me this day of: 18th February, 2022

Notary Public, Patricia A. TIPA, County, NY

PATRICIA A TIPA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01T16170206
Qualified in Westchester County
My Commission Expires 07-02-2023

[TO BE COMPLETED IF APPELLANT IS NOT THE PROPERTY OWNER IN FEE]

State of New York }
County of Westchester } ss

Being duly sworn, deposes and say that he resides at _____ in the County of Westchester, in the State of New York, that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Mount Kisco, County of Westchester aforesaid and known and designated as number _____ and that he hereby authorized _____ to make the annexed application in his behalf and that the statements contained in said application are true.

(sign here)

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a Public Hearing on the 15th day of March 2022 at the Municipal Building, Mount Kisco, New York, beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of

Jason and Amy Justiniano

(Name of Applicant)

14 Washburn Rd, Mount Kisco, NY 10549

(Address of Applicant)

from the decision of Peter J. Miley, Building Inspector, dated February 18, 2022
(Date of Denial Letter)
denying the application dated to permit the Addition and Renovation
(Proposed Work)

The property involved is known as 14 Washburn Rd, Mount Kisco, NY 10549
(Address of Property)

and described on the Village Tax Map as Section 69.64 Block 2 Lot 7
and is located on the West side of Washburn Rd in a
east/west/n/s (Street Name)

RS-12 Zoning District. Said Appeal is being made to obtain a
variance from Section(s) 110-8 C (1) (f) [3] of the
(Identify specific zoning code section number(s))

Code of the Village/Town of Mount Kisco, which requires a 15' for side yard setback from the
Property line.

Harold Boxer, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

REVISION TO STATE ZONING LAWS ENACTED

The rules governing the issuance of area variances have not been as clearly established by the Court as those for use variances. New Town Law, Section 267-b(3)- and Village Law, Section 7-712 (b) (3) establish a new, statutory process for the granting of area variances. There is no “test” as such for granting of area variances. The requirement that the applicant show “practical difficulty” or “significant economic injury” is gone. Instead, when an applicant requests an area variance, the new law requires the Board of Appeals to balance two elements: the benefit to the applicant from the variance, and the detriment to the health, safety, and welfare of the community or neighborhood that would occur if the variance was to be granted.

The provision set forth five factors for the Board to consider in balancing these interests.

- (1) Whether an undesirable change will be produced in the character of the neighborhood or whether a detriment to nearby properties will be created by the granting of the variance.
- (2) Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance.
- (3) Whether the requested variance is substantial.
- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- (5) Whether the alleged difficulty was self-created (this will not necessarily preclude the granting of the area variance).

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FEB 18 2022

Zoning Board of Appeals
Village/Town of Mount Kisco

Jason Justiniano
14 Washburn Road
Mount Kisco, NY 10549

February 18, 2022

VIA EMAIL AND HAND DELIVERY

Chairman Boxer and Members of the Zoning Board of Appeals
Village of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

Re: Justiniano- - Request for Variance, Zoning Code 110-8 for side yard setback for the property at 14 Washburn Road, Mount Kisco, NY.

Dear Chairman Boxer and Members of the Zoning Board of Appeals:

We are the owners of a single-family home located at 14 Washburn Road, Mount Kisco, NY. We have resided at this location since November 2006. As directed by Peter Miley, Building Inspector, we are making this submission to the Zoning Board of Appeals (ZBA) requesting an area variance of the Village/Town of Mount Kisco to permit a renovated second story addition to our existing home as indicated on architectural drawings page 1, dated February 9, 2022, as prepared by Chris LaVigna, of La Vigna Associates Inc.. The existing structure was constructed in 1957 prior to the creation of the existing side setback regulation and is nonconforming with regard to the side setback.

ZONING:

According to the Memorandum on file, dated February 18, 2022, from the Building Inspector, pursuant to Village/Town of Mount Kisco Code §110-8(C)(1)(f)(3), each one family residence must be subject to a minimum side setback of 15 feet. Our current existing structure, which was built in 1957, is less than 15 feet from the property line on the south side of the house. It is important to note that the property line is diagonal and not a straight line. Our current existing home sits approximately 13 feet from the property line at the front- the area that is most visible from the street- and at 10.5 feet from the property line in the rear of the house. Notably, the south side of the home, the area in question, is flanked with dense tree coverage and is not easily visible from the street or by neighbors (photos attached- taken on February 17, 2022, during winter, demonstrating the tree coverage on the south side of our property).

Our proposed renovation of the second floor will similarly sit 13 feet from the property line at the front of the house and 10.5 feet from the property line in the rear of the house. Therefore, a 4.5 foot side yard setback variance is required.

In making its determination, the ZBA shall consider the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider the following factors listed below:

**WHETHER AN UNDESIRABLE CHANGE WILL BE PRODUCED IN THE CHARACTER OF THE
NEIGHBORHOOD OR WHETHER A DETRIMENT TO NEARBY PROPERTIES WILL BE
CREATED BY THE GRANTING OF THE VARIANCE**

Granting the requested variance will not create an undesirable change in the character of the neighborhood, nor will it be a detriment to nearby properties. The proposed renovation to the second story will not increase the home's footprint¹ as what we are proposing will simply allow us to maximize the existing structure by straightening out our second-floor walls and associated roof line, changing our Cape home into a "Colonial-type" home. The existing home is dated and one of the smaller homes on Washburn Road, and is less in keeping with the existing character of the neighborhood. The proposed renovation to the second story, along with the other improvements contained with the architectural drawings, would bring the home in keeping with the scale and character of the existing neighborhood, which contains mostly larger and renovated homes. The proposed renovation would be a significant improvement to the neighborhood, as well as help increase property values for the neighborhood.

Moreover, as detailed on the architectural drawings submitted, a 12-foot by 10-foot greenhouse was previously permitted (in 1989) and existed on the structure when we purchased the home in 2006. This greenhouse sat 10.5 feet from the property line. At our own expense, we removed this greenhouse in 2020, minimizing the amount of the encumbrance.

Additionally, as demonstrated by the survey and Google Earth photo included in the architectural drawings, this will not be detrimental to nearby properties as our next-door neighbors to the North (20 Washburn Road) are 9.5 feet from our property line, which is closer than we would be to our South side property line neighbors at 2 Washburn Road, the side which is the subject of this variance request (photos attached demonstrating the distance between our home and our north-side neighbors).

Lastly, to further demonstrate that this will not be detrimental to nearby properties, it is expected that numerous neighbors within 300 feet will submit letters in support of this application, including our next-door neighbor to the south for which this variance would be most relevant.

**WHETHER THE BENEFIT SOUGHT BY THE APPLICANT CAN BE ACHIEVED BY SOME
FEASIBLE METHOD OTHER THAN A VARIANCE**

The benefit sought cannot be achieved by any other feasible method. To no fault of our own, the existing structure is a pre-existing non-conformity as it currently does not have sufficient side yard setbacks. It was this way when we purchased the property in 2006, as the structure was built in 1957 prior to the side setback regulation being enacted. In order to increase our square footage as needed, it makes the most sense to square off our second floor (essentially from a cape to a square "Colonial-like" structure"). We believe that other approaches have the potential to create a design less in keeping with the architectural style of the neighborhood. The proposed renovation on the south side of the house (the side in which the variance is being requested) is to simply take the current slanted second floor walls and square them up. Most importantly, the proposed renovation on the south side will sit directly on top of our existing structure and not increase the existing footprint on that side.

¹ There is a proposed 12 foot by 24 foot extension to the back of our home as part of our permit application as well, but this renovation is not subject to any variance approvals.

WHETHER THE REQUESTED VARIANCE IS SUBSTANTIAL

Based upon existing site conditions and constraints, we feel the requested variance is not substantial as the proposed second story addition and new roof line do not increase nor change the pre-existing non-conforming side yard setback. There is no increase in building footprint on the south side nor is there an increase in encroachment. Furthermore, the existing structure in its current state has a second floor and roof that are currently non-confirming to the current Code. The proposed renovation to the second floor and roof line will add approximately 10% volume to the area in question, an insignificant percentage when weighed against the existing second floor and roof structure.

No views are expected to be hindered by this renovation. As noted above, this area is flanked with dense tree coverage as well and is not easily visible from the street or by neighbors. Moreover, we decreased the overall encroachment by removing the greenhouse that was would also be nonconforming to the current Code in 2020.

WHETHER THE PROPOSED VARIANCE WILL HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT

The proposed variance will not have any adverse effect on the physical or environmental conditions of the neighborhood. As demonstrated above and within the architectural drawings, the existing building footprint does not change and the site is being improved. Moreover, the property in question is one of the smaller homes on Washburn Road. The proposed construction will bring the property in line with many of the larger homes on Washburn Road, thereby keeping in line with the neighborhood and helping to increase property value in the neighborhood.

WHETHER THE ALLEGED DIFFICULTY WAS SELF-CREATED

Notably, this is a pre-existing non conformity created at the time the side set back regulation was enacted, as the home was built in 1957 when no such regulation was in place. Therefore, this non-conforming condition existed when we purchased the home in 2006 and was not self-created.

Alternatively, if it is determined that it is self-created, the existing building, which was constructed in 1957, will be significantly improved, benefiting the entire neighborhood by improving the overall character and property values of the neighborhood. Nonetheless, a self-created hardship does not preclude the granting of an area variance.

It is our understanding that this will be scheduled to appear before the ZBA on Tuesday, March 15, 2022 at 7:00pm. We look forward to presenting this application in order to obtain the required variances to allow for the proposed second story renovation on our existing home.

If you need any additional information from us in advance of March 15th, please do not hesitate to contact us.

Thank you,



Jason Justiniano

Tax parcel data was provided by local municipality. This map is generated as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact local municipality assessor's office.

Full list of names and addresses of the owners of all property shown on the noted block diagram that lie within or tangent to the 300' radius from the subject property

OWNERNAME	PROPADDRESS	PROPCITY	PROPCITY	PROPCITY	PROPCITY	c/o	mailing address	City	State	Zip
Baker Robert C - Danielle M Baker	2 Washburn Rd	MOUNT KISCO	10549	69.64-2-8						
Castellitto, Richard - Barbara Castellitto	84 Willetts Rd	MOUNT KISCO	10549	69.64-1-4						
Kornreich Douglas L - Heather A Kornreich	36 Washburn Rd	MOUNT KISCO	10549	69.64-2-4.1						
Edelman Judith West - Lynn Edelman	45 Willetts Rd	MOUNT KISCO	10549	69.64-5-2						
Zipp, Jeanne A - Tracey Propper	44 Emery St	MOUNT KISCO	10549	69.64-5-3	Jan Crosson	30 Pinewood Drive	Topsham	ME	04086	
Farrell, Mary C	30 Emery St	MOUNT KISCO	10549	69.64-5-5						
Coleman Thomas - Sarah Fashena	20 Emery St	MOUNT KISCO	10549	69.64-5-6						
Johnston, Christine A	81 Emery St	MOUNT KISCO	10549	69.64-1-7						
Brunelli Richard - Jennifer Brunelli	78 Emery St	MOUNT KISCO	10549	69.64-6-2						
Sargisson William W - Sandra L Sargisson	47 Willetts Rd	MOUNT KISCO	10549	69.64-2-9						
Du Terroil, Jason M - Sara C Du Terroil	91 Willetts Rd	MOUNT KISCO	10549	69.64-2-13						
May, Scott M - Mary M May	77 Willetts Rd	MOUNT KISCO	10549	69.64-2-11						
Kensing Howard G Jr - Eileen Kensing	45 Washburn Rd	MOUNT KISCO	10549	69.64-3-1						
Sluder Cohen, Ellen - Stephen Cohen	39 Willetts Rd	MOUNT KISCO	10549	69.64-5-1		37 Willetts Rd	Mt.Kisco	NY	10549	
Johannessen Jan K - Melissa A Johannessen	70 Willetts Rd	MOUNT KISCO	10549	69.64-1-6						
O'Reilly William - Corrinne Beveridge	67 Willetts Rd	MOUNT KISCO	10549	69.64-2-10						
Rosenkilde, Carl E - Diane Rosenkilde	5 Washburn Rd	MOUNT KISCO	10549	69.64-3-5						
Ley David - Erica Beck	83 Willetts Rd	MOUNT KISCO	10549	69.64-2-12						
Devoto, John - Denise Devoto	26 Washburn Rd	MOUNT KISCO	10549	69.64-2-5						
Watson Bret - Nicole Watson	13 Washburn Rd	MOUNT KISCO	10549	69.64-3-4						
Village of Mount Kisco	Mountain Ave	MOUNT KISCO	10549	69.56-4-6		104 Mains Street	Mt. Kisco	NY	10549	
Farrell, Mark F - James M Farrell	36 Emery St	MOUNT KISCO	10549	69.64-5-4						
Deramo Vincent	40 Washburn Rd	MOUNT KISCO	10549	69.64-2-4.2						
Justiniano, Jason - Amy Justiniano	14 Washburn Rd	MOUNT KISCO	10549	69.64-2-7	NA					
Greenberg David P - Linda E Greenberg	76 Willetts Rd	MOUNT KISCO	10549	69.64-1-5						
Saucci Janet M - Janet M Saucci Trust	20 Washburn Rd	MOUNT KISCO	10549	69.64-2-6						
Kollarus, Christopher I - Christa M Kollarus	33 Washburn Rd	MOUNT KISCO	10549	69.64-3-2						
Nerenburg, Michael - Lisa Forgione	23 Washburn Rd	MOUNT KISCO	10549	69.64-3-3						

RECEIVED
FEB 18 2022
Zoning Board of Appeals
Village/Town of Mount Kisco

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FEB 18 2022

PUBLIC NOTICE

Zoning Board of Appeals
Village/Town of Mount Kisco

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of
Mount Kisco, New York will hold a Public Hearing on the 15th day of
March 2022 at the Municipal Building, Mount Kisco, New York,
beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of

Jason and Amy Justiniano

(Name of Applicant)

14 Washburn Rd, Mount Kisco, NY 10549

(Address of Applicant)

from the decision of Peter J. Miley, Building Inspector, dated February 18, 2022
(Date of Denial Letter)
denying the application dated to permit the Addition and Renovation,
(Proposed Work)

The property involved is known as 14 Washburn Rd, Mount Kisco, NY10549
(Address of Property)

and described on the Village Tax Map as Section 69.64 Block 2 Lot 7

and is located on the West side of Washburn Rd in a
east/west/n/s (Street Name)

RS-12 Zoning District. Said Appeal is being made to obtain a
variance from Section(s) 110-8 C (1) (f) [3] of the
(Identify specific zoning code section number(s))

Code of the Village/Town of Mount Kisco, which requires a 15' for side yard setback from the
Property line.

Harold Boxer, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

AFFIDAVIT OF MAILING

STATE OF NEW YORK

}

}SS.:

COUNTY OF WESTCHESTER

}

Jason Justiniano being duly sworn, deposes and says:

I reside at 14 Washburn Rd, Mount Kisco, NY 10549

On march 1 ~~February 27,~~ 20 22 I served a notice of hearing, a copy of which is attached hereto and labeled Exhibit A, upon persons whose names are listed in a schedule of property owners within 300 feet of the subject property identified in this notice. A copy of this schedule of property owners' names is attached hereto and labeled Exhibit B. I placed a true copy of such notice in a postage paid property addressed wrapper addressed to the addresses set forth in Exhibit B, in a post office or official depository under the exclusive care and custody of the United States Post Office, within the County of Westchester.

