

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

Recent Application (ZBA)

(Form # Eng-§230-160)

SEP 24 2024

Engineers Office

(Revised 05 2024)

Application Date: 9/25/24

Application #: 20240499

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: 68.14 Block: 6 Lot: 30

Property Location (street address): 9 EKLOF COURT

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: STOKES First Name: RAYMOND MI: _____

Company: _____

Address: 9 EKLOF COURT

Address: CROTON ON HUDSON, NY 10520

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 Please note the application **fee is non-refundable** even in the event the application is withdrawn.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

Description of variance requested:

REQUESTING 3.0 FOOT SIDE YARD VARIANCE FOR AN ADDITION AND ALTERATION TO EXISTING GARAGE TO MAKE IT A 3 CAR GARAGE FROM A 2 CAR GARAGE AND NEW WORKSHOP

(can use separate paper if necessary)

	Required setbacks:	Proposed Setbacks:	Variance Requested:
Side Yard	<u>20 FT.</u>	<u>17.0 FT</u>	<u>3.0 FT.</u>
Total Side Yard	<u> </u>	<u> </u>	<u> </u>
Front Yard	<u> </u>	<u> </u>	<u> </u>
Rear Yard	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

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 CHARACTER OF NEIGHBORHOOD.
2. AN ADDITION JUST TO THE SIDE YARD SETBACK WILL NOT PROVIDE SPACE FOR OWNERS VEHICLES. 3. THE 3 FT VARIANCE IS ONLY 15% OF SIDE YARD AND NOT SUBSTANTIAL. THE ADDITION WILL NOT HAVE AN ADVERSE EFFECT ON PHYSICAL ENVIRONMENT. 5. THE LOT IS A PIE SHAPED LOT AND SIDE YARD SETBACKS ARE
 (can use separate paper if necessary)
CONSTRICTIVE TOWARD THE FRONT OF THE LOT AND NOT SELF CREATED.

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.

Raymond Stokes
Applicant's Name (please print)

[Signature]
Applicant's Signature

9/24/24
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☐ DeniedFee: \$ 375.⁰⁰Date paid: 9/26/24

Decision Type: _____

Date: _____

☐ Approved☐ DeniedRec'd by: [Signature]

John Power
Architect
24 Van Wyck Street
Croton On Hudson NY 10520

October 8, 2024

Village of Croton On Hudson
Building Department
1 Van Wyck Street
Croton On Hudson, NY 10520

Re **Zoning Variance**
 9 Eklof Court
 Croton On Hudson NY 10520
 SBL # 68.14-6-30

This letter is prepared to provide the principal points regarding the request for a side yard variance of **3.0 feet** for an addition and alteration to an existing (2) car garage to make it a (3) car garage with room for a car lift in the center bay with an area for a functional workshop and attic storage above.

- 1) The granting of this variance will not produce an undesirable change in the character of the neighborhood. The addition proposed follows the same design intent and scale of the existing dwelling but gives this dwelling a garage element with a uniqueness among the number of identical residences in the cul-de-sac.
- 2) The benefit sought without a variance would have produced a garage lacking the spatial dimensions required for the 3 vehicles owned by owner considering the spaces between the vehicles that need clearances for doors to open safely and bicycle storage needs.
- 3) The requested variance is not substantial, only 15% of the required side yard. This side of the property is also facing the neighbor's property where a driveway is located in the adjacent side yard. There is a substantial amount of space between the proposed garage and the neighbor's garage.

John Power
Architect
24 Van Wyck Street
Croton On Hudson NY 10520

- 4) The proposed project will not adversely impact the neighborhood's physical or environmental conditions. It will follow the contours of the existing topography where there already is a retaining wall that will be modified to accommodate the garage extension into the side yard. The additional stormwater shall be directed toward the rear of the owners property as does the rest of the dwelling and not intrude on the cul-de-sac.
- 5) The alleged difficulty was not self-created as the subject plot is a pie shaped lot. The side yards become more constrictive near the front of the lot, unlike many of the properties along Eklof Court, many being rectangular lots.

Respectfully submitted,

John J. Power Jr. R.A.

A handwritten signature in black ink, appearing to read "John J. Power Jr.", with a stylized, flowing script.