

## DRAFT RESOLUTION

NOTICE IS HEREBY GIVEN THAT, **Luntz, Rob, Architect**, representative for **Rachel Bernstein, owner** has applied to the Zoning Board of Appeals of the Village of Croton-on-Hudson for front yard variances from Village Zoning Code Section 230-40(A)(B) and 230-33A for an accessory structure less than 5 ft from a property line, nearer to the street than the primary structure, and in a front yard setback to replace an existing detached garage, with a new, detached 2-car garage. 16 Lexington Drive is located in a RA-9 1-Family Residential District and designated on the Tax Maps of the Village of Croton-on-Hudson as Section 79.9 Block 7 Lot 29.

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 front yard variance of 25 ft for an accessory structure in a front yard setback less than 5 ft from a property line and nearer to the street than the primary structure to replace an existing detached garage, with a new, detached 2-car garage 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.
3. That,

4/22/25