Jason Justiniano

Sworn to before me on this

2nd day of march 20 22

Patricia A TIPA
(Notary Public)

PATRICIA A TIPA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TI6170206
Qualified in Westchester County
My Commission Expires 07-02-2023

PUBLIC NOTICE

RECEIVED

MAR 03 2022

Zoning Board of Appeals
Village/Town of Mount Kisco

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Jason and Amy Justiniano

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14 Washburn Rd, Mount Kisco, NY 10549

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from the decision of Peter J. Miley, Building Inspector, dated February 18, 2022
(Date of Denial Letter)
denying the application dated to permit the Addition and Renovation
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Code of the Village/Town of Mount Kisco, which requires 15' for side yard setback from the
Property line.

Harold Boxer, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco



AFFIDAVIT OF PUBLICATION FROM

State of Wisconsin
County of Brown, ss.:

On the 23 day of February in the year 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tutt, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument.

Linda Tutt being duly sworn says that he/she is the principal clerk of **THE JOURNAL NEWS**, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated :

Zone:
Westchester

Run Dates:
02/23/2022

Linda Tutt
Signature

Sworn to before me, this 23 day of February, 2022

Amy Kokott
Notary Public, State of Wisconsin, County of Brown

6/30/2025
My commission expires

Legend:

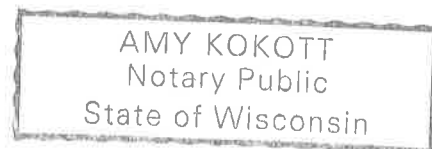
WESTCHESTER:

Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnville, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

ROCKLAND:

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0005143802



PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a Public Hearing on the 15 day of March 2022 at the Municipal Building, Mount Kisco, New York, beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of

Jason and Amy Justiniano
(Name of Applicant)
14 Washburn Rd, Mount Kisco, NY 10549
(Address of Applicant)

from the decision of Peter J. Miley, Building Inspector, dated February 18, 2022 denying the application dated to permit the Addition and Renovation. The property involved is known as 14 Washburn Rd, Mount Kisco, NY 10549 and described on the Village Tax Map as Section 69.64 Block 2 Lot 7 and is located on the West side of Washburn Rd in a RS-12 Zoning District. Said Appeal is being made to obtain a variance from Section(s) 110-8 C(1) (f) [3] of the Code of the Village/Town of Mount Kisco, which requires 15' for side yard setback and form should be from the property line.
Harold Boxer, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco 000514380

State of New York)
) ss:
County of Westchester)

AFFIDAVIT OF POSTING

Gilmar Palacios Chin, being duly sworn, says that on the ____ day of March 2022, he conspicuously fastened up and posted in seven public places, in the Village/Town of Mount Kisco, County of Westchester, a printed notice of which the annexed is a true copy, to Wit: ---

Municipal Building –
104 Main Street

 X

Public Library
100 Main Street

 X

Fox Center

 X

Justice Court – Green Street
40 Green Street

 X

Mt. Kisco Ambulance Corp
310 Lexington Ave

 X

Carpenter Avenue Community House
200 Carpenter Avenue

 X

Leonard Park Multi Purpose Bldg

 X


Gilmar Palacios Chin

Sworn to before me this 8th day of March 2022


Notary Public

PATRICIA A TIPA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TI6170206
Qualified in Westchester County
My Commission Expires 07-02-2023



463540435DED1

Control Number
463540435

RECEIVED

FEB 18 2022

Zoning Board of Appeals
Village/Town of Mount Kisco

Instrument Type
DED



**WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE
(THIS PAGE FORMS PART OF THE INSTRUMENT)
*** DO NOT REMOVE *****

THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

TYPE OF INSTRUMENT: DED - DEED

FEE PAGES: 5 TOTAL PAGES: 5

RECORDING FEES

STATUTORY CHARGE	\$6.00
RECORDING CHARGE	\$15.00
RECORD MGT. FUND	\$19.00
RP 5217	\$75.00
TP-584	\$5.00
CROSS REFERENCE	\$0.00
MISCELLANEOUS	\$0.00
TOTAL FEES PAID	\$120.00

TRANSFER TAXES

CONSIDERATION	\$701,000.00
TAX PAID	\$2,804.00
TRANSFER TAX #	8896

**RECORDING DATE: 2/13/2007
TIME: 13:13:00**

MORTGAGE TAXES

MORTGAGE DATE	
MORTGAGE AMOUNT	\$0.00
EXEMPT	
COUNTY TAX	\$0.00
YONKERS TAX	\$0.00
BASIC	\$0.00
ADDITIONAL	\$0.00
MTA	\$0.00
SPECIAL	\$0.00
TOTAL PAID	\$0.00

**SERIAL NUMBER:
DWELLING:**

**THE PROPERTY IS SITUATED IN
WESTCHESTER COUNTY, NEW YORK IN THE:
TOWN OF MT. KISCO**

WITNESS MY HAND AND OFFICIAL SEAL

**TIMOTHY C. IDONI
WESTCHESTER COUNTY CLERK**

**Record & Return to:
DAVIDOFF, MALITO & HUTCHER LLP
605 THIRD AVE**

NEW YORK, NY 10158

SKY 1004-W-06

S 69.64

Westchester

B 2

MT. KISCO

-L 7

Bargain and Sale Deed with Covenants against Grantor's Acts- Individual

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT
THIS INSTRUMENT SHOULD BE USED BY USED BY LAWYERS ONLY.

THIS INDENTURE, made the 10TH day of NOVEMBER, two thousand SIX
BETWEEN Prudential Relocation Inc., having offices at 16260 North 71st Street, Scottsdale, AZ 85254
Party of the first part, and / AMY JUSTINIANO AND JASON JUSTINIANO, ^{Husband and wife} BOTH RESIDING AT
396 3RD STREET, BROOKLYN, NEW YORK 11215

Party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE ATTACHED SCHEDULE A

Subject to and together with easements, restrictions, covenants and conveyances of record, if any.

Being the same premises as conveyed to grantor herein by deed dated 3/7/06⁺ recorded in Liber page Simultaneously herewith.

The premises hereby intended to be conveyed being known and designated as 14 Washburn Road, Mount Kisco, NY 10549;

The premises are not in an agricultural district.

The parcel is entirely owned by the transferors.

This conveyance does not constitute all or substantially all of the grantors assets and is made in the regular course of business.

PREMISES ARE NOT SUBJECT TO A CREDIT LINE MORTGAGE.

TOGETHER will all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

Prudential Relocation Inc.

BY:

Brad Hofstetter, Closing Agent

NEW YORK STATE NOTARY MUST EXECUTE THIS ACKNOWLEDGMENT

STATE OF NEW YORK) ss.:

COUNTY OF DUTCHESS

On the _____ day of _____ in the year _____ before me, the undersigned, a notary public in and for said state, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument:

NOTARY PUBLIC

NOTARY NOT IN NEW YORK STATE MUST EXECUTE THIS ACKNOWLEDGMENT

STATE OF W.D.C. ss:

On the 10TH day of NOV. in the year 2006 before me, the undersigned, personally appeared

Bruce Hofstetter

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the District of Columbia. (Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken.)

Signature and office of individual taking acknowledgement)

Gregory A. Holdridge
Notary Public, District of Columbia
My Commission Expires 3-14-2009

Bargain and Sale Deed
With Full Covenants
TITLE NO. SKY-1004-W-06

SECTION 69.64
BLOCK 2
LOT 7
COUNTY OR TOWN Westchester

Prudential Relocation Inc.

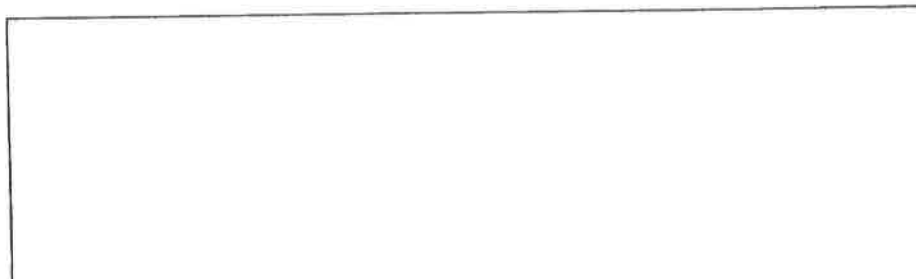
TO

RECORD AND RETURN BY MAIL TO:

Distributed by
Levine, Hofstetter & Frangk
316 Main Street
Poughkeepsie, NY 12601
845-473-2040
fax 845-473-3975

GERALD Goldstein, Esq
DAVIDOFF, MALITO & NOTCHER, LLP
605 THIRD AVENUE
NEW YORK, NY 10158

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE



SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village and Town of Mount Kisco, County of Westchester and State of New York, shown and designated as being the southerly portion of Lot No. 64 and the northerly portion of Lot No. 65 as shown upon a certain map entitled, "Map No. 3 and a portion on Map No. 1 of property belonging to Mount Kisco Heights Company, Towns of New Castle and Bedford, Westchester County, New York" which said map was filed in the Office of the Register of the County of Westchester (now Westchester County Clerk's Office, Division of Land Records) on November 13, 1917 in Volume 47 of Maps at page 75, and which said premises are more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Washburn Road at a point distant 100.00 feet as measured northerly from the corner formed by the intersection of the northerly side of Emery Street with the westerly side of Washburn Road as shown on the aforesaid map; running thence through Lot No. 65 as shown on said map, South 84-51-00 West, 179.13 feet to a point and the easterly side of Lot No. 45 as shown on said map; thence along the easterly side of Lot No. 45 and partly along the easterly side Lot No. 46 as shown on said map, North 09-34-40 West, 80.00 feet to a point and the division line between the herein described premises and premises now or formerly of Alice L. Ruths and Mildred H. Grierson; thence along the division line between the herein described property and property now or formerly of Ruths and Grierson, North 82-40-00 East, 178.73 feet to the westerly side of Washburn Road; thence southerly along the westerly side of Washburn Road South 09-34-40 East, 86.83 feet to the point or place of beginning.

WESTCHESTER COUNTY CLERK RECORDING SHEET

110 Dr. Martin Luther King, Jr. Boulevard White Plains, NY 10601

THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH DOCUMENT

This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this document.
To the best of the submitter's knowledge the information contained on this Recording Sheet is consistent with the information contained in the attached document.

SUBMITTER INFORMATION:

Title Number: SKY-1004-W-06

Company: SKYLINE Title, LLC

Address: 600 THIRD AVENUE 18th floor

City: New York State: NY Zip: 10016 Telephone: 212-324-4100

Attention: Recording Dept.

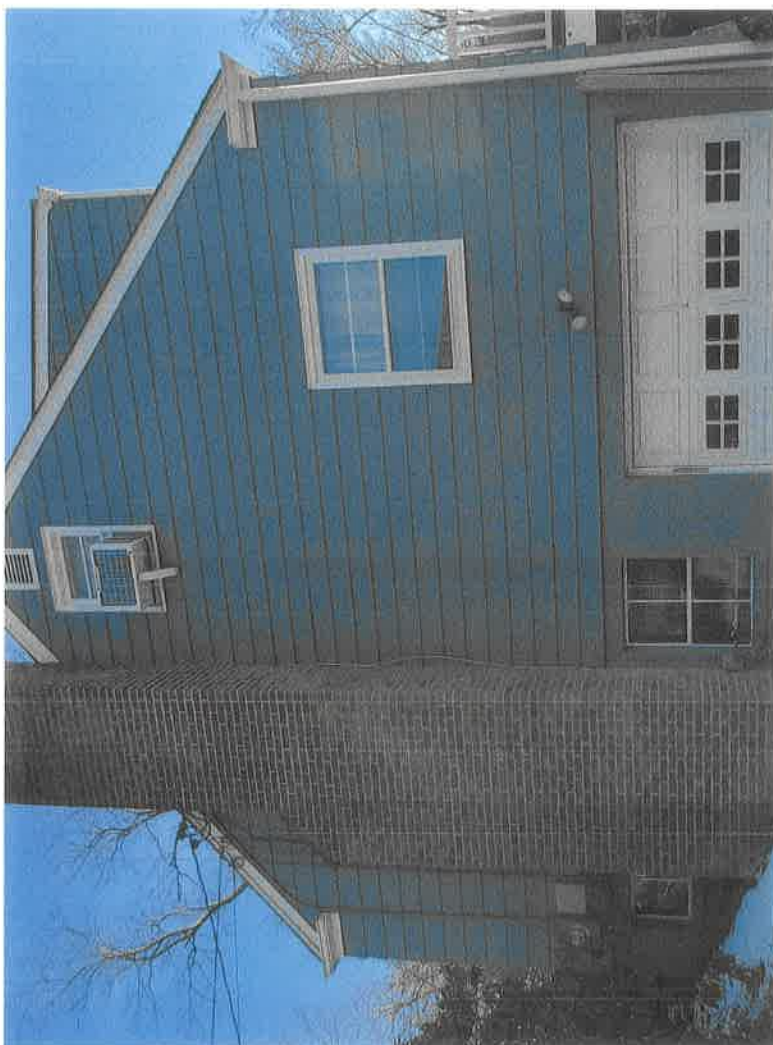
Document type: <u>DEED</u>	# of pages - <u>4</u>	Mortgage Amount On page <u> </u> of document \$ <u> </u> OR Consideration/Conveyance Amt: \$ <u>701,000</u>	Dwelling Type: For Mortgage Only On page <u> </u> of document <input type="checkbox"/> 1 to 2 family <input type="checkbox"/> 1 to 6 family <input type="checkbox"/> Not 1 to 6 family
1st party name(s) (i.e. grantor/mortgagor) On page <u> </u> of document <u>Prudential Relocation Inc</u>	Business Entity <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Check if submitted: <input checked="" type="checkbox"/> RP-5217 - <input checked="" type="checkbox"/> \$75 <input type="checkbox"/> \$165 <input type="checkbox"/> TP-584 - Type of property conveyed [1 through 8] <u> 1 </u> <input type="checkbox"/> TP-584.1 <input type="checkbox"/> IT-2663	
2nd party name(s) (i.e. grantee/mortgagee) On page <u> </u> of document <u>AMY JUSTINIANO</u> <u>JASON JUSTINIANO</u>	Business Entity <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	TAXES PAID: Mortgage Tax \$ <u> </u> Transfer Tax \$ <u> </u> Mansion Tax \$ <u> </u>	Reference # Or Check # <u> </u>
Tax designation (Section, Block & Lot) On page <u> 1 </u> of document <u>S. 69.64 B. 2 L. 7</u>	RECORDING FEES PAID: Amount \$ <u>120</u>		Reference # or Check # <u> </u>
City(ies) or Town(s) for Property Description On page <u> 1 </u> of document <u>MT. KISCO</u>	MORTGAGE TAX AFFIDAVITS SUBMITTED: <input type="checkbox"/> 252 <input type="checkbox"/> 255 <input type="checkbox"/> 280 Other: <u> </u> <input type="checkbox"/> 253 <input type="checkbox"/> 260 <input type="checkbox"/> 339-ee <u> </u>		
Property Description -- If required, check the one contained within the document. <input checked="" type="checkbox"/> Metes & bounds <input type="checkbox"/> Lot number on map filed in the Office of the County Clerk <input type="checkbox"/> Refer to deed recorded in the Office of the County Clerk	Cross Reference(s): On page <u> </u> of document <u> </u>		
Record and Return To: <u>GERALD Goldstein, Esq.</u> <u>DAVIDOFF, MALITO & HUTCHER, LLP</u> <u>605 THIRD AVENUE</u> <u>NEW YORK, NY 10158</u>			

