



TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
17 Bedford Road
Armonk, New York 10504-1898

PLANNING DEPARTMENT
Adam R. Kaufman, AICP
Director of Planning

Telephone: (914) 273-3542
Fax: (914) 273-3554
www.northcastleny.com

Banksville Rezoning Questions & Answers

Q. What properties are proposed to be rezoned?

A. Approximately 14.7 acres (13 parcels) located along the northerly side of Banksville Avenue, adjacent to the Town of Greenwich, Connecticut, is proposed to be changed from its present GB General Business District classification to R-1/2A One-Family Residence District. In addition, Finch's Market is proposed to be rezoned from its present GB General Business District classification to CB-B Central Business B District.

Q. Why is the Town proposing the rezoning of Banksville Avenue?

A. The Comprehensive Town Plan Map recommends that the area currently zoned GB along the northerly side of Banksville Avenue, east of Bedford Banksville Road, be rezoned for residential use. Specifically, the Plan recommends limiting retail and service business development to existing retail centers (Bedford Banksville Road). In addition, the Plan notes that the amount of land zoned for business development in the Eastern District (where Banksville is located) far exceeds the amount of land that is expected to be needed by its future population to serve their convenience shopping needs.

Based upon the planning goals, policies, and recommendations in the Comprehensive Plan Update, the Town Plan Map graphically depicts a recommended land use pattern for the entire Town. Within the Banksville hamlet specifically, the Town Plan Map shows "Retail and Service Business" as the recommended land use for the property at the northeast corner of Bedford-Banksville Road and Banksville Avenue (Finch's), and "Suburban Residential Density (1-2 dwelling units per acre) as the recommended land use for the remainder of the Study Area.

Q. I currently have a business on my property that will not be permitted after the rezoning, will I be able to continue the business after the property is placed into the R-1/2A Zone?

A. Nonconforming uses may be continued. However, the nonconforming use can't be enlarged, increased or intensified or extended to occupy a greater area of land (see Section 213-53 of the Town Code).

Q. I currently have a business on my property that will not be permitted after the rezoning, will I be able to sell my business/property after the property is placed into the R-1/2A Zone?

A. As long as the nonconforming use continues, the use can continue even in the case of a change in ownership. However, the use can't be enlarged, increased or intensified or extended to occupy a greater area of land (see Section 213-53 of the Town Code).

Q. I currently have a business on my property that will not be permitted after the rezoning, I know that I can continue my nonconforming use, but can I change my nonconforming use to another nonconforming use (e.g. can I change my retail business to a restaurant)?

A. No. No nonconforming use of land can be changed to another nonconforming use.

Q. I currently have a business on my property that will not be permitted after the rezoning, I know that I can continue my nonconforming use, but if my nonconforming use stops, can I start the nonconforming use up again?

A. If the nonconforming use ceases for any reason for more than six months, or is changed to a conforming use, any future use of the land must be in conformity with the permitted uses in the R-1/2A Zoning District.

Q. If a property is rezoned to R-1/2A (one-half acre lots) and my property is less than ½ acre can I still build?

A. Yes, if the lot was legally created the property is exempt from the change in lot area requirements. Of the 14 properties proposed to be rezoned, only three properties are less than ½ acre 16 Banksville Ave (0.25 acres), 24 Banksville Ave (0.47) and 26 Banksville Ave. (0.41) (see Section 265-a of Town Law).

Q. What will happen to Finch's Market?

A. The property where Finch's Market is located, at the intersection of Banksville Avenue and Bedford Banksville Road, is also currently zoned GB. It is proposed that this parcel be rezoned Commercial Business – Banksville (CB-B), which is the same zoning classification as presently applied to other properties along Bedford Banksville Road. The existing market is a permitted principal use in both the GB and CB-B Zoning Districts.