

368 S Riverside Ave
Zoning Board of Appeals
Application Addendum

1. Area Variance

Description of variance requested:

An amendment to the variance that was previously issued.

Summary:

The above property was granted a variance by the ZBA, in May of 2021. The reason for the application at that time was to legalize the cottage as residential use. The structure, a converted garage space, built in the 30's or 40's, had been used as a residential unit for 40+ years under several owners.

The cottage current use is that of a studio apartment benefiting one tenant. The request is to construct a second floor on to the existing structure allowing for improved living space and potential increase of tenants from one person to two. The proposed addition will be a one-bedroom unit with small office space. No parking variance will be required as the property has one space currently for the cottage tenant and we are only requesting a one bedroom.

The request is again to amend the existing variances to allow for the second floor. The footprint of the proposed addition will not change which currently exists. The structure is not visible from Riverside Ave. It is behind 368 S Riverside, South neighbor with solid block wall, West neighbor Wayne St Firehouse and open to the North.

368 S Riverside Ave Croton

EXHIBIT B



Stanley H. Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson, NY 10520-2501

Mayor
Brian Pugh

Trustees
Ann Galletti
Sherry Horowitz
Ian Murtaugh
Len Simon

Village Manager
Janine M. King

Treasurer
Sandra Bullock

Village Clerk
Pauline DiSanto

Village Engineer
Daniel F. O'Connor, P.E.

July 7, 2021

Mr. Joseph Lippolis
BHHS River Towns Real Estate Inc.
133 Grand Street
Croton-on-Hudson, New York 10520

Re: Special Permit – 368 South Riverside Avenue

Dear Mr. Lippolis:

Enclosed is a certified resolution for approval of a special permit to construct a first-floor dwelling at 368 South Riverside Avenue.

Sincerely,

Bryan Healy
Deputy Village Clerk

Enclosure

Cc: Engineering

RESOLUTION

NOTICE IS HEREBY GIVEN THAT, Joe Lippolis of Berkshire Hathaway Home Services, representing Julie Huston and Warren Koch (property owners), has applied to the Zoning Board of Appeals of the Village of Croton-on-Hudson for a variance from Village Zoning Code Section 230-20.3 B (3) (a) [1] to have a dwelling unit on the first floor behind commercial space but in an existing detached building on the rear of the parcel, for side and rear yard variances from Section 230-35 for the existing detached building, and for an off-street parking variance from Sections 230-35 and 230-20.3 B (3) (d) [1].

The property at, 368 South Riverside Avenue, is located in the C-2 District and Harmon/South Riverside Gateway Overlay District and is designated on the Tax Maps of the Village of Croton-on-Hudson as Section 79.13 Block 1 Lot 71.

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.
2. The benefit sought by the applicant cannot be achieved by a method other than the requested variance;
3. The requested variance is substantial;
4. The proposed variance 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 self-created.

NOW, THEREFORE, BE IT RESOLVED, that a variance for a dwelling unit on the first floor behind commercial space but in an existing detached building instead of the primary building, and for a single parking space be **GRANTED** subject to the following conditions, and further finds the variances granted herein is the minimum variances necessary and adequate, and further finds the side and rear yard variances are not required for the pre-existing nonconforming building.

Motion: Mr. Olcott

Second: Mr. Tuman

Vote: AYES 5 NAYS 0

Condition(s):

1. That, the variances are granted based on the plans and other documents submitted in support of the application.
2. That, the owner shall keep the alleyway clear for means of ingress and egress.
4. That, the single parking space to the right of the residential structure be reserved for residential use only.
5. That, the variance granted for the residential parking space occupies one of the two on-site commercial parking spaces approved by the Planning Board.
6. That, there shall be no enlargement or expansion of the existing (residential) structure.

5/12/2021

RESOLUTION

WHEREAS, the Planning Board held a public hearing for an Amended Site Plan application on July 27, 2021 for **Joe Lippolis of Berkshire Hathaway Home Services, representing Julie Huston and Warren Koch (property owners)**, hereafter known as "the Applicant." The subject property, owned by Julie Huston and Warren Koch, is located at 368 South Riverside Avenue in the C-2 Commercial/South Riverside Gateway District and designated on the Tax Map of the Village of Croton-on-Hudson as Section 79.13 Block 1 Lot 71; and

WHEREAS, this amended site plan application is for an existing detached accessory building in the rear of a commercial building; and

WHEREAS, this proposal is considered a Type II Action under the State Environmental Quality Review Act (SEQRA); therefore, no Negative Declaration is required;

WHEREAS, on May 12, 2021, the applicant has received the necessary variance from the Zoning Board of Appeals; and

WHEREAS, on July 6, 2021, a special permit was issued by the Village Board; and

WHEREAS, the public hearing at the Planning Board was closed on July 27, 2021; and

NOW, THEREFORE BE IT RESOLVED, that the Amended Site Plan application as shown on Exhibit A "Photo Addendum" page 1 and 2, and Exhibit B "Interior layout", submitted by Joe Lippolis, representative, and a survey dated May 17, 1982 and prepared by W. A. Slater, Jr. of Ossining, N.Y. be approved subject to the following conditions:

1. That, the foregoing recitals are incorporated herein as if set forth at length.
2. That, the variance granted for the residential parking space which occupies one of the two on-site commercial parking spaces are approved.

Unless a building permit is issued and work is commenced and diligently prosecuted within three years of the date of the resolution approving the site plan, such site plan shall become null and void. Any application for an extension of site plan approval shall be made six months prior to the expiration date.

The Planning Board of the Village of
Croton-on-Hudson, New York

Robert Luntz, Chairperson
Bruce Kauderer
Steve Krisky
Geoffrey Haynes
John Ghegan

Motion to approve by Mr. Haynes, seconded by Mr. Krisky, and carried, all in favor, by a vote of 5-0.

Resolution accepted at the meeting held July 27, 2021.

FINAL

On motion of Trustee SIMON and seconded by Trustee HOROWITZ, the following resolution was unanimously adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 5-0 vote.

Resolution #110-2021

WHEREAS, the Village Board of Trustees has received a special permit application from Joseph Lippolis for a first-floor residential dwelling at 368 South Riverside Avenue; and

WHEREAS, the applicant has received the necessary variance from the Zoning Board of Appeals; and

WHEREAS, on June 7, 2021, the Village Board referred the special permit application to the Village Planning Board as required by law; and

WHEREAS, the Planning Board has provided the board with a memorandum in support of the application; and

WHEREAS, a Public Hearing was opened and closed on July 6, 2021,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby issues a special permit for a first-floor residential dwelling at 368 South Riverside Avenue.

Dated: July 6, 2021

State of New York)

ss:

County of Westchester)

I, Bryan Healy, Deputy Clerk of the Village of Croton-on-Hudson, in the County of Westchester, State of New York, do hereby certify that the annexed resolution is a copy of an original on file in my office and has been duly adopted at a regular meeting of the Board of Trustees of said Village held on the 6th of July, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said Village this 07th day of July 2021.


Deputy Village Clerk

(Seal)

