

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 Application (ZBA)

RECEIVED Form # Eng-§230-160)

AUG 30 2024

(Revised 05 2024)

Engineers Office

Application Date: 8/30/24

Application #: 20240440

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

NYS SEQR (§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: 67.20

Block: 3

Lot: 13

Property Location (street address): 153 Grand Street, Croton-on-Hudson NY 10520

Zoning District ☐ RA5 ☐ RA9 ☐ RA25 ☐ RA40 ☒ RB (2 family) ☐ RC Multiple Residence
Limited Office ☐ O-1 ☐ O-2
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: Lindholm **First Name:** Aron **MI:** W

Company: _____

Address: 153 Grand Street, Croton-on-Hudson NY 10520

Address: _____

Phone #: _____ **Cell #:** 914-667-6112 **E-mail:** ~~ATL@corp@mon.com~~

Property Owner: ☒ Same As Above

Last Name: _____ **First Name:** _____ **MI:** _____

Company: _____

Address: _____

Address: _____

Phone #: _____ **Cell #:** _____ **E-mail:** _____

General Application requirements:

1. **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. Please note the application **fee is non-refundable** even in the event the application is withdrawn.
2. **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.

3. 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.
4. If a recent sale of the property has taken place, please submit proof of ownership.
5. 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.
6. 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.
7. 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.
8. 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.
10. 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): 230-40A(1)(B)

Description of variance requested:

Five foot setback required to property lines

(can use separate paper if necessary)

	Required setbacks:	Proposed Setbacks:	Variance Requested:
Side Yard			
Total Side Yard			
Front Yard			
Rear Yard			
South side	5'	4.28	0.72
North side	5'	1.79	3.21

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:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties;
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
3. Whether the requested area variance is substantial;
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
5. 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.

Please provide a detailed response to all five factors above:

1. There will be no change to the neighborhood as the garage has been there for 92 years
2. No other method available
3. Area variance is unsubstantial, less than 9" on the south side and less than 3'3" on the north side
4. Will have no impact, has been there since 1932, can barely be seen from street
5. The difficulty was not self created. The need for a variance was not identified for 92 years and numerous title searches

(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: _____

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.

Aron W Lindholm

Applicant's Name (please print)


Applicant's Signature

8/30/24

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: _____

Date: _____

☐ Approved☐ Denied

Decision Type: _____

Date: _____

☐ Approved☐ Denied

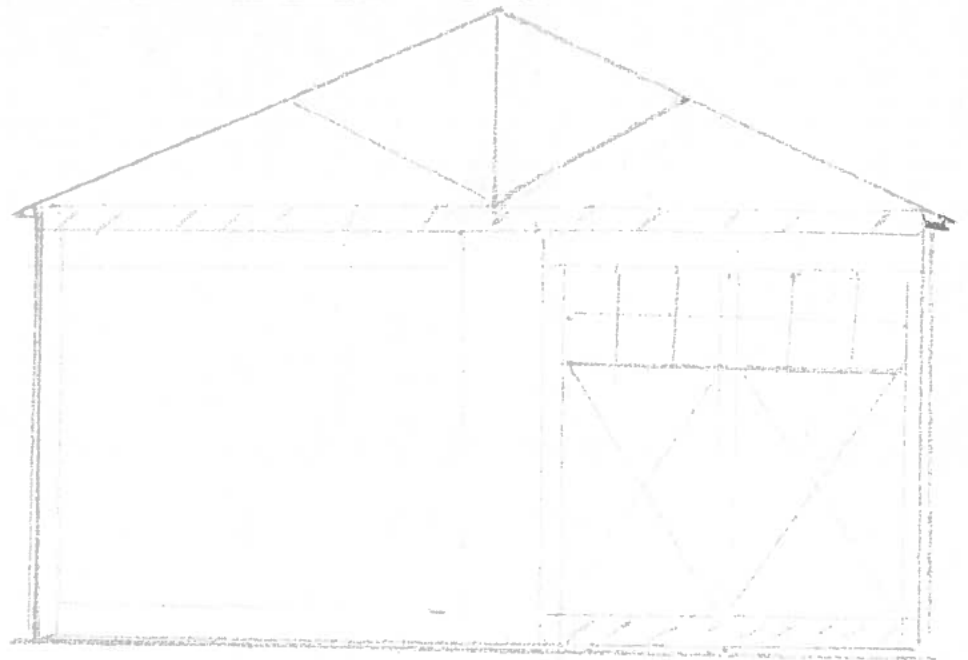
Fee: \$ 375

Date paid: 8/27/24

Rec'd by: 