RECEIVED

FEB 18 2022

**Zoning Board of Appeals
Village/Town of Mount Kisco**











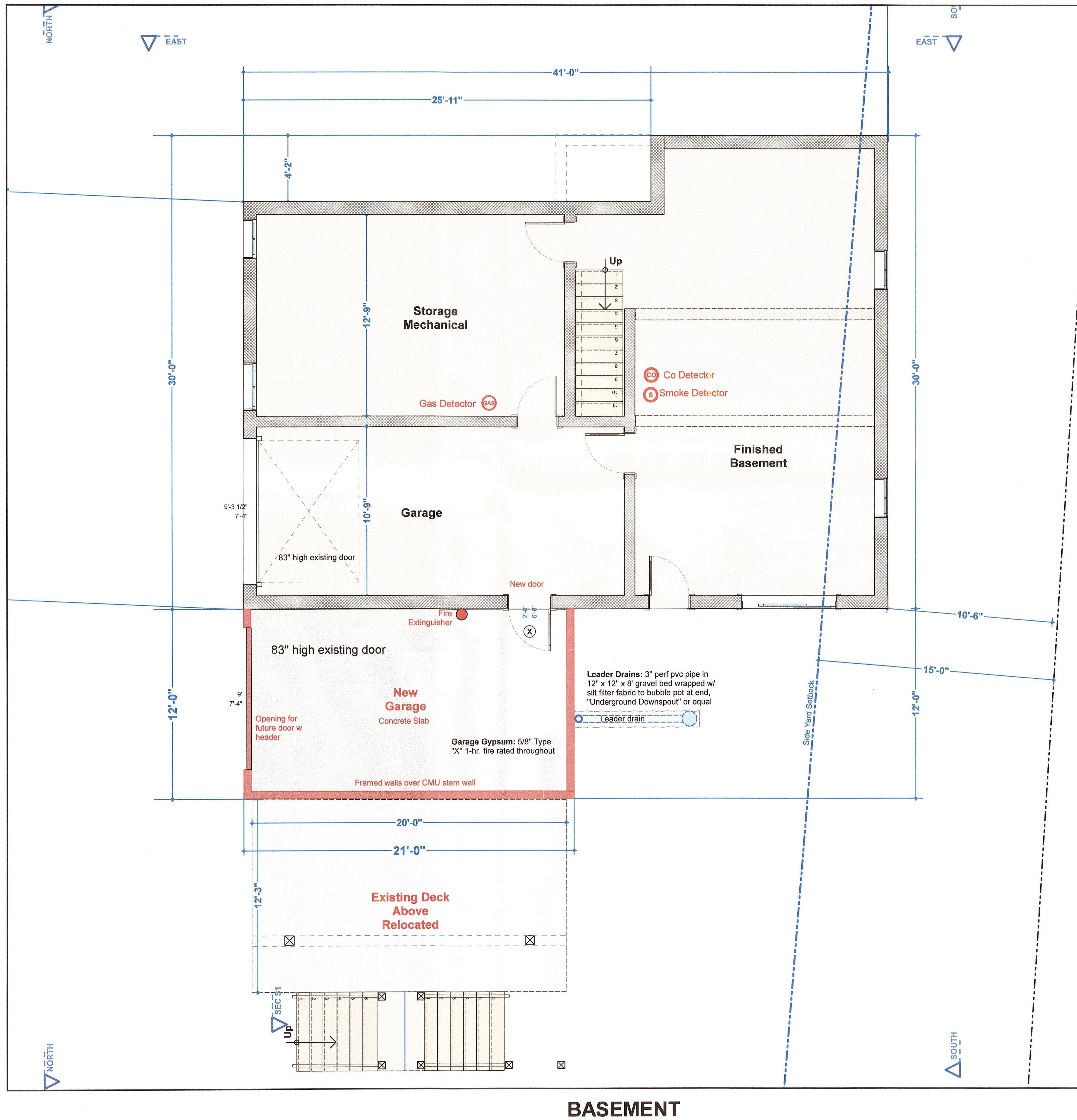
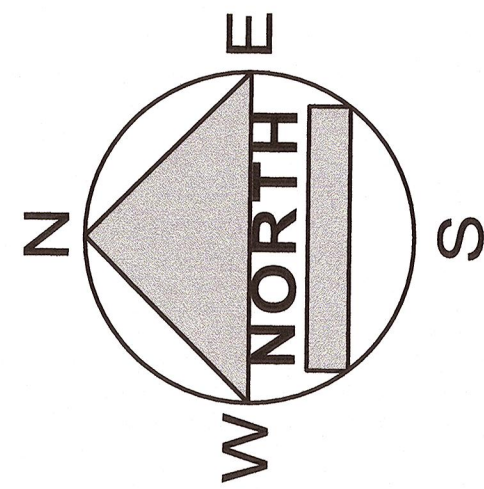




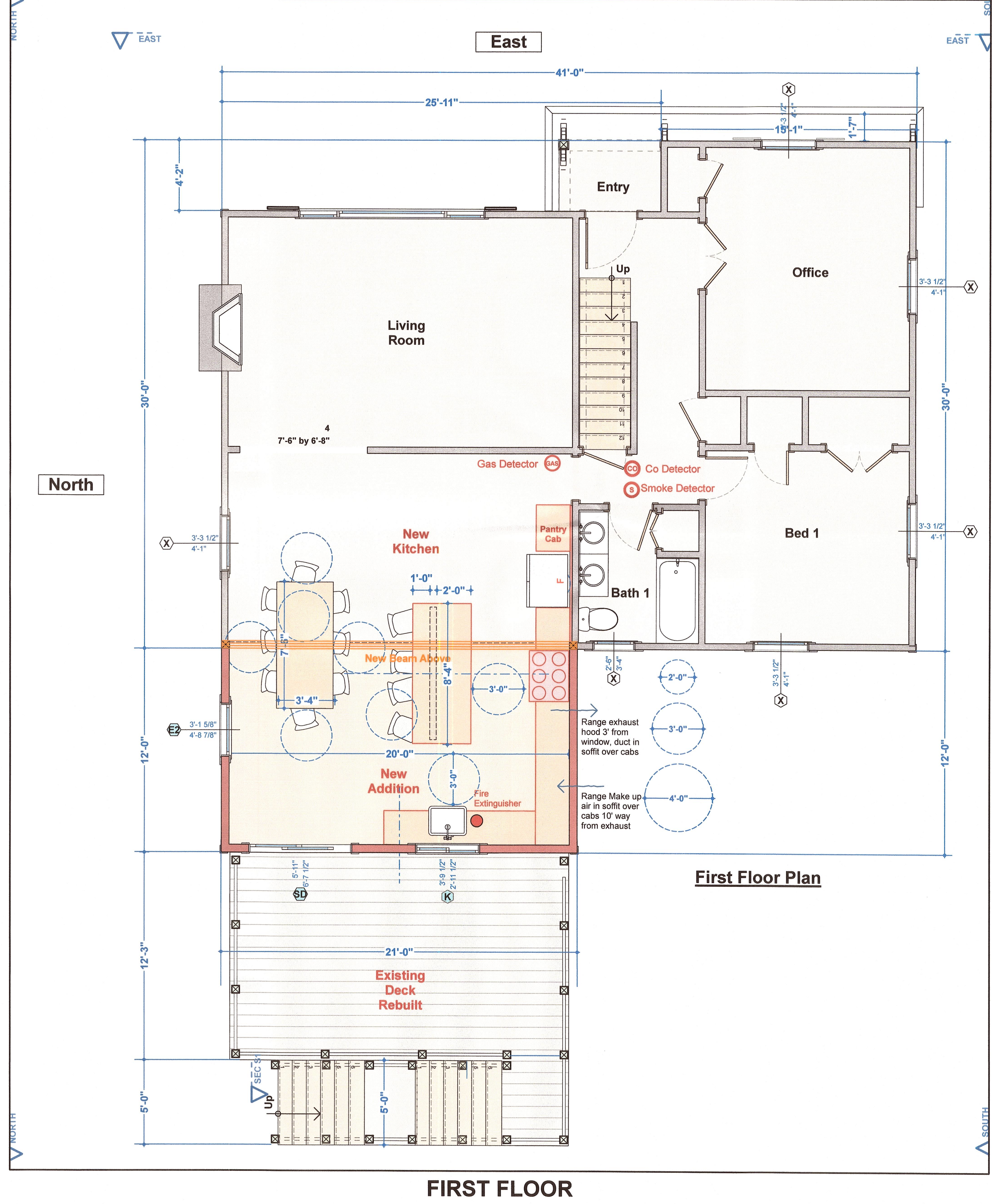


GROUND SNOW LOAD: 30 psf
WIND SPEED: 90 to 100 mph, Special wind region
SEISMIC DESIGN CATEGORY: C
WEATHERING: Severe
FROST LINE DEPTH: 42 inches
TERMITE: Moderate to heavy
DECAY: Slight to moderate
WINTER DESIGN TEMPERATURE: 7
ICE SHIELD UNDERLAYMENT: Required
FLOOD HAZARDS: 09/26/07

1



BASEMENT



FIRST FLOOR



Architect:
LaVigna Associates
LVA-Architect.com
120 Prospect Street, Unit 1
Ridgefield, CT 06877
203-438-1119 Office
Chris@LVA-Architect.com

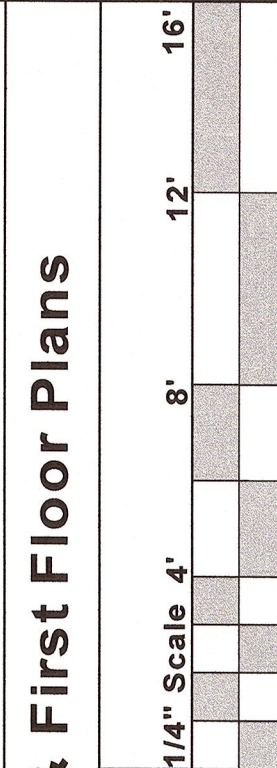
Note: Alteration of these drawings in any way is a violation of the law unless done under the direction of a New York State licensed Architect. Any alteration shall have the Architect's seal affixed to the modified item with the notation "Altered by," followed by the Architect's signature, date and a specific description of the alteration!

Addition & Renovation

14 Washburn Road
Mt. Kisco, New York

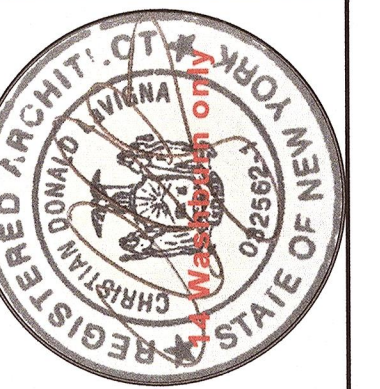
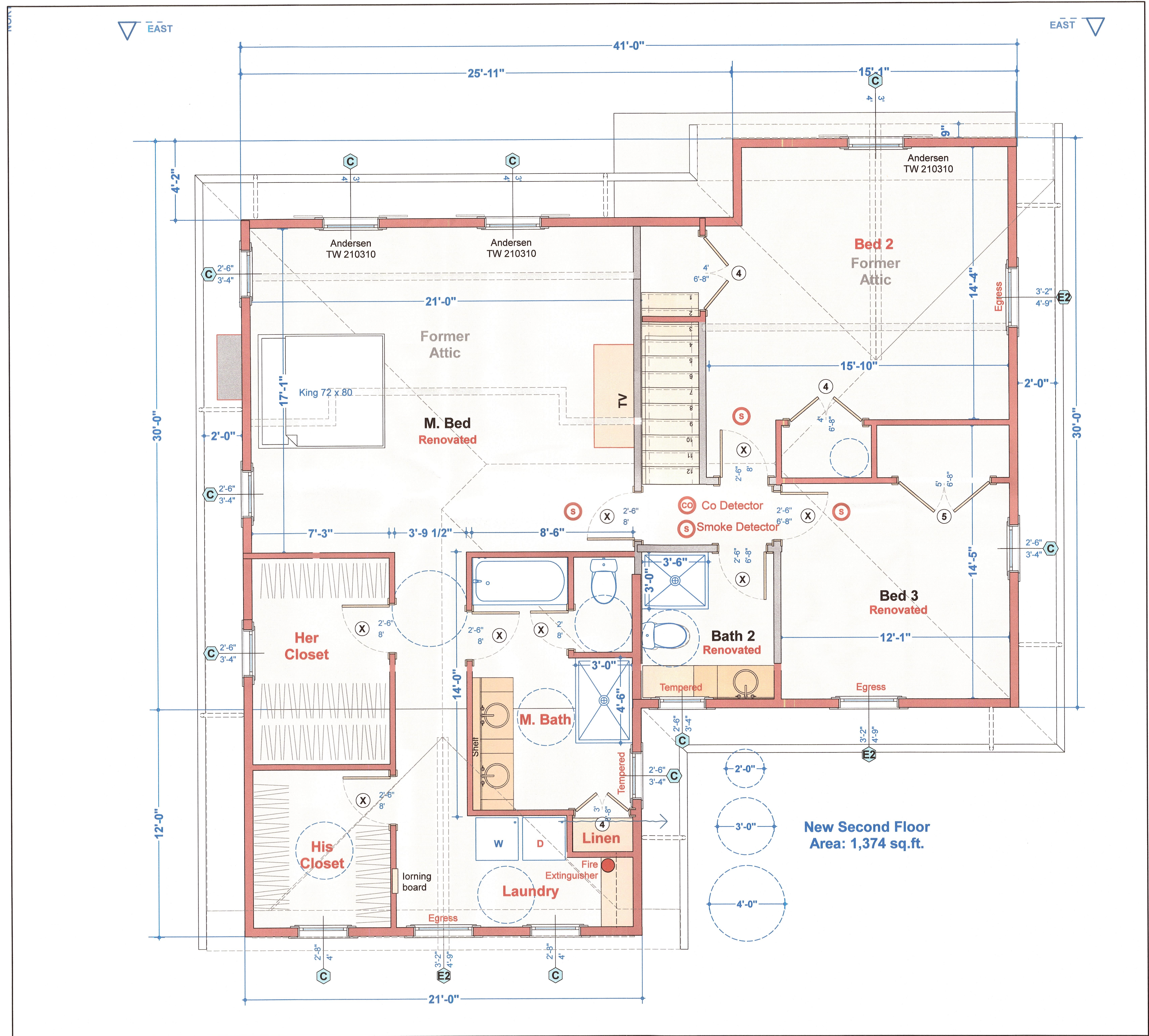
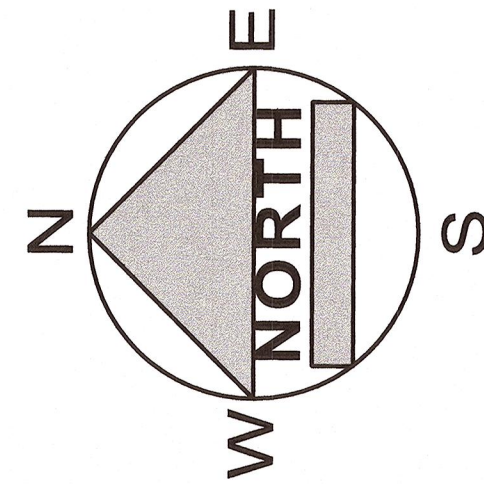


Phase: ZBA
Drawing: Basement & First Floor Plans
Date: 2/9/2022
Scale: 1/4" = 1'-0"



Drawing #:

2



Architect:
LaVigna Associates
LVA-Architect.com
120 Prospect Street, Unit 1
Ridgefield, CT 06877
203-438-1119 Office
Chris@LVA-Architect.com

Note: Alteration of these drawings in any way is a violation of the law unless done under the direction of a New York State licensed Architect. Any alteration shall have the Architect's seal affixed to the modified item with the notation "Altered by:" followed by the Architect's signature, date and a specific description of the alteration"

