

May ZBA
Rye Civic League Notes

May 5 Meeting Draft Minutes [CLICK HERE](#)
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Highlights

1. 7 cases on the agenda. 1 continued. 6 received all relief requested
2. 2 cases presented by Attorney Tim Phoenix ; 1 by Monika Kaiser; 3 by homeowners
3. 5 applications granted relief by unanimous decision of the board. 1 case had conditions and was not granted by unanimous vote.
4. 6 cases representing 29 requests for relief from specific sections of the ordinance
5. Starting this month, we will tally the relief granted by section number to identify patterns that may emerge

May 5 2021

Section	Description	Count
§190-2.3.C(1)	Single Residence: There shall be behind every building a rear yard having a minimum depth of 1/4 of the depth of the lot or 30 feet, whichever is the less.	1
§190-2.3.C(2)	Single Residence: There shall be on each side of every building a side yard having a minimum width of 20 feet	1
§190-2.3.C(3)	Single Residence: There shall be in front of every building a front yard having a minimum depth of 40 feet,	1
§190-2.3.C(5)	Single Residence: No dwelling shall occupy more than 15% of its lot	1
§190-2.4.C(1)	General Residence: There shall be behind every building a rear yard having a minimum depth of 1/4 of the depth of the lot or 30 feet, whichever is the less.	1
§190-3.1.H.2(c)	Buffer restriction: Use for permitted uses as long as there is no surface alteration	1
§190-3.1.H.2(f)	Buffer restriction: Special exception	1
§190-6.3.B	Nonconforming buildings and structures: destruction	1
§190-3.4.D	Within the Coastal Area District, no building or structure shall exceed 28 feet in height as measured from existing grade	1
§190-3.4.E	Within the Coastal Area District, no dwelling shall occupy more than 15% of its lot	1
§190-2.4.C(2)	General Residence: There shall be on each side of every building a side yard having a minimum width of 20 feet	2
§190-2.4.C(3)	General Residence: There shall be in front of every building a front yard having a minimum depth of 30 feet,	2
§190-2.4.C(5)	General Residence: No dwelling shall occupy more than 30% of its lot	2
§190-5.3.C.3	Condominium conversions: The off-street parking requirements of the Town of Rye existing as of the date of the request for condominium conversion must be met	2

Section	Description	Count
§190-3.1.H.2(a)	Buffer restriction: Surface alteration by the addition of fill, excavation or dredging is prohibited	3
§190-3.1.H.2(g)	Buffer restriction: Uses not listed are prohibited	3
§190-6.3.A	Nonconforming buildings and structures: expansion	5
Grand Total		29

Details

1. 1367 Ocean Blvd: All requested variances granted 3 – 2

§190-2.4.C(1) for a house 5.1' and a paver walkway 1.2' from the rear boundary where 30' is required

§190-2.4.C(2) for a 2nd floor deck 11.0' and a garage overhang 15.0' from the side boundary where 20' is required; from

§190-2.4.C(3) for a garage overhang 1.3', a garage/connector overhang 7.2' and 4 parking spaces within 10ft of the Highland Park Ave front boundary where 30' is required.

§190-3.4 D and §190-2.4.C(5) for dwelling coverage of 50.5% where 15% is permitted; for total impervious coverage of 56.3% where 30% is permitted.

§190-6.3A/B for the expansion of a nonconforming building.

§190-3.1.H.2(a) and (g) for a paver walkway 56.0 and a garage 61.0' from the wetland where 100' is required

§190-5.0.(C) for parking spaces within the front setback.

2. 24 Maple Avenue: Variance granted 5-0

§190-3.1. H.(2)(a) and (g) for a shed 33' from the wetlands where 75' is permitted.

3. 797 Ocean Blvd: Variances granted 5-0

§190-6.3 A for expansion of non-conforming structure

§190-3.1.H.(2)(a),(c),(f) and (g) for an A/C condenser 24'7.5" and generator 23'8" from the wetlands where 75' is permitted; for deck 20' +/- from the wetlands and steps 18.5' +/- from the wetlands; from

§190-2.4C(3) for stairs for a deck 25' from the front yard boundary; from

§190-2.4C(2) for a deck 12.1' from the side yard boundary where 30' is required. Property is in the General Residence and

4. 193 Locke Road: Variances granted 5-0

§190-6.3 A for expansion of a non-conforming structure.

§190-2.3C(1) for a deck 20' from the rear boundary where 30' is required. Property is in

5. 51 Central Road: Variances granted 5-0

§190-6.3 A for expansion from non-conforming structure

§190-2.3.C(2) for a generator 10' and for a garage 2'+/- from the side boundary where 20' is required.

§190-2.3. C (3) for a garage 24' from the Meadow Lane front boundary where 30' is required.

§190-2.3(C)(5) for dwelling coverage 30% +/- where 15% is permitted

§190-500.3 (C) for parking in the front yard setback. Property in the Single Residence District. Case #17-2021.

6. 0 Cable Road, Tax Map 8.4, Lots 76-1 and 76-2 : Variance granted 5-0

§190-6.3A for expansion of a non-conforming structure.

§190-2.4C(5) and §190-3.4E for dwelling coverage of 18.6% where 15% is permitted.

7. 150 Lafayette Road Continued

§190-3.1.H(2)(b) and (c) for construction of replacement septic and proposed parking within the 100' wetlands.

§190-3.1.H(2)(a) for surface alteration within the wetlands.