

AMENDED 6.27.24



Village of **Croton-on-Hudson**

Engineering Department
Stanley H. Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson, NY 10520-2501
Tel: 914-271-4783
engineering@crotononhudson-ny.gov

Zoning Board of Appeals

RECEIVED Application (ZBA)

MAY 23 2024

Engineers Office

(Form # Eng-§230-160)

(Revised 06 2017)

Application Date:

5/23/24

Application #:

20240248

Type of Application: ☒ Area ☐ Special Permit ☐ Appeal ☐ Interpretation ☐ Use ☐ Fence

NYS SEOR (§617) Actions:

- ☒ Type I - Submit long EAF and CAF
☒ Type II - Not subject to SEQR (area variances for 1, 2 and 3 family homes and lot line variances and individual setback variances) EAF & CAF not required
☐ Unlisted - Submit short EAF (long EAF may be required) and CAF

Other Involved Agencies: ☐ Village Board ☐ Planning Board ☐ Other:

Property Information:

Section: 79.13

Block: 4

Lot: 10

Property Location (street address):

Zoning District ☐ RA5 ☒ RA9 ☐ RA25 ☐ RA40 ☐ RB (2 family) ☐ RC Multiple Residence
Limited Office ☐ O-1 ☐ O-2 ☐ Riverside ☐ C-1R(A) ☐ C-1R(B)
Commercial ☐ C1 Central ☐ C2 General ☐ Gateway overlay
Other ☐ LI Light Industrial ☐ WC Waterfront ☐ WD Waterfront Development

Current Use: ☒ 1 Family ☐ 2 Family ☐ 3 Family ☐ Multi Family ☐ Vacant Lot
☐ Commercial/Other (description):

Applicant Information: (if other than owner, supply a letter from the property owner authorizing application)

☒ Owner ☐ Tenant ☐ Contractor/Vendor
☐ Attorney ☐ Engineer ☐ Architect ☐ Other:

Last Name: VARA First Name: MICHAEL & LAURIE MI:

Company:

Address: 34 CLEVELAND DRIVE

Address:

Phone #: Cell #: E-mail:

Property Owner:

☒ Same As Above

Last Name: First Name: MI:

Company:

Address:

Address:

Phone #: Cell #: E-mail:

General Application requirements:

- Forms & fees: This completed application plus seven (7) copies (total of 8) plus eight (8) copies of the supporting documentation shall be submitted by the applicant, accompanied by the applicable fee. Electronic version (pdf, jpeg, other) of all documents must be submitted with the application. Appropriate photographs of the property and surrounding properties should be submitted.
- Content of submission: Application shall fully set forth the circumstances of the case, accompanied by a proposed plan showing the size and location of the lot, a site plan showing location of all buildings and proposed facilities, including access drives, parking areas, landscaping and streets. Each application shall refer to the specific provision

- of the chapter and the interpretation that is claimed, details of the variance that is applied for and the grounds on which it is claimed that the same should be granted, or the use for which the special permit is sought.
- Drawings, elevation plans, and surveys must reflect what is existing and what is proposed and **must be submitted at the time of application**. Failure to do so may result in your application being deemed incomplete.
 - If a recent sale of the property has taken place, please submit proof of ownership.
 - If you are in contract to purchase, please submit a **notarized letter** from the current owner stating that the applicant has his/her permission to file on his/her behalf and applicant is not the owner.
 - Applications **must** be submitted **21 days** prior to the date of the hearing in order to meet **required** deadline dates for Legal Noticing. ZBA meetings/hearings are usually held on the 2nd Wednesday of each month at 8 PM.
 - If the application is approved by the Zoning Board of Appeals and a building permit is needed, a separate application for the building permit will need to be submitted.
 - Appeal: shall be taken within 60 days after the filing of any order, requirement, decision, interpretation or determination by filing with the administrative official and the ZBA, a notice of appeal specifying the grounds of appeal and relief sought.
 - Stay upon appeal: an appeal shall stay all proceedings in furtherance of the action appealed from, unless it is determined that the stay would cause imminent peril to life or property, in which case, proceedings shall not be appealed other than by a restraining order which may be granted by the ZBA or by a court of record on application.

1. Area Variances

Village Code Section(s): _____

Description of variance requested:

*Request for height and side yard
variance for an existing garage AND NEW REAR DOORNER*

(can use separate paper if necessary)

	Required setbacks:	Proposed Setbacks:	Variance Requested:
Side Yard	<i>5'</i>	<i>4'-18"</i>	<i>2"</i>
Total Side Yard			
Front Yard			
Rear Yard			
<i>Height</i>	<i>15'</i>	<i>21'</i>	<i>6'</i>

The ZBA shall take into consideration 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 a grant. To be considered:

- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties;
- Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
- Whether the requested area variance is substantial;
- Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
- Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA but shall not necessarily preclude the granting of the area variance.