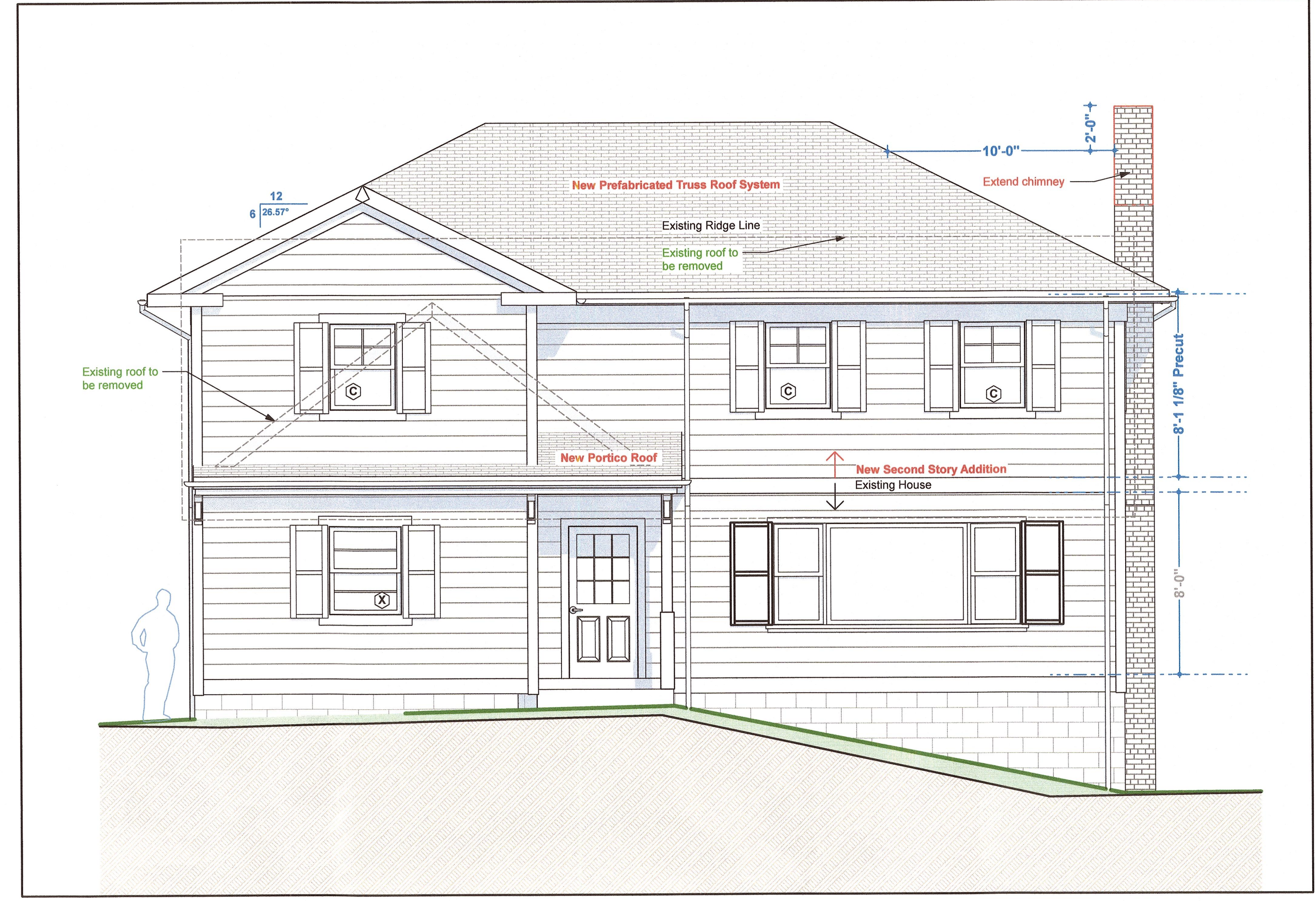
Addition & Renovation
14 Washburn Road
Mt. Kisco, New York

Phase:	ZBA
Drawing:	Second Floor Plan
Date:	2/9/2022
Scale:	3/8" = 1'-0"

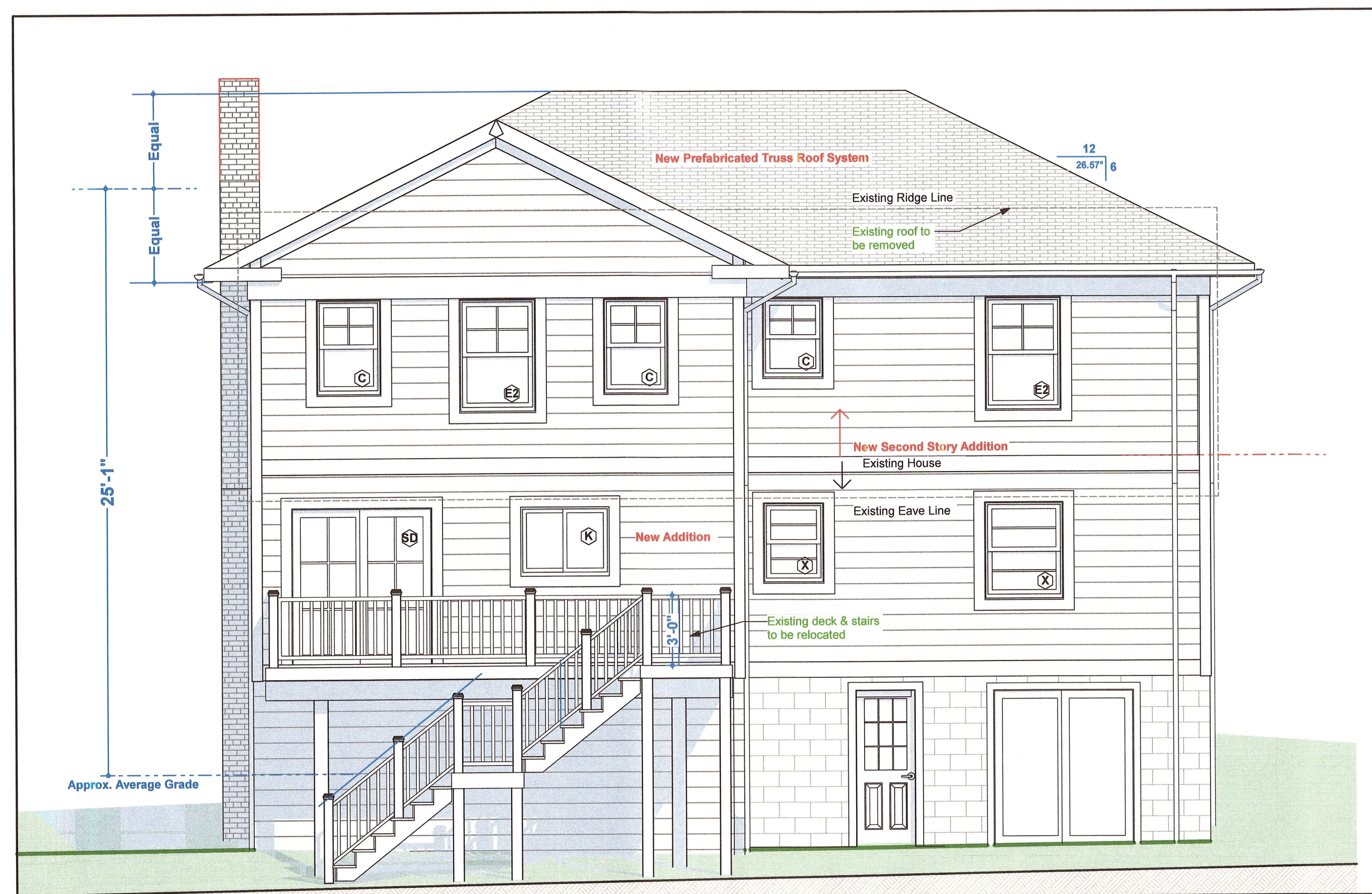
Drawing #:
3



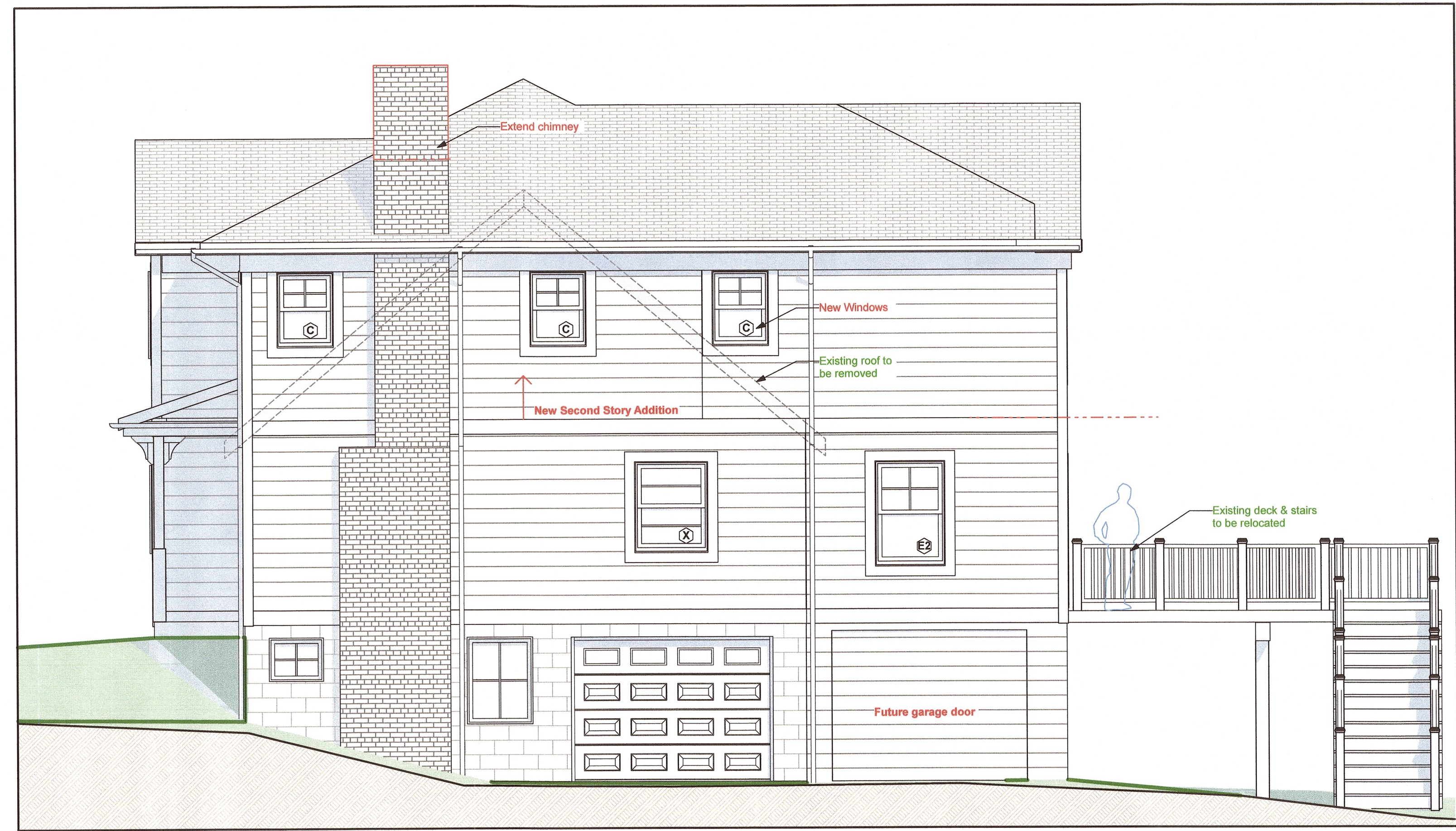
SOUTH



EAST



WEST



NORTH



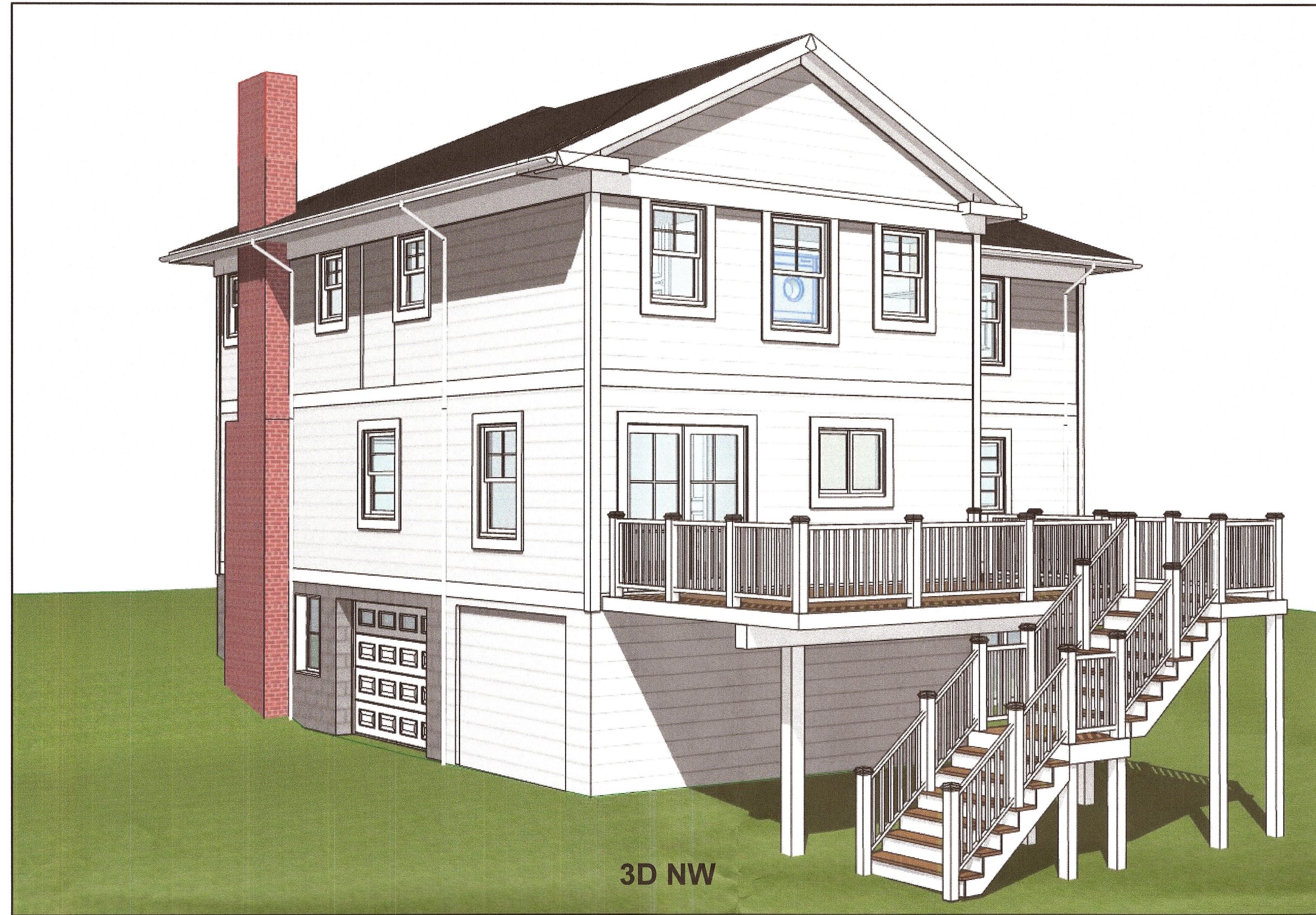
Architect:
LaVigna Associates
LVA-Architect.com
 120 Prospect Street, Unit 1
 Ridgefield, CT 06877
 203-438-1119 Office
 Chris@LVA-Architect.com

Note: Alteration of these drawings in any way is a violation of the law unless done under the direction of a New York State licensed Architect. Any alteration shall have the Architect's seal affixed to the modified item with the notation "Altered by," followed by the Architect's signature, date and a specific description of the alteration"

Addition & Renovation
 14 Washburn Road
 Mt. Kisco, New York

Phase:	ZBA	
Drawing:	Elevations	
Date:	2/9/2022	
Scale:	1/4" = 1'-0"	

