

DRAFT RESOLUTION

NOTICE IS HEREBY GIVEN THAT, ***Giacinta Boulos, owner***, has applied to the Zoning Board of Appeals of the Village of Croton-on-Hudson for a fence variance from Village Zoning Code Section 230-40 (H)(1) for an existing fence over 4'ft in height and more than 50% solid in a front yard. The property, **36 Wells Ave** is located in a RA5 Residential District and is designated on the Tax Maps of the Village of Croton-on-Hudson as Section 78.8 Block 7 Lot 38.

This proposed action is considered a Type II Action under the State Environmental Quality Review Act (SEQRA) therefore, no Negative Declaration is required.

A public hearing having been held after due notice, this Board, after reviewing the application and viewing the premises and neighborhood concerned, finds:

1. ☐ No undesirable change in the character of the neighborhood nor detriment to nearby properties will be produced by the granting of the variance.
☐ An undesirable change in the character of the neighborhood and/or detriment to nearby properties will be produced by the granting of the variance.
2. The benefit sought by the applicant **CAN/CANNOT** be achieved by a method other than the requested variance;
3. The requested variance **IS/IS NOT** substantial;
4. The proposed variance **WILL/WILL NOT** have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
5. The difficulty alleged by the applicant **WAS/WAS NOT** self-created.

NOW, THEREFORE, BE IT RESOLVED, that a fence variance for an existing fence over 4'ft in height and more than 50% solid in a front yard be **GRANTED** subject to the following conditions, and further finds the variance granted herein is the minimum variance necessary and adequate.

Motion:

Second:

Vote: AYES NAYS

Condition(s):

1. That, 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".
2. That, the variance is granted based on the plans and other documents submitted in support of the application.