Provide additional information for all five factors above:

- NONE, BUILDING HAS BEEN THERE FOR 20 YEARS.*
- NO*
- NOT SUBSTANTIAL*
- NO ADVERSE EFFECT OR IMPACT ON NEIGHBORHOOD.*
- NOT SELF-CREATED, BUILDING WAS BUILT WITH BUILDING PERMIT AND A C/O HAS BEEN ISSUED.*

(can use separate paper if necessary)

Have any previous area variance applications been made?

☐ yes

☒ no

If so, give date: _____

Description of previous variance:

2. Special Permit

Village Code Section(s): _____

Special Permit Description: _____

Explanation:

(can use separate paper if necessary)

Have any previous special permit applications been made?

☐ yes

☒ no

If so, give date: _____

Description of previous special permit:

3. Appeal

Village Code Section(s): _____

Description of administrative decision or order (include copy):

(can use separate paper if necessary)

Date of decision or order: _____

Explanation of reason for appeal:

(can use separate paper if necessary)

4. Interpretation

Village Code Section(s): _____

Description of proposed project or improvement:

Explanation/describe request:.

5. Use Variances

Village Code Section(s): _____

Existing Use of Property: N/A

Proposed Use of Property: _____

No use variance shall be granted by the ZBA without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. **These four criteria must be satisfied:**

1. Applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence.
2. Alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood.
3. Requested use variance, if granted, will not alter the essential character of the neighborhood.
4. Alleged hardship has not been self-created.

Provide additional Information for all four factors above:

(can use separate paper if necessary)

Have any previous use variance applications been made?

☐ yes☒ no

If so, give date: _____

Description of previous use variance:

Answer Questions (1-5):

- | | | |
|--|---|-----------------------------|
| 1. I have submitted required number of copies + documentation. | ☒ yes | ☐ no |
| 2. Drawings, elevation plans & surveys have been submitted | ☒ yes | ☐ no |
| 3. All required application information has been provided | ☒ yes | ☐ no |
| 4. Proof of ownership, if applicable, has been provided | ☐ yes | ☐ no |
| 5. Digital files of all documentation have been submitted | ☐ yes | ☐ no |

I certify that the above information is accurate, and I am the property owner or authorized by the owner to file this application on their behalf and that I will indemnify and hold the Village harmless against any damage or injury that may be caused by or arise out of any entry onto the property in connection with the processing of the application, during construction or performance of the work or within one year after the completion of the work.

MICHAEL VARA

Applicant's Name (please print)

Michael Vara

Applicant's Signature

5-22-2024

Date

Note: According to Section 230-164(E), "Unless work is commenced and diligently prosecuted within one (1) year of the date of the granting of a variance or special permit, such variance or special permit shall become null and void."

For larger projects, a request can be made for a variance from §230-164(E) for up to a two year period.

I request a 2 year variance:

☐ YES☐ NO**FOR VILLAGE USE ONLY:**Is lot an existing small lot? ☐ yes ☐ no

Note: If yes, lot area, lot depth and lot width exceptions are granted under Village Zoning Code 230-40G

Decision Type: _____

Decision Type: _____

Date: _____

Date: _____

☐ Approved☐ Approved☐ Denied☐ DeniedFee: \$ 375⁰⁰Date paid: 5/23/24Rec'd by: SC



Building Department
VILLAGE OF CROTON-ON-HUDSON
1 Van Wyck Street
Croton-on-Hudson, NY 10520
County of Westchester
914-271-4783 Tel
914-271-3790 Fax

Application No.: 80
Bldg. Permit No. 4648

Application Date: 3/22/02
Bldg. Permit Date: 3/28/02

Location: 34 Cleveland Drive

Section: 79.13

Block: 4

Lot: 10

Certificate of Occupancy #5331

DATE ISSUED: 2/19/04

THIS CERTIFIES that the improvement located at premises indicated above, conforms substantially to the approved plans and specifications heretofore filed in this office with application for building permit dated as indicated above, pursuant to which Building Permit was issued, and conforms to all of the requirements of applicable provisions of the law.

The improvement for which this certificate is issued:

Construct/renovate existing two car garage, remove existing shed and construct a new garage over existing foundation

This certificate is issued to:

Michael Vara

(owner, lessee or tenant)

JOSEPH SPECISER

Village Engineer

ASSISTING INSPECTOR

The Certificate of Occupancy will be issued only after affidavits or other competent evidence is submitted to the Building Inspector, that the completion of the construction is in compliance with the State Building Construction Code and with other laws, ordinances or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical, plumbing, heating or sanitation certificate or evidence of compliance may be required before the issuance of the Certificate of Occupancy.

This certificate does not in any way relieve the owners, or any other person or persons in possession or control of the premises, building or any part thereof, from obtaining such other permits or licenses as may be prescribed by law for the uses or purposes for which the building or premises is designed or intended; nor from complying with any lawful order issued with the object of maintaining the premises or building in a safe or lawful condition.

No change or re-arrangement in the structural parts of the building, or in the exit facilities, shall be made and no enlargement, whether by extending on any side or by increasing in height shall be made, nor shall the building be moved from one location to another, until a permit to accomplish such change has been obtained from the Building Inspector.