Drawing #:
4



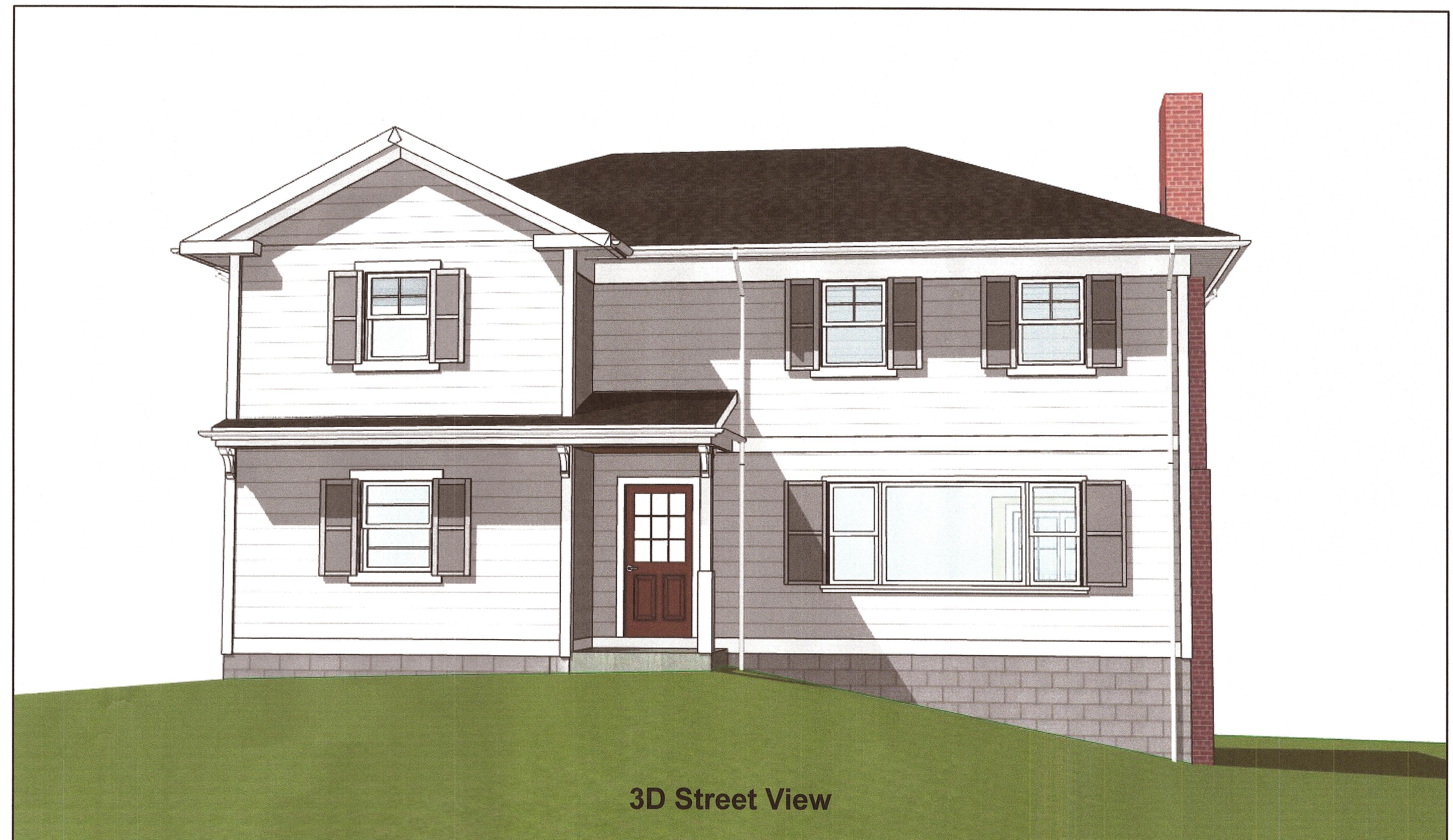
3D NW



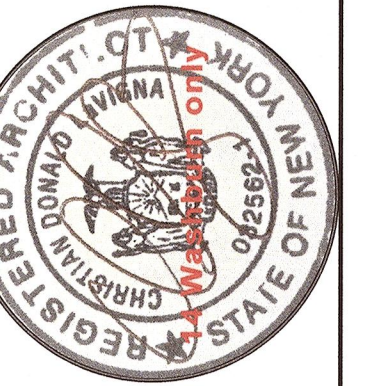
3D SW



3D SE



3D Street View



Architect:
LaVigna Associates
LVA-Architect.com
 120 Prospect Street, Unit 1
 Ridgefield, CT 06877
 203-438-1119 Office
 Chris@LVA-Architect.com

Note: Alteration of these drawings in any way is a violation of the law unless done under the direction of a New York State licensed Architect. Any alteration shall have the Architect's seal affixed to the modified item with the notation "Altered by:" followed by the Architect's signature, date and a specific description of the alteration.

Addition & Renovation

14 Washburn Road
 Mt. Kisco, New York



Phase:	ZBA				
Drawing:	3D Views				
Date:	2/9/2022	1/4" Scale	4'	8'	12'
Scale:					

Drawing #:

5



Village/Town of Mount Kisco Building Department
104 Main Street
Mount Kisco, New York 10549
Ph. (914) 864-0019-fax (914) 864-1085

MEMORANDUM

February 18, 2022

RECEIVED

FEB 22 2022

Zoning Board of Appeals
Village/Town of Mount Kisco

Matthew Cox
37 Grove Street
Mount Kisco, NY 10549

Re: Notice of Denial
37 Grove Street
Mount Kisco, NY 10549
(SBL) 69.82-4-5

Dear Mr. Cox,

Your recent Building permit application for the proposed construction of a detached, one-car garage has been denied for the following reasons:

1. No accessory structure, shall be located or project nearer to any street line or side lot line than does the principal structure on the lot. The principal structure is located 18 feet from the side lot line and the proposed detached garage is located 5 feet from the side lot line and therefor a 13 foot variance is required in accordance with §110-31 G (1) of the Village/Town of Mount Kisco Code.

You have the right to appeal this decision within 60 days.

Sincerely,


Peter J. Miley,
Building Inspector



Matthew Cox <xocttam@gmail.com>

application for 37 Grove Street

Matthew Cox <xocttam@gmail.com>
To: Patti Tipa <ptipa@mountkisco.ny.gov>
Cc: Peter Miley <pmiley@mountkisco.ny.gov>

RECEIVED

Fri, Feb 18, 2022 at 1:59 PM

FEB 22 2022**Zoning Board of Appeals
Village/Town of Mount Kisco**

Hi Patti and Peter,

Thank you for the letter. I will submit the ZBA on Monday so that it meets the deadline which looks like Tues 2/22 from the website.

Thank You
Matthew

[Quoted text hidden]

PL 130.00
263
REC # 284520

Date: 2/18/22

Case No.: _____

Fee: 130.00

Date Filed: 2/27/22

RECEIVED

FEB 22 2022

Village/Town of Mount Kisco
Municipal Building
104 Main Street, Mt. Kisco, NY 10549

Zoning Board of Appeals
Village/Town of Mount Kisco

**Zoning Board of Appeals
Application**

Appellant: Matthew Cox

Address: 37 Grove St Mt. Kisco, NY 10549

Address of subject property (if different): _____

Appellant's relationship to subject property: ☒ Owner _____ Lessee _____ Other _____

Property owner (if different): _____

Address: _____

TO THE CHAIRMAN, ZONING BOARD OF APPEALS: An appeal is hereby taken from the decision of the Building Inspector, Peter J. Miley dated 2/18/22. Application is hereby made for the following:

13 foot Variation or _____ Interpretation of Section 110-316(1) of the Code of the Village/Town of Mount Kisco,

to permit the: ☒ Erection; _____ Alteration; _____ Conversion; _____ Maintenance of one car garage

_____ in accordance with plans filed on (date) 2/9/22

for Property ID # 69.82-4-5 located in the RT-6 Zoning District.

The subject premises is situated on the SE side of (street) Grove St.

_____ in the Village/Town of Mount Kisco, County of Westchester, NY.

Does property face on two different public streets? Yes/No No

(If on two streets, give both street names) _____

Type of Variance sought: _____ Use ☒ Area _____

Is the appellant before the Planning Board of the Village of Mount Kisco with regard to this property? Yes

Is there an approved site plan for this property? Yes in connection with a ☒ Proposed or ☐ Existing building; erected (yr.) _____

Size of Lot: 50 feet wide 160 feet deep Area 8000 sq ft

Size of Building: at street level 12 feet wide 24 feet deep

Height of building: 11'4" Present use of building: garage

Does this building contain a nonconforming use? No Please identify and explain: _____

Is this building classified as a non-complying use? No Please identify and explain: _____

Has any previous application or appeal been filed with this Board for these premises?
Yes/No? No

Was a variance ever granted for this property? No If so, please identify and explain: _____

Are there any violations pending against this property? No If so, please identify and explain: _____

Has a Work Stop Order or Appearance Ticket been served relative to this matter?
____ Yes or ☒ No Date of Issue: _____

Have you inquired of the Village Clerk whether there is a petition pending to change the subject zoning district or regulations? No

I submit the following attached documents, drawings, photographs and any other items listed as evidence and support and to be part of this application:

The following items **MUST** be submitted:

- ✓ a) Attached hereto is a copy of the order or decision (Notice of Denial) issued by the Building Inspector or duly authorized administrative official issued on 2/13/22 upon which this application is based.
- ✓ b) Copy of notice to the administrative official that I have appealed, setting forth the grounds of appeal and have requested the application to be scheduled for a public hearing.
- ✓ c) A typewritten statement of the principal points (facts and circumstances) on which I base my application with a description of the proposed work.
- ✓ d) Ten (10) sets of site plans, plat or as-built survey drawings professionally signed and sealed (as may be required).
- ✓ e) A block diagram with street names, block and lot numbers, and street frontage showing all property affected within 300' of the subject property, with a North point of the compass indicated.
- ✓ f) A full list of names and addresses of the owners of all property shown on the above noted block diagram that lie within or tangent to the 300' radius from the subject property.
- ✓ g) A copy of the Public Notice for the public hearing of this application.
- ✓ h) A sworn Affidavit of Mailing, duly notarized, that a true copy of said Public Notice has been sent by mail to all property owners within 300 feet of this premises at least 10 days prior to the public hearing.

NOTE: APPLICANT MUST CAUSE A TRUE COPY OF THE PUBLIC NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE VILLAGE AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING.

- ✓ i) A true copy of the filed deed and/or signed lease or contract for the use of the subject property.
- *j) At least two sets of unmounted photographs, 4" by 6" in size, showing actual conditions on both sides of street, between intersecting streets. Print street names and mark premises in question.
- *k) A floor plan of the subject building with all the necessary measurements.
- *l) A longitudinal section of the subject building and heights marked thereon as well as front elevations.

*** Optional - As Needed**

I hereby depose & say that all the above statements and the statements contained in the papers submitted herewith are true.

[Signature]
(Appellant to sign here)

Sworn to before me this day of:

Feb. 18th, 2022

Notary Public, Mirjana Mardjonovic

Westchester
County, NY



[TO BE COMPLETED IF APPELLANT IS NOT THE PROPERTY OWNER IN FEE]

State of New York }

County of Westchester }

ss

Being duly sworn, deposes and say that he resides at _____ in the County of Westchester, in the State of New York, that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Mount Kisco, County of Westchester aforesaid and known and designated as number _____ and that he hereby authorized _____ to make the annexed application in his behalf and that the statements contained in said application are true.

(sign here)

RECEIVED

FEB 22 2022

Zoning Board of Appeals
Village/Town of Mount Kisco

ZBA - Principal Points

The current detached garage at 37 Grove Street is a two car garage with an added carport. Essentially a three car garage in the center of the backyard.

It does not have doors because of the settling of the structure because of the lack of a foundation and wood damage.

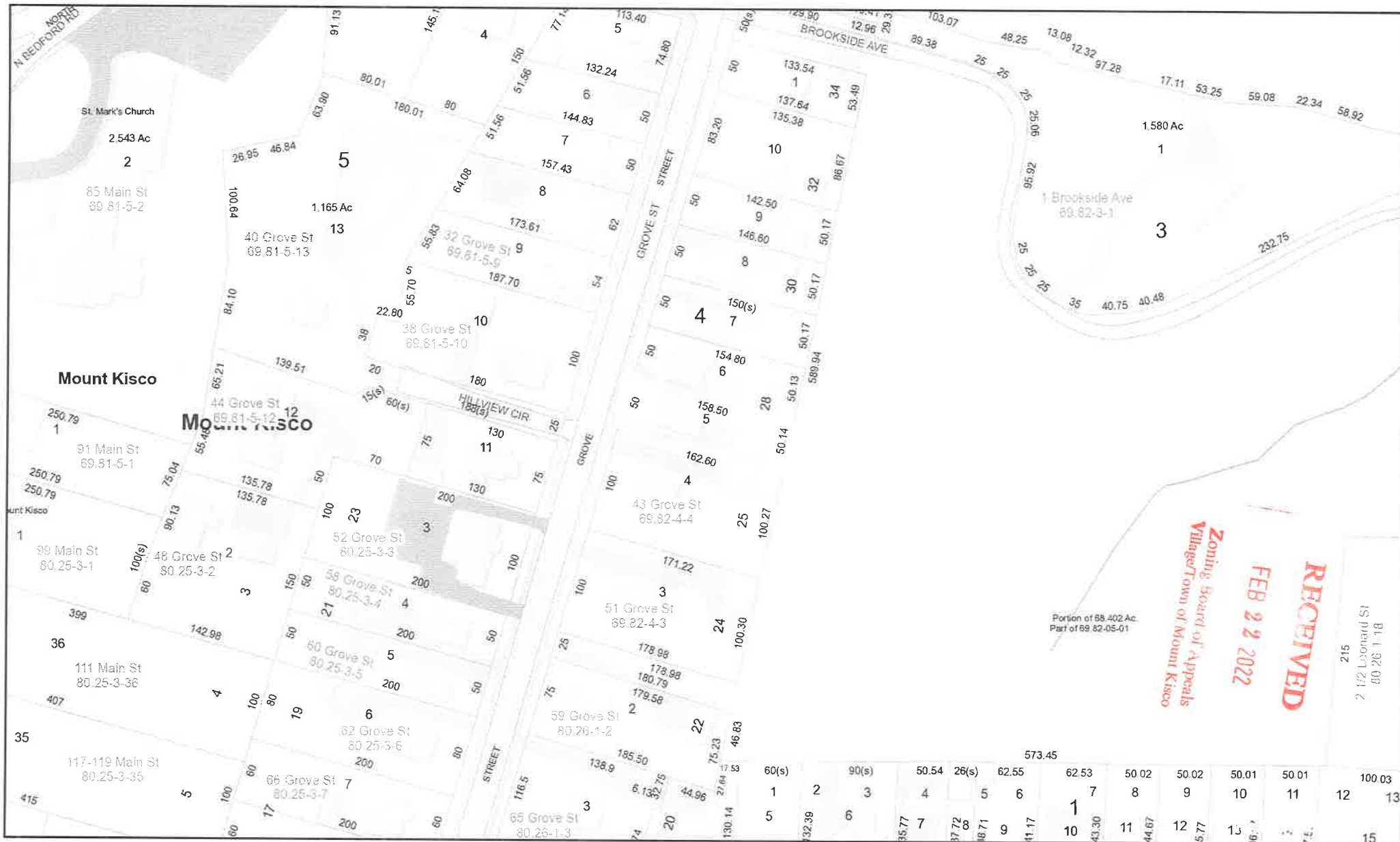
Repairs would be more costly and time consuming than to rebuild a more appropriate smaller structure.

If the structure is rebuilt the garage would be in line with the driveway to be the most practical for the site.