J. P. SORENDON
GRAND ST.
CROTON, OR BRIDGE, N. Y.

Cost. 400⁰⁰



18 x 9 x 13

153 Grand St

U

67.20-3-13+14

Application No. 50

May 20th 1932

VILLAGE OF CROTON-ON-HUDSON

WESTCHESTER COUNTY, NEW YORK

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A BUILDING
(must be filed in duplicate)

TO THE BUILDING INSPECTOR:

Application is hereby made for a permit to construct a building ^{alter}
~~is~~
as shown on the attached plans. The building is to be erected on the pre-
mises known as No. Rear of 151 and 153 Grand Street Avenue
Croton-on-Hudson, N. Y. in Section 40 Block 4 on Lots
located in a ^{NE} District as shown on the Building Zone Maps. The size of
the plot is 66.98 ^{on right of way} feet front, 80 feet rear, 50 feet deep East
side, 60 feet deep West side. The premises are ^{improved} ~~unimproved~~. The ~~present~~
~~improvements consist of a house stories high for use by fami-~~
~~lies. It has rooms and baths. Its volume is cubic feet.~~
The new improvement will consist of a garage 18 ft x 18 ft.
.
with ~~new rooms and baths. It will then be used as a~~
~~residence for families. The cost of the new improvement will be~~
\$400.00

The full names and addresses of the owner of the property de-
scribed above, of the lessee and of every person now known to be interested
in the proposed work in any representative capacity are;

OWNER J. P. Serusow 155 Grand St.
Name Address

PRESIDENT (If owner is Corporation)

LESSEE

ARCHITECT

CONTRACTOR

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ARTICLE SEVEN

PROVISIONS COMMON TO SEVERAL DISTRICTS.

1931
Zoning Code

SECTION 4. EXCEPTIONS TO YARD REQUIREMENTS. 1. CONFORMANCE TO EXISTING FRONT YARDS. In any Residence District, if the depth of front yard prescribed by Article Three hereof is less than the average depth of front-yards of main buildings existing within the same district, upon the same side of the street and within 200 feet of the plot, the depth of front yard of the plot shall be at least such average depth, but in no case need such front yard exceed 50 feet in depth.

2. PERMITTED ENCROACHMENTS. a. The following parts of a main building may encroach upon a yard: open, uncovered porch, steps or terrace; bay, bow or oriel window not more than three feet; eaves, cornice, chimney or gutter, not more than 18 inches.

b. An accessory building may be erected in a side or rear yard, but no part thereof shall be erected within five feet of a rear line or side line except upon approval of the Board of Appeals after a hearing upon notice to the owner of record of the land abutting such rear line or side line.

c. Where the mean grade of the lower available side-yard of a plot is more than 14 feet above the street grade at a point 56 feet from the street line in an "A" District, 47 feet in a "B" District, or 37 feet in a "C" or "D" District, a one-story accessory private garage may encroach upon a front yard to an extent such that, with a driveway of a grade of five per cent. or less, the top of the rear wall will be at or below the natural level of the ground. In any case, such garage shall be set back at least five feet from the street line, and the doors thereof shall not encroach upon the street. Such garage may be distant less than 10 feet from the main building.

3. PARTY-WALL DWELLINGS AND GARAGES. The provisions of this Ordinance prescribing side yards shall not be deemed to prevent the erection upon a plot of a dwelling having a party-wall with a dwelling upon an abutting plot, provided that there be maintained upon the plot one side yard of a width twice that prescribed for a side yard in the District. Nor shall the provisions prescribing side yards or rear yards be deemed to prevent the erection of an accessory garage having a party-wall with an accessory garage upon an abutting plot.

4. DWELLING ADJACENT TO "E" or "F" DISTRICT. Upon a plot in a Residence District abutting upon an "E" or "F" District in which the prescribed depth of the front yard is less than in such Residence District, the depth of front yard need not be greater than the average of depths prescribed for the Residence District and abutting district.

5. CORNER PLOTS. a. Upon a corner plot, all buildings shall be set back from the street line of each street at least as far as prescribed for the minimum depth of front yard in the District.

b. Every line of a corner plot not a street line may be deemed a side line for the purposes of this ordinance.

c. That part of a corner plot between the lines of intersecting streets shall be kept free of obstacles which might interfere with the ability of a driver of a vehicle on one street to see a vehicle approaching in the intersecting street. To that end, in no case shall any structure be erected or vegetation (other than shade trees with clear trunks at least 12 feet high) maintained more than three and a half feet in height above the street grade between the street lines of intersecting streets

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