

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)

JAN 03 2024

Engineers Office

(Form # Eng-§230-160)

(Revised 05 2024)

Application Date: 1/3/24

Application #: 20240316

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: 3

Lot: 8

Property Location (street address): 339 Grand St

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: Franggi First Name: Adriana MI: _____

Company: _____

Address: 339 Grand St Croton-on-Hudson NY 10520

Address: _____

Phone #: [REDACTED] Cell #: _____ E-mail: [REDACTED]

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 Please note the application **fee is non-refundable** even in the event the application is withdrawn.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): 230-40 G

Description of variance requested:

Request for a Side yard & rear yard set back for an existing (Permit issued for construction) attached Pavilion on an existing small lot. The original plans did not have it attached but it was built attached so there's now a need for variances.

(can use separate paper if necessary)

	Required setbacks:	Proposed Setbacks:	Variance Requested:
Side Yard	<u>15'</u>	<u>4.16'</u>	<u>10.84'</u>
Total Side Yard			
Front Yard			
Rear Yard	<u>20.5'</u>	<u>5.0'</u>	<u>15.5'</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:

See Attached

(can use separate paper if necessary)

Have any previous area variance applications been made? ☒ yes ☐ no If so, give date: 2008

Description of previous variance:

Front and side variance to convert front porch into livable space - Resolution Attached

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.

Adriana Franggi

Applicant's Name (please print)


Applicant's Signature

Date

1/3/2025

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: \$ 375⁰⁰ Date paid: 1/3/25 Rec'd by: SC

Adriana & Julio Franggi

339 Grand St Croton-on-Hudson NY 10520

1/2/2025

On 2008, a previous appeal has been made and granted for a side and front yard

I am seeking approval for a variance for a back patio cover/pavilion, attached to the dwelling.

The pavilion is located in the back yard and is not to produce an undesirable change or become a detriment to nearby properties due to the materials used to exactly match the existing dwelling.

The purpose of the pavilion is for protection from the sun/weather and to extend the use and enjoyment of our outdoor back patio.

The variance area requested is 10.84 feet and located in the side yard. + 15.5' feet rear yard.

The pavilion is contained to the 339 Grand St property rear yard. The proposed variance would not change the essential character of the neighborhood due to the concealed location.

The construction of the pavilion is self-created due to the only possible location due to the size of the property.

I thank you for your consideration.

RESOLUTION

Julio & Adriana Franggi, have applied to the **Zoning Board of Appeals** of the Village of Croton-on-Hudson, for a front yard and side yard variance with respect to a proposed 2nd story addition.

The property, at 339 Grand Street., is located in a RA-25, District and is designated on the Tax Maps of the Village as Section 68.14 Block 3 Lot 8.

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

There will be no undesirable change to the character of the neighborhood or detriment to nearby properties.

There were no objections from the neighbors.

The proposed variance will not have an adverse affect on the physical or environmental conditions of the neighborhood or district.

NOW, THEREFORE, BE IT RESOLVED, that the application is hereby **Granted** as follows:

Waitkins – Made Motion to grant a nine foot front yard variance and a three point eight foot side yard variance with the condition that all of the exterior siding will be consistent.

Stephens – Second the Motion

Vote – 4-0 – Waitkins, Stephens, Riedy, Olcott

3/12/08

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.

Village of



Croton-on-Hudson

Building Department
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Tel. 914-271-4783
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BUILDING PERMIT

20240084

DATE ISSUED: 09/16/2024

EXPIRATION DATE: 09/16/2026

Application No.: 20240316

Application Date: 06/26/2024

Location: 339 GRAND STREET

Parcel number: 068.14-003-008.00

Subdivision:

Lot #

Permission is hereby granted to:

Owner Name: FRANGGI JULIO

339 GRAND ST

CRTN-ON-HDSN, NY 10520

Contractor: FRANGGI LANDSCAPING &
MASONRY INC

339 GRAND ST

CROTON-ON-HUDSON, NY 10520

for the following authorized work:

BUILD A 14' by 18' GAZEBO

at premises located at:

339 GRAND STREET

pursuant to above numbered application, any variances or other permits issued and plans and specifications approved by the Building Inspector and subject to the following conditions.

1. This permit must be kept on the premises with one set of approved plans and specifications until full completion of the work authorized. There shall be no work performed between the hours of 8:00 p.m. and 8:00 a.m. Sunday through Saturday and between the hours of 8:00 p.m. Saturday and 10:00 a.m. Sunday.
2. Permit valid for commencement of work for a period of six months from date of issuance. All work must be completed within two years from date of issuance.
3. This permit is non-transferable and is issued based on the contractor's insurance documentation submitted with the application. This permit shall automatically become null and void if there is any lapse or cancellation of insurance coverage.
4. Work must be inspected by the Building Department; owner and contractor are responsible for scheduling all necessary inspections.
5. All provisions of the Building Code, Zoning Law and all other Village laws, County and State laws applicable thereto must be complied within the execution of the work authorized under this permit, whether or not shown on plans or specified in the specifications or application.
6. This permit does not give the right to construct or alter plumbing or drainage systems, nor does it permit the use of any street, sidewalk or other public place for storage of materials.
7. It is unlawful to occupy or use any new building or part thereof until a certificate of occupancy has been obtained from the Building Inspector.
8. As per Section 230-49D of the Village Zoning Code, all existing sidewalks abutting the property must be repaired and left in a safe and presentable condition prior to the issuance of the Certificate of Occupancy.

Cost of Construction: \$5000.00

Fee Received: \$239.00


Ronald Wegner, P.E., Asst. Village Engineer/Asst. Building Inspector