All garages on Grove Street are built in this way as seen in the tax map.

Yard would be opened up for landscaping and grass instead of asphalt as it is currently and if the garage needed to stay behind the house.

37 Grove St. ID: 69.82-4-5 (Mount Kisco)



February 19, 2022

Tax parcel data was provided by local municipality. This map is generated as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact local municipality assessor's office.

1:1,500

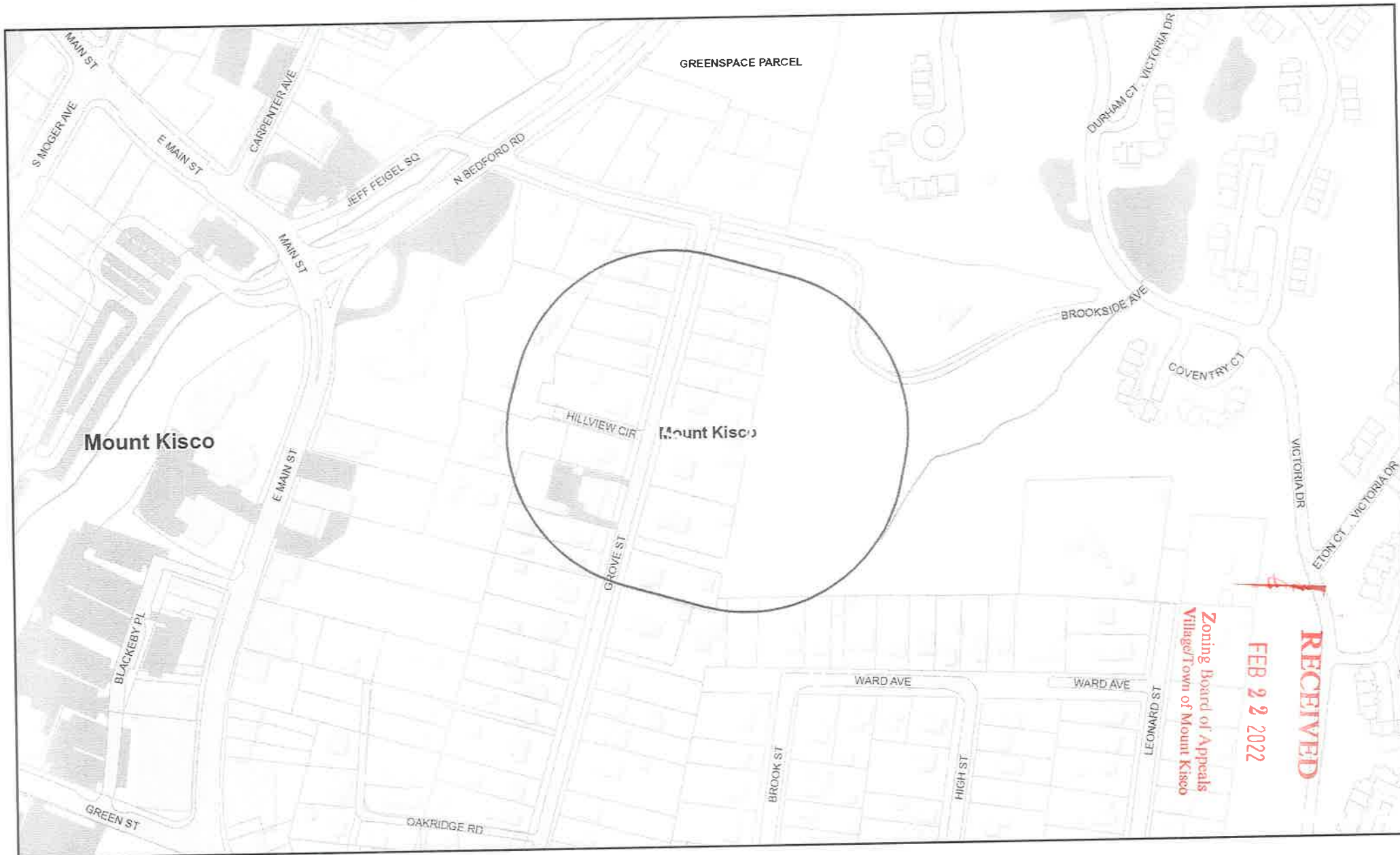


0 70 140 280 ft

Westchester County GIS

GIS
<http://giswww.westchestergov.com>
Michaelian Office Building
148 Martine Avenue Rm 214
White Plains, New York 10601

37 Grove St. ID: 69.82-4-5 (Mount Kisco)



February 19, 2022

Tax parcel data was provided by local municipality. This map is generated as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact local municipality assessor's office.

1:3,000



0 145 290 580 ft

Westchester County GIS

GIS
<http://giswww.westchestergov.com>
Michaelian Office Building
148 Martine Avenue Rm 214
White Plains, New York 10601

OWNERNAME	PROPADDRESS	PROPCITY	PROPSBL
Biem Alan Ernest - Sakurako Biem Ouchi	60 Grove St	MOUNT KISCO	8.0025E+18
		MOUNT KISCO	10549
Morgan Charles J - Lisa M Morgan	21-27 Ward Ave	MOUNT KISCO	8.0026E+18
Weitz Douglas - Shasta Weitz	37 Grove St	MOUNT KISCO	6.9082E+18
Lopez Heber	23 Grove St	MOUNT KISCO	6.9082E+18
Luppino, Anthony - Anna Maria Luppino	3 Grove St	MOUNT KISCO	6.9082E+18
Tapia, Hernan - Laura Tapia	71 Grove St	MOUNT KISCO	8.0026E+18
Amuso, Joseph - Carmen Amuso	56 Brookside Ave	MOUNT KISCO	6.9081E+18
PSJS14 Inc	14 Grove St	MOUNT KISCO	6.9081E+18
Mannion, Francis W Jr	48 Grove St	MOUNT KISCO	8.0025E+18
Herbert Daley Revocable Trust - Elizabeth Daley	44 Grove St	MOUNT KISCO	6.9081E+18
PSJS73, Inc	52 Grove St	MOUNT KISCO	8.0025E+18
Five D's Realty Ent. L.P.	40 Grove St	MOUNT KISCO	6.9081E+18
Arriaga Juan Francisco	29 Grove St	MOUNT KISCO	6.9082E+18
Five D's Realty Ent. L.P.	28 Grove St	MOUNT KISCO	6.9081E+18
Thunder Lake Property LLC - Domenico Gramuglia	37 Ward Ave	MOUNT KISCO	8.0026E+18
Oliveri, Concetta	59 Grove St	MOUNT KISCO	8.0026E+18
Terlizzi Family Trust - Michael Terlizzi	51 Grove St	MOUNT KISCO	6.9082E+18
Antonaccio Michael C - Jennifer A Antonaccio	33 Grove St	MOUNT KISCO	6.9082E+18
Affrunti Vincent - Rosemarie Affrunti	12 Grove St	MOUNT KISCO	6.9081E+18
AA-MK LLC	4 Grove St	MOUNT KISCO	6.9081E+18
Hashim Fadi - Anna Daversa	33 Ward Ave	MOUNT KISCO	8.0026E+18
Sultana, Vincent M - Carolyn L Sultana	1 Brookside Ave	MOUNT KISCO	6.9082E+18
Rendon, Francisco J	19 Grove St	MOUNT KISCO	6.9082E+18
Coppola, Antonio	58 Grove St	MOUNT KISCO	8.0025E+18
Five D's Realty Ent. L.P.	38 Grove St	MOUNT KISCO	6.9081E+18
Carbajal, Edwin - Estela Martinez Carbajal	25 Grove St	MOUNT KISCO	6.9082E+18
Bono, John B - Sina Bono	42 Grove St	MOUNT KISCO	6.9081E+18
Five D's Realty Ent. L.P.	32 Grove St	MOUNT KISCO	6.9081E+18
The Joann Cerretani Rev Trust	43 Grove St	MOUNT KISCO	6.9082E+18

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FEB 22 2022

Zoning Board of Appeals
Village/Town of Mount Kisco

RECEIVED

FEB 22 2022

PUBLIC NOTICE

Zoning Board of Appeals
Village/Town of Mount Kisco

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of

Mount Kisco, New York will hold a Public Hearing on the 15 day of
March 20 22 at the Municipal Building, Mount Kisco, New York,

beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of

Matthew Cox

(Name of Applicant)

37 Grove Street

(Address of Applicant)

from the decision of Peter J. Miley, Building Inspector, dated 2/18/22
(Date of Denial Letter)

denying the application dated to permit the construction of a detached one car garage.
(Proposed Work)

The property involved is known as 37 Grove Street
(Address of Property)

and described on the Village Tax Map as Section 69.82 Block 4 Lot 5

and is located on the S side of Grove Street in a
east/west/n/s (Street Name)

RT-6 Zoning District. Said Appeal is being made to obtain a

variance from Section(s) 110-31G(1) of the
(Identify specific zoning code section number(s))

Code of the Village/Town of Mount Kisco, which requires no accessory
structure, shall be located on project nearer to any side lot
line than does the principal structure on the lot.

Harold Boxer, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

AFFIDAVIT OF MAILING

STATE OF NEW YORK

COUNTY OF WESTCHESTER

}
}SS.:
}

Matthew Cox being duly sworn, deposes and says:

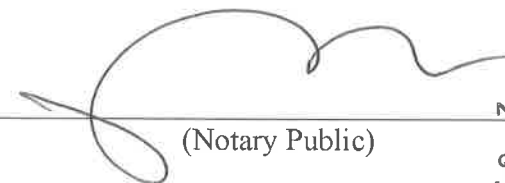
I reside at 37 Grove Street

On 2/22 20 22 I served a notice of hearing, a copy of which is attached hereto and labeled Exhibit A, upon persons whose names are listed in a schedule of property owners within 300 feet of the subject property identified in this notice. A copy of this schedule of property owners' names is attached hereto and labeled Exhibit B. I placed a true copy of such notice in a postage paid property addressed wrapper addressed to the addresses set forth in Exhibit B, in a post office or official depository under the exclusive care and custody of the United States Post Office, within the County of Westchester.



Sworn to before me on this

19 day of Feb 20 22


(Notary Public)

PETER J. CHO
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01CH6308766
QUALIFIED IN WESTCHESTER COUNTY
MY COMMISSION EXPIRES JULY 28, 2022

AFFIDAVIT OF PUBLICATION FORM

State of Wisconsin
County of Brown, ss.:

On the 2nd day of March in the year 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tuttle, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they are the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person of which the individual(s) acted, executed the instrument.

Linda Tuttle being duly sworn says that he/she is the principal clerk of THE JOURNAL NEWS newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a copy was published in the newspaper area(s) on the date (s) below:

Zone:
Westchester

Run Dates:
03/02/2022

Linda Tuttle
Signature

Sworn to before me, this 2nd day of March 2022

Kathleen Allen
Notary Public, State of Wisconsin, County of Brown

1-7-22

My commission expires

Legend:

WESTCHESTER:

Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harborside, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnville, Mahopac, Mahopac Falls, Marietta, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Paterson, Peekskill, Pelham, Pleasantville, Port Chester, Pourtaugh, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, Yorktown Heights, Yonkers

ROCKLAND:

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Slootsburg, Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0005151893

KATHLEEN ALLEN
Notary Public
State of Wisconsin

Please take notice that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a Public Hearing on the 15th day of March 2022 at the Municipal Building, Mount Kisco, New York, beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of Matthew Cox of 37 Grove Street from the decision of Peter J Milley Building Inspector, dated February 18, 2022 denying the application to permit the construction of a detached one car garage. The property involved is known as 37 Grove Street and described on the Village Tax Map as Section 69.82 Block 4 Lot 5 and is located on the South Side of Grove Street in a RT-6 Zoning District. Said Appeal is being made to obtain a variance from Section 110-31G(1) of the Code of the Village/Town of Mount Kisco, which requires no accessory structure shall be located or project nearer to any side lot line than does the principal structure on the lot.

5151893

State of New York)
) ss:
 County of Westchester)

AFFIDAVIT OF POSTING

Gilmar Palacios Chin, being duly sworn, says that on the ____ day of March 2022, he conspicuously fastened up and posted in seven public places, in the Village/Town of Mount Kisco, County of Westchester, a printed notice of which the annexed is a true copy, to Wit: ---

Municipal Building –
 104 Main Street

X

Public Library
 100 Main Street

X

Fox Center

X

Justice Court – Green Street
 40 Green Street

X

Mt. Kisco Ambulance Corp
 310 Lexington Ave

X

Carpenter Avenue Community House
 200 Carpenter Avenue

X

Leonard Park Multi Purpose Bldg

X


Gilmar Palacios Chin

Sworn to before me this 8th day of March 2022


 Notary Public

PATRICIA A TIPA
 NOTARY PUBLIC-STATE OF NEW YORK
 No. 01TI6170206
 Qualified in Westchester County
 My Commission Expires 07-02-2023



603543060DED001R

Westchester County Recording & Endorsement Page

Submitter Information

Name: Thoroughbred Title Services, LLC

Address 1: 800 Westchester Avenue

Address 2: Suite S514

City/State/Zip: Rye Brook NY 10573

Phone: 914-644-6100

Fax: 914-644-6159

Email: recording@thoroughbredtitleservices.co

Reference for Submitter: 44046 Weitz / Levadas

Document Details

Control Number: 603543060

Document Type: Deed (DED)

Package ID: 2020121400308001002

Document Page Count: 3

Total Page Count: 4

Parties

☐ Additional Parties on Continuation page

1st PARTY

1: WEITZ DOUGLAS

2: WEITZ SHASTA

- Individual

1: COX MATTHEW J

- Individual

- Individual

2: LEVADAS ANASTASIA D

- Individual

2nd PARTY

Property

☐ Additional Properties on Continuation page

Street Address: 37 GROVE STREET

Tax Designation: 69.82-4-5

City/Town: MOUNT KISCO

Village:

Cross-References

☐ Additional Cross-Refs on Continuation page

1:

2:

3:

4:

Supporting Documents

1: RP-5217

2: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
 Page Fee: \$20.00
 Cross-Reference Fee: \$0.00
 Mortgage Affidavit Filing Fee: \$0.00
 RP-5217 Filing Fee: \$125.00
 TP-584 Filing Fee: \$5.00
 RPL 291 Notice Fee: \$10.00
 Total Recording Fees Paid: \$200.00

Transfer Taxes

Consideration: \$610,000.00
 Transfer Tax: \$2,440.00
 Mansion Tax: \$0.00
 Transfer Tax Number: 24015

Mortgage Taxes

Document Date:
 Mortgage Amount:

Basic: \$0.00
 Westchester: \$0.00
 Additional: \$0.00
 MTA: \$0.00
 Special: \$0.00
 Yonkers: \$0.00
 Total Mortgage Tax: \$0.00

Dwelling Type:
 Serial #:

Exempt: ☐

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK

Record and Return To

☐ Pick-up at County Clerk's office

Recorded: 01/25/2021 at 02:25 PM

Control Number: 603543060

Witness my hand and official seal

Timothy C. Idoni
 Westchester County Clerk

Thoroughbred Title Services, LLC
 800 Westchester Avenue
 Suite S-514
 Rye Brook, NY 10573

THIS INDENTURE, made the 12th day of December, in the year 2020

BETWEEN DOUGLAS WEITZ and SHASTA WEITZ, husband and wife,
residing at 17 Folkstone Drive, East Hampton, NY 11937

party of the first part, and

MATTHEW COX and ANASTASIA LEVADAS, husband and wife
residing at 705 41st Street, Apt. 6, Brooklyn, New York 11232

party of the second part.

