

## **Attachment B**

### **Variance Descriptions**

The Village has identified five variances relevant to this project. Two of these required variances relate to Section 310-14.D, which are the area, bulk and height controls for the Central A Business District. Two of these variances relate to Section 310-310-42.I, which are specific requirements for a specially permitted hospital use, and one required variance relates to Section 310-25, *Non-Conforming Buildings and Uses*.

*1. Code Section 310-14.D(2) Floor area. No single use shall occupy more than 3,500 gross square feet of floor area on the principal street level. Such limit may be increased by special permit of the Planning Board in accordance with standards of Article VII of this chapter to a gross square footage not exceeding 5,000 square feet.*

The existing first floor building footprint is 47,905 SF. The proposed addition has a footprint of 10,844 SF, resulting in a total footprint of 58,749 SF, which will require an area variance to allow an additional 53,749 SF over the maximum of 5,000 SF that the Planning Board can allow.

*2. Code Section 310-14.D.(4). Street frontage. Principal permitted uses shall occupy no more than 35 linear feet of street frontage along any street measured at the street level. Such limit may be increased by special permit of the Planning Board in accordance with the standards of Article VII of this chapter to a street frontage not to exceed 50 linear feet.*

The existing building street frontage along Parkway Road is 293 feet. The proposed increase of building frontage will be 16.4 feet, for a total of 309.4 feet. The Zoning Review, performed by the Superintendent, dated October 3, 2011, identified the proposed street frontage total to be 263.5 feet.

*3. Code Section 310-25.C. Any building (other than a sign), the use of which is in conformity with the regulations set forth in this chapter, but which building does not conform to one or more of the requirements hereof other than the use requirements, may be altered, enlarged or rebuilt, provided that such building shall not be altered, enlarged or rebuilt so as to increase the degree of nonconformity thereof.*

*4. Code Section 310-42.I(3) Floor area ratio [for a hospital use]. The floor area ratio of all buildings on any lot occupied by a hospital and its customary accessory uses shall not exceed 1.5. Floor area calculations shall include all basement areas.*

The existing hospital has a floor area of 309,570 SF, which results in a Floor Area Ratio (FAR) of 2.01. With the proposed addition, the hospital floor area becomes 346,260, which results in a FAR of 2.25, which will require an area variance to allow additional FAR of 0.75 over the maximum permitted FAR of 1.5 for a specially permitted hospital use.

5. **Code Section 310-42.1(4)(b)** *For any such building exceeding 42 feet in height, the walls of which made an angle of less than 45° with a street line, shall be distant from such street line an average distance of 19 feet and no part of such building shall be nearer than six feet to a street line.*

The proposed project increases some existing non-conformities, including the maximum floor area at street level, floor frontage and the maximum FAR for a hospital use in addition to yard setbacks based upon maximum building height limits. Therefore, the applicant requests a variance to allow these increases in nonconformities. As detailed in the separate letter from Silverberg Zalantis LLP addressed to the ZBA, dated October 4, 2011 and for the reasons set forth therein variances may not be required with respect to items 1, 2, and 5 above. It will, however, be ultimately up to the Village of Bronxville Zoning Board of Appeals to determine if such variances are required.