

The undersigned hereby appeals from a decision of the superintendent of buildings filed on October 3, 2011

1. Premises Affected:

- (a) street and number: Lawrence Hospital Center, 55 Palmer Avenue, Bronxville, NY 10708
- (b) lot, block and section number on village tax map. Lots 4 & 5, Block 5, Section 2

2. Present Zoning of Premises: Central Business A District

3. Owner's Name and Address: Lawrence Hospital Center, 55 Palmer Avenue, Bronxville, NY 10708

4. When did the present owner acquire title? Lawrence Hospital was incorporated as a hospital in 1906 (the certificate of incorporation was filed on October 18, 1906). Upon information and belief, Lawrence Hospital, however, did not open until 1909.

5. Was the title acquired by purchase? (Yes or No) The building/land was donated by Willam VanDuzer Lawrence prior to 1909 for the purposes of forming a hospital as Mr. Lawrence thought it was of great importance to have a hospital to serve the community's needs.

6. If so, from whom? See above

7. If the title was not acquired by purchase, how was it acquired and from whom? See above.

8. Do you contend that the superintendent of buildings has not correctly interpreted the provisions of the ordinance? (Yes or No) Yes, with respect to Zoning Code §§ 310-14.D(4), 310-14.D(2) and 310-42.I(4)(b)

9. If so, which ordinance and which provision? See above.

10. Are you seeking a variance from the provisions of the ordinance? (Yes or No) Yes

11. If so, from which ordinance, from which provision thereof and to what extent? If the Zoning Board does not overturn the superintendent of buildings' interpretation with respect to Zoning Code §§ 310-14.D(4), 310-14.D(2) and 310-42.I(4)(b), then, in the alternative, Lawrence Hospital seeks a area variances. In addition, Lawrence Hospital seeks area variances from the following additional provisions: Zoning Code §§ 310-42.I(3) and 310-25.C. The extent of the variances sought are detailed in the letter accompanying the instant application.

12. If you are seeking a variance from the provisions of the ordinance, do you contend that the effect of the ordinance on the property to which this appeal pertains is different from its effect on other properties in the same zoning district? (Yes or No) Yes, but this is not a relevant factor in considering an application for an area variance.

13. If so, in what respect and what is the cause of the difference? The erroneous application of standards not relevant to a Hospital.

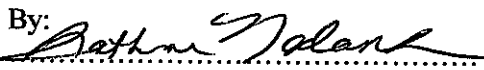
14. Does the owner of the premises involved in this application own any contiguous property? (Yes or No) No.

15. If so, give street address and lot, block and section number of the contiguous property. N/a

16. Attach hereto a copy of the decision of the superintendent of buildings from which you are appealing and seven sets of drawings or blueprints (at least 8½ x 11 inches) showing clearly the present situation and what it is you want to do.

Dated: October 3, 2011

SILVERBERG ZALANTIS LLP

By: 
Signature of Appellant

220 White Plains Road, 5th Floor
Tarrytown, New York 10591

Address of Appellant
(Typed or Printed)

SILVERBERG ZALANTIS LLP

By: Katherine Zalantis
Name of Appellant
(Typed or Printed)

Attorney

Relationship of Appellant to Owner
(Typed or Printed)

NOTE:

Before your appeal can be set down for hearing, all questions on this form must be answered clearly. You may, if you wish, insert additional information on the other side; but it is not necessary and the failure to do so will not prejudice your appeal. There will be a public hearing on your appeal, at which you will be given an opportunity to present evidence and arguments.

If you are seeking a variance, you cannot obtain it merely by answering the foregoing questions. You must prove that you are entitled to it at the public hearing.

If a variance is requested, on the reverse of the form, please state reason why variance should be granted. Include in your statement a detailed description of matters claimed to constitute practical difficulty or hardship.

Village of Bronxville
200 Pondfield Road
Bronxville, New York 10708

October 3, 2011

Lillibridge
5308 West Plano Parkway
Plano, TEXAS 75093-4821
Attention: Tim Fecker, VP of Architecture

Proposed Lawrence Hospital Cancer Center
Site Development and Special Permit Application
Location: 55 Palmer Avenue
Section: 002; Block: 005; Lot: 005
Docket Number: DOC 016-10

Dear Mr. Taylor:

This will confirm receipt of the revised zoning information for the latest site plan/special permit application shown on submittal drawings dated August 18, 2011, and supplemented September 26, 2011 with Figures 1 & 2 showing setback distances. Your site development application for the above location has been reviewed and your application can not be approved at this time for the reasons indicated below. The following zoning variances will be required.

ZONING REVIEW

Exceeds maximum gross floor area at principal street level, Section 310-14.D(2) (Required 3,500 Sq ft, Proposed 10,844 Sq. ft at new addition, 58,794 sq ft for entire hospital)

Exceed maximum street frontage, Section 310-14.D(4) (Required 35 Feet, Proposed Existing east facade projection increased by approximately 16.4 feet along Parkway Road to 263.5 feet.)

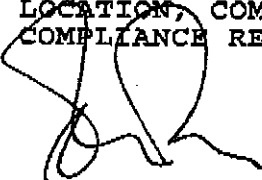
Insufficient front yard, Section 310-42.I(4)(b) (Required Average distance of 19 feet with a minimum distance of 6 feet required, Proposed Pondfield Road West facade average 18.86 feet, minimum distance 2.4 feet; Parkway Road facade average 15.34 feet, minimum distance 3.2 feet. Setback for addition walls only average 9.94 feet, minimum distance of 2.4 feet at Pondfield Road West and 3.2 feet along Parkway Road at nearest point)

Exceed maximum FAR, Section 310-42.I(3) (Required 1.5 for hospitals, Proposed 2.25 including new addition, current FAR 2.01 for entire hospital)

Non-conforming building may not be altered, enlarged or rebuilt in such away as to increase the degree of non-conformity, Section 310-25.C.

A ZONING BOARD APPLICATION HAS BEEN INCLUDED FOR YOUR USE. PLANS

HAVE NOT BEEN REVIEWED FOR BUILDING CODE COMPLIANCE, PLANS WILL BE REVIEWED FOR BUILDING CODE UPON APPROVAL BY Z.B.A. AND PLANNING BOARD. ARCHITECT SHOULD VERIFY THAT PROPOSED STRUCTURE MEETS NYS BUILDING CODE REQUIREMENTS AS THEY APPLY TO BUILDING LOCATION, COMPLIANCE WITH BOTH BUILDING AND ZONING CODE COMPLIANCE REQUIRED.



Vincent Pici, P.E.
Superintendent of Buildings

cc. Donald Henderson, Planning Board Chairman
James Staudt, Planning Board Counsel
Anna Longobardo, Design Review Committee Chair
Silverberg Zalantis, Applicants Counsel
Carter Ledyard, Milburn, Opponents Counsel
Marilyn Mohammed, FP Clarke Associates