WITNESSETH, that the party of the first part, in consideration of

TEN (10.00) dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE SCHEDULE A ANNEXED HERETO

Being the same premises described in deed dated 6/13/14 recorded 6/17/14 in Control No. 541573276 in the Westchester County Clerk's Office.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Douglas Weitz

Shasta Weitz

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Westchester, ss:

On the _____ day of _____ in the year 2020, before me, the undersigned, personally appeared _____

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

**ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS
TAKEN IN NEW YORK STATE**

State of New York, County of _____, ss:

On the _____ day of _____ in the year _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, the

subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in _____

(If the place of residence is in a city, include the street and street number if any, thereof), that he/she/they know(s) _____

to be the individual described in and who executed the foregoing instrument, that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

**Bargain and Sale Deed
With Covenants**

Title No. TTS 44046

DOUGLAS WEITZ AND SHASTA WEITZ

TO

MATTHEW COX AND ANASTASIA LEVADAS



ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Westchester, ss:

On the 23rd day of December in the year 2020, before me, the undersigned, personally appeared Douglas Weitz and Shasta Weitz

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ALAN D. LICHTENSTEIN
Notary Public, State of New York
No. 01114613073

Qualified in Westchester County
Commission Expires May 30, 2021

**ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK
STATE**

*State of _____, County of _____, ss:

*(Or insert District of Columbia, Territory, Possession or Foreign County)

On the _____ day of _____ in the year _____, before me, the undersigned, personally appeared _____

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the _____

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

SECTION 69.82

BLOCK 4

LOT 5

COUNTY OR TOWN Mt Kisco

RETURN BY MAIL TO:

JOHN SULLIVAN ESQ
2649 Strang Blvd
Yorktown Heights, NY 10598

PROPERTY INFORMATION

PREP

1. Property Location
STREET NUMBER AND NAME: 17 GROVE STREET
CITY OR TOWN: MOUNT KISCO
ZIP CODE: 10549

2. Buyer Name
LAST NAME/COMPANY: COX
FIRST NAME: MATTHEW
LAST NAME/COMPANY: LEVADAS
FIRST NAME: ANASTASI

3. Tax Billing Address
Indicate where future Tax Bills are to be sent (if other than buyer address at bottom of form)
STREET NUMBER AND NAME: _____
CITY OR TOWN: _____
STATE: _____
ZIP CODE: _____

4. Indicate the number of Assessment Roll parcels transferred on the deed
of Parcels: 1 OR Part of a Parcel: ☐ (Only if Part of a Parcel) Check as they apply:
4A. Planning Board with Subdivision Authority Exempt ☐
4B. Subdivision Approval was Required for Transfer ☐
4C. Parcel Approved for Subdivision with Map Provided ☐

5. Deed Property Size
FRONT FEET: 50.00 X DEPTH: 160.00 ACRES: 0.00

6. Seller Name
LAST NAME/COMPANY: WEITZ
FIRST NAME: DOUGLAS
LAST NAME/COMPANY: WEITZ
FIRST NAME: SHASTA

7. Select the description which most accurately describes the use of the property at the time of sale:
A. One Family Residential
Check the boxes below as they apply:
8. Ownership Type is Condominium ☐
9. New Construction on a Vacant Land ☐
10A. Property Located within an Agricultural District ☐
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date: 10/20/2020
12. Date of Sale/Transfer: 12/28/2020
13. Full Sale Price: 810,000.00
(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale: 0.00

15. Check one or more of these conditions as applicable to transfer:
☐ A. Sale Between Relatives or Former Relatives
☐ B. Sale between Related Companies or Partners in Business
☐ C. One of the Buyers is also a Seller
☐ D. Buyer or Seller is Government Agency or Lending Institution
☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)
☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)
☐ G. Significant Change in Property Between Taxable Status and Sale Dates
☐ H. Sale of Business is Included in Sale Price
☒ I. Other Unusual Factors Affecting Sale Price (Specify Below)
Comment(s) on Condition: _____

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YY): 20
17. Total Assessed Value: 62,000.00
18. Property Class: 210
19. School District Name: Bedford
20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional Identifier(s))
69.82-4-5

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE
Date: 12/28/2020
BUYER SIGNATURE
Date: 12/28/2020

BUYER CONTACT INFORMATION
(Prior information for the buyer. Note: If buyer is L.L.C. society, association, corporation, joint stock, company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

Cox Matthew
LAST NAME: COX FIRST NAME: MATTHEW
AREA CODE: 747 TELEPHONE NUMBER (212-0000000): 726-2164
37 Grove Street
STREET NUMBER: 37 STREET NAME: Grove Street
MT Kisco NY 10549
CITY OR TOWN: MT Kisco STATE: NY ZIP CODE: 10549

BUYER'S ATTORNEY
Sullivan John
LAST NAME: SULLIVAN FIRST NAME: JOHN
914 6927300
AREA CODE: 914 TELEPHONE NUMBER (212-0000000): 6927300

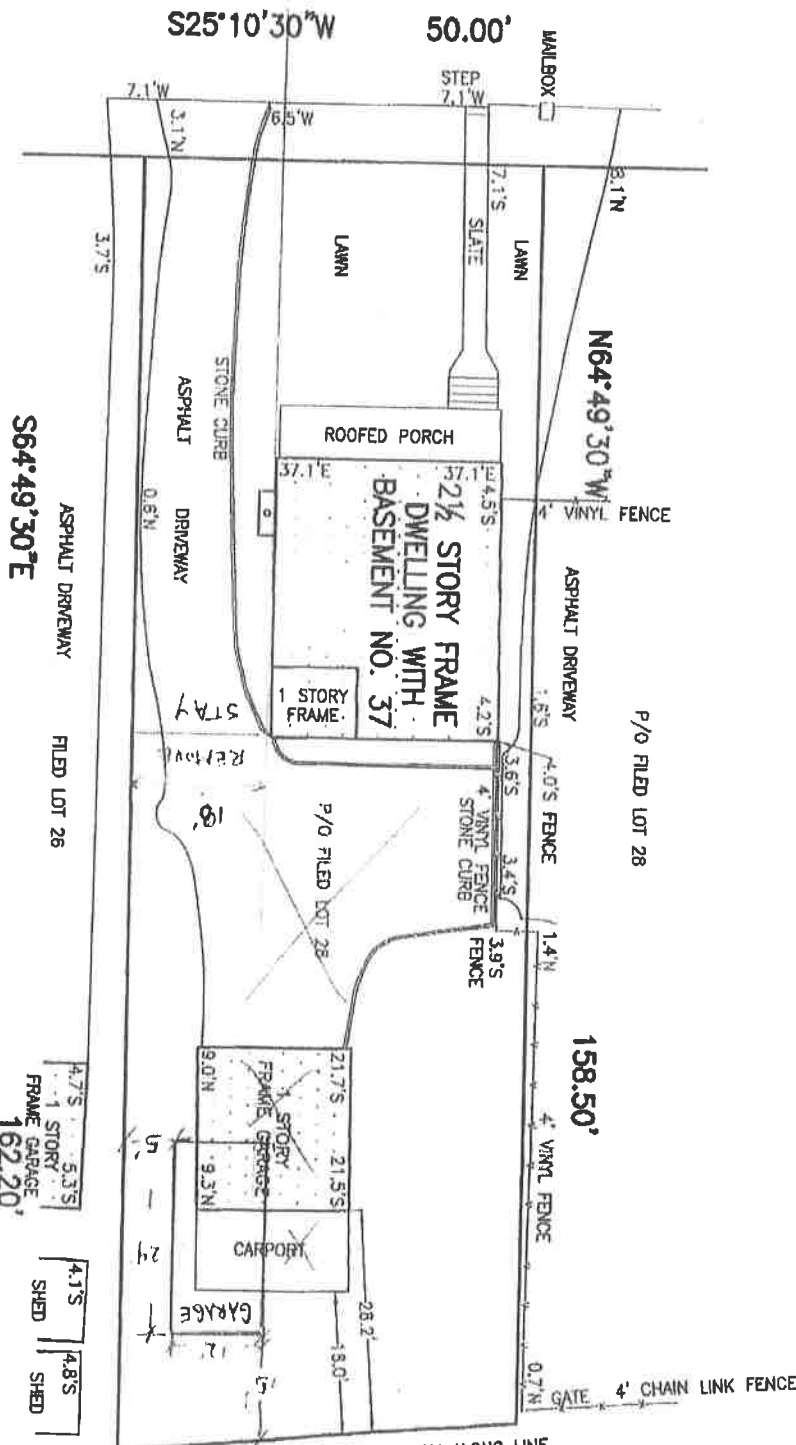
BEING THE SOUTHERLY PART OF LOT NUMBER 28 ON A CERTAIN MAP ENTITLED, "MAP OF SUBDIVISION OF PARTY OF THE ESTATE OF THE LATE DAVID MOSER AT MOUNT KISCO, N.Y.," MADE BY FRED S. ODELL, C.E., AS FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF WESTCHESTER (DIVISION OF LAND RECORDS) AS MAP NO. 924.

GROVE STREET



CERTIFIED TO:

THOROUGHRED TITLE SERVICES, LLC
RADIAN TITLE INSURANCE INC.
MATTHEW COX AND ANASTASIA LEMAKS
JOHN SULLIVAN, ESQ.
AMALGAMATED BANK, ISACA ATMA
TAX MAP
SECTION 89.82
BLOCK 4
LOT 5



CENTER LINE OF STONE WALL GENERALLY ALONG LINE

N20°56'35"E 50.14'

N/F WILLIAM MOSEMAN

NOTES:

1. THIS SURVEY WAS DONE FOR THOROUGHRED TITLE SERVICES, LLC AND IS INTENDED TO BE USED FOR TITLE PURPOSES ONLY.
2. NO GUARANTEE IS IMPLIED BY THIS MAP AS TO THE EXISTENCE OR NONEXISTENCE OF ANY EASEMENTS OF RECORD THAT WOULD AFFECT SUBJECT PROPERTY, UNLESS SURVEYOR HAS BEEN FURNISHED WITH A COMPLETE COPY OF TITLE REPORT.
3. THIS MAP WAS MADE AT A SCALE OF 1" = 15' WHEN ORIGINALLY DRAWN.
4. PROPERTY CORNER MONUMENTS WERE NOT PLACED AS PART OF THIS SURVEY.
5. IT IS A VIOLATION OF THE STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR TO ALTER AN ITEM IN ANY WAY.
6. THIS IS TO CERTIFY THAT THERE ARE NO VISIBLE STREAMS NOR NATURAL WATER COURSES IN THE PROPERTY EXCEPT AS SHOWN ON THIS SURVEY.
7. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITHIN AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
8. THIS SURVEY IS NOT INTENDED TO BE USED FOR NEW CONSTRUCTION.

Zoning Board of Appeals
Village/Town of Mount Kisco

FEB 22 2022

RECEIVED

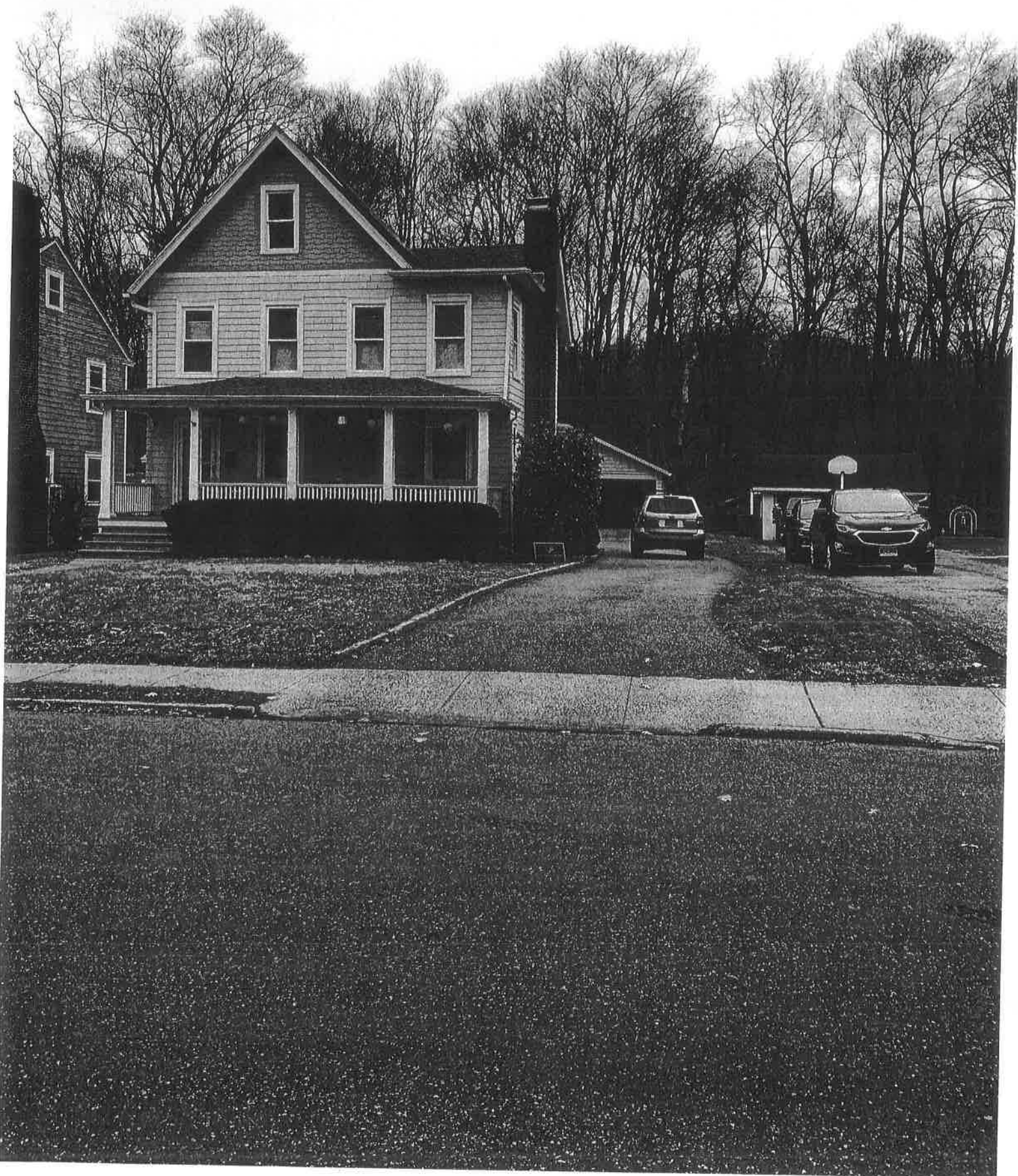
ALL COUNTY LAND SURVEYOR PC

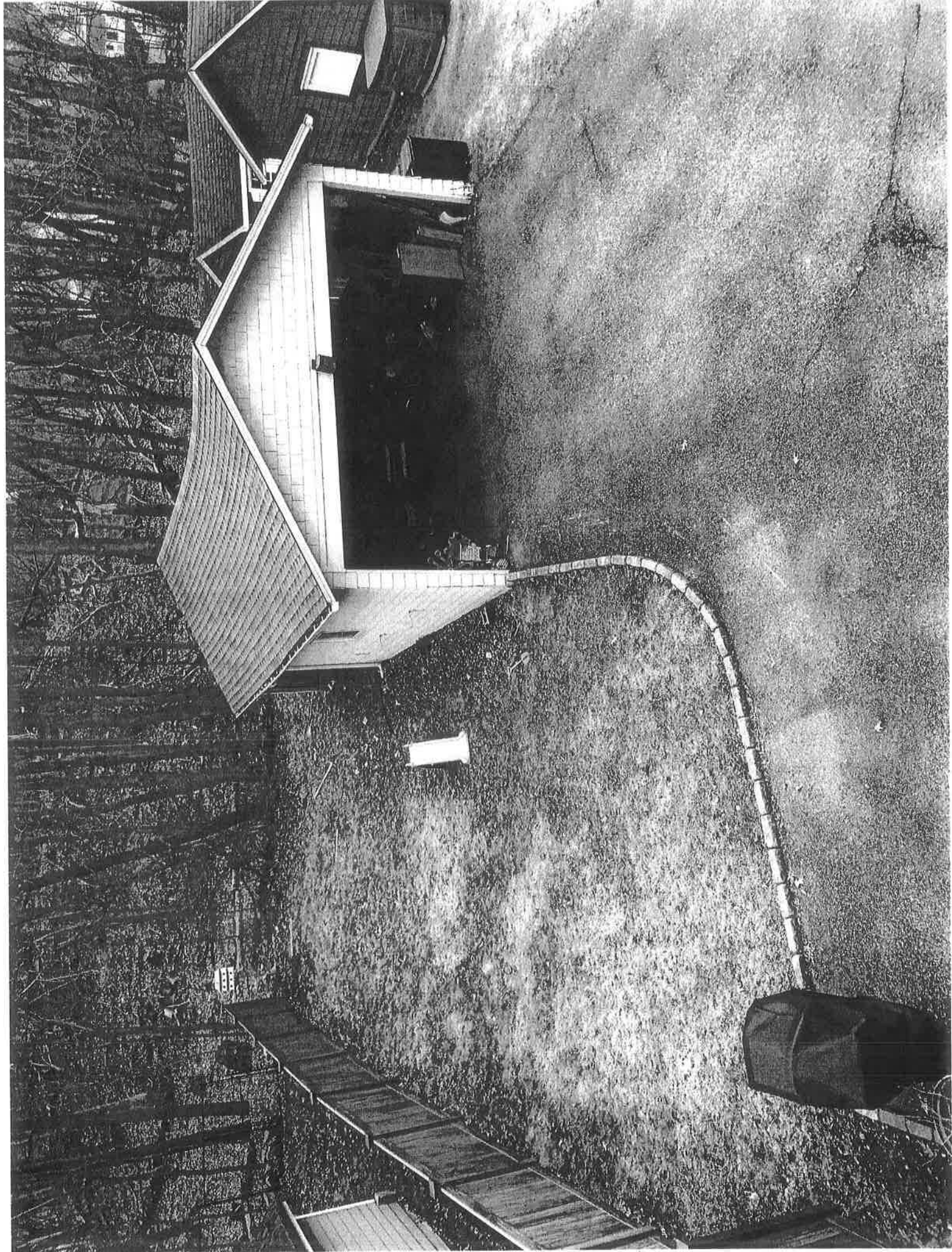
DATE SURVEYED: NOVEMBER 16, 2020

DONAL A. O'BROCKLEY P.L.S.
167-17 45TH AVENUE
FLUSHING, NY 11358
TEL 718-358-8114
FAX 718-353-0938
EMAIL: DOBROCKLEY@AQS.NY.COM

TITLE No. JTS44046
STATE OF NEW YORK





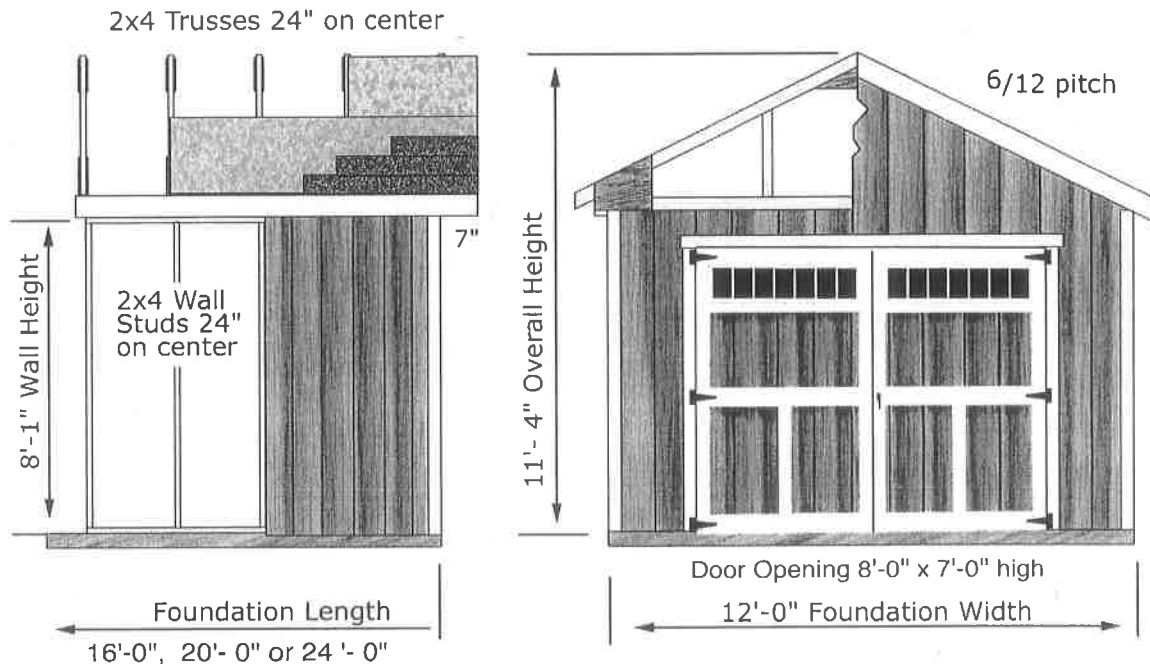






Before you order our kit or begin construction, obtain a building permit. If additional documents are required contact questions@barnkits.com.

Dover Elevations



Floor: Sold optionally

Wall Framing: 2x4 Construction with 24" on center stud spacing, with top wall plate and tie plates and single treated bottom plate.

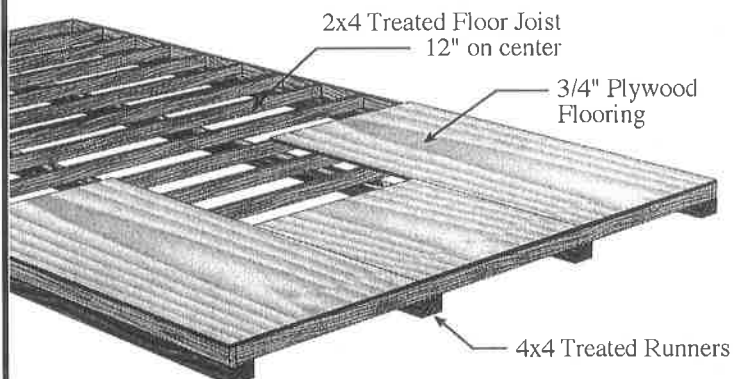
Siding: Louisiana-Pacific 8" o.c. groove 'Smart Panel' primed with 50 year warranty, 5 year labor replacement.

Roof System: 2x4 trusses spaced 24" on center, (see engineered truss drawing for load ratings). 7/16" OSB roof sheathing. *Shingles by owner.*

Primed Trim: White pine trim for gables, perimeter of door opening, exterior corners and side wall fascia.

Pre-Built Doors: Pre-built doors with a 2x4 frame covered with LP 'Smart Panel' siding. Primed white pine trim installed over siding. Two transom windows. Lockable door handle with key, heavy duty 6" door hinges and barrel bolts to secure doors when closed.

Hardware: Nails for wall framing and trim, metal hurricane hangers for trusses included.



Optional Sturdy-built Floor System:

2x4 treated floor joist spaced 12" on center covered with 3/4" plywood, *not treated*, installed over 4x4 treated runners.

12'x16' Foundation Size	12'-0" x 16'-0"
12'x20' Foundation Size	12'-0" x 20'-0"
12'x24' Foundation Size	12'-0" x 24'-0"

Job	Truss	Truss Type	Qty	Ply	Job Reference (optional)
PER16912	T1	KINGPOST	1	1	

7.630 s Jul 9 2015 MiTek Industries, Inc. Wed Jun 29 16:00 2016 Page 1
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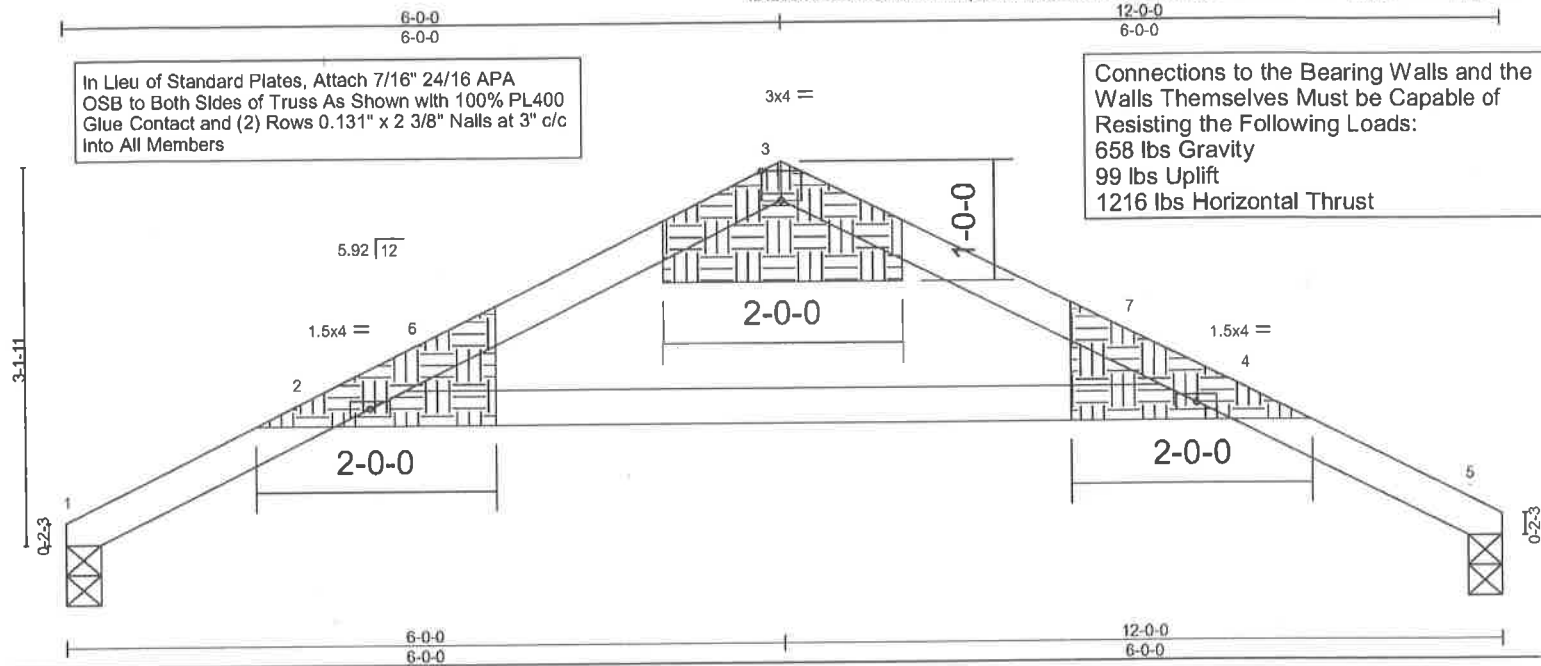


Plate Offsets (X,Y)-- [3:0-2-0,Edge]

LOADING (psf)	SPACING-	CSI.	DEFL.	in	(loc)	I/defl	L/d	PLATES	GRIP
TCLL 46.2	2-0-0	TC 0.56	Vert(LL)	-0.18	2-3	>776	240	MT20	197/144
(Ground Snow=60.0)	Plate Grip DOL 1.15	BC 0.00	Vert(CT)	-0.19	2-3	>734	180		
TCDL 10.0	Lumber DOL 1.15	WB 0.79	Horz(CT)	0.00		n/a	n/a		
BCLL 0.0 *	Rep Stress Incr YES	(Matrix)							
BCDL 10.0	Code IRC2015/TPI2014								
								Weight: 24 lb	FT = 20%

LUMBER-

TOP CHORD 2x4 SPF No.2
WEBS 2x4 SPF No.2

BRACING-

TOP CHORD
BOT CHORD

Structural wood sheathing directly applied or 4-8-13 oc purlins.
Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS. (lb/size) 1=658/0-3-8 (min. 0-1-8), 5=658/0-3-8 (min. 0-1-8)
Max Horz 1=1223(LC 1), 5=-1223(LC 1)
Max Uplift 1=-99(LC 10), 5=-99(LC 10)

FORCES. (lb) - Maximum Compression/Maximum Tension
TOP CHORD 1-2=-1377/213, 2-6=-512/54, 3-6=-403/67, 3-7=-403/67, 4-7=-512/54, 4-5=-1377/213
WEBS 2-4=-862/183

NOTES-

- 1) Wind: ASCE 7-10; Vult=130mph (3-second gust) Vasd=103mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; B=45ft; L=24ft; eave=4ft; Cat. II; Exp B; enclosed; MWFRS (directional); Lumber DOL=1.60 plate grip DOL=1.60
- 2) TCLL: ASCE 7-10; Pg= 60.0 psf (ground snow); Pf=46.2 psf (flat roof snow); Category II; Exp B; Partially Exp.; Ct=1.1
- 3) Unbalanced snow loads have been considered for this design.
- 4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 2-0-0 wide will fit between the bottom chord and any other members.
- 5) Bearing at joint(s) 1, 5 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.
- 6) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 99 lb uplift at joint 1 and 99 lb uplift at joint 5.
- 7) Non Standard bearing condition. Review required.
- 8) This truss is designed in accordance with the 2015 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
- 9) "Pin all pitchbreaks" Member end fixity model was used in the analysis and design of this truss.

LOAD CASE(S) Standard



Best Barns model: DOVER
12 ft. wide x 24 ft. long

Manufactured by:
Reynolds Building Systems, Inc.
205 Arlington Drive
Greenville, PA 16125
phone: 800-245-1577
fax: 724-646-0772

Common Foundation Cross Sections

This document illustrates common foundation types which can be used for construction of Best Barns 12 ft. wide structures. Alteration may be necessary to conform to homeowners intended use and or permitting requirements.

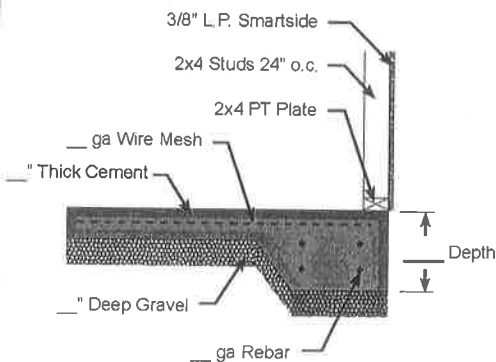
Drawings not to scale.

Instructions:

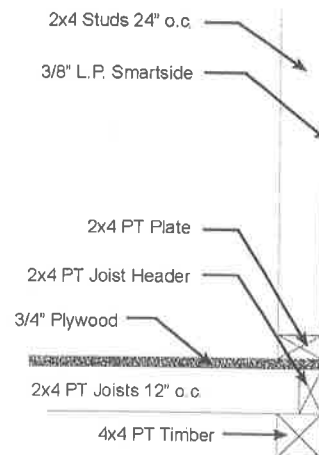
Check appropriate foundation cross section and provide specifications as necessary.

Homeowner may also design and draw in space provided for custom foundation type.

☒ Concrete Slab



☐ Wood Floor



☐ Homeowner Design

Best Barns model: DOVER
12 ft. wide x 24 ft. long

Manufactured by:
Reynolds Building Systems, Inc.
205 Arlington Drive
Greenville, PA 16125
phone: 800-245-1577
fax: 724-646-0772

Truss & Wall Cross Section

Top of wall inclusive of wall
framing and truss cross sections.

Drawing not to scale.

Instructions:

Homeowner may provide
additional information as
appropriate.

Notes:

Refer to installation manual for
further detail.

