

Village of



Croton-on-Hudson

Engineering Department
Stanley H. Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson, NY 10520-2501
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Zoning Board of Appeals **Application (ZBA)**

(Form # Eng-§230-160)

(Revised 05 2024)

Application Date: June 3, 2025

Application #: 20250309

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: 68.9

Block: 4

Lot: 23

Property Location (street address): 21 Glengary Rd, Croton on Hudson, New York 10520

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: Baranowski **First Name:** Steven **MI:** _____

Company: _____

Address: 21 Glengary Rd, Croton on Hudson, NY 10520

Address: _____

Phone #: _____ **Cell #:** [REDACTED] **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 Please note the application **fee is non-refundable** even in the event the application is withdrawn.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): 230-33 A, 230-40 A(1)(b), 230-40 B

Description of variance requested:

Shed in required front yard setback, Shed less than 5' from lot line, Shed closer to street than principal building.

Owner is requesting that the pre-existing shed (was present at the time of our purchase in September of 2008) be granted variance to allow for the shed to remain. The shed is not visible from the adjoining property.

Dec 27, 1991 side yard variances were granted.

(can use separate paper if necessary)

	Required setbacks:	Proposed Setbacks:	Variance Requested:
Side Yard			
Total Side Yard			
Front Yard	50'	44.7'	5.3'
Rear Yard			
Shed Side Yard	5' Minimum	1.1'	3.9'
Shed Before House	Not Permitted		Yes

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:

The pre-existing shed (prior to our purchase) was updated in 2023 and painted to blend in with the property.

The shed is visible from the road, but initially it is not visible and then becomes more visible as one passes the house. It is not visible from the adjoining property.

(can use separate paper if necessary)

Have any previous area variance applications been made?

☒ yes

☐ no

If so, give date:

12/11/1991

Description of previous variance:

For a carport - see 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.

Steven M. Baranowski

Applicant's Name (please print)



Applicant's Signature

6/3/25

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: _____

Decision Type: _____

Date: _____

Date: _____

☐ Approved☐ Approved☐ Denied☐ DeniedFee: \$ 150.⁰⁰ Date paid: 6/3/25 Rec'd by: SC

Steven & Lisa Baranowski
21 Glengary Rd
Croton on Hudson, NY 10520

Village of Croton on Hudson

1 Van Wyck Street
Croton-on-Hudson, NY 10520
United States

June 3, 2025

To Whom It May Concern:

Enclosed, please find an application for a Building Permit & Certificate of Occupancy and a Zoning Board of Appeals Application for our residence at 21 Glengary Rd, Croton on Hudson, New York. It has come to our attention during the potential sale of our property that the pre-existing shed to the left of our home was not granted the proper certificate of occupancy and variance. We are submitting the applications, along with the appropriate documentation and fees, to ensure the property meets current village codes. The ZBA application requests a review of the benefit to the property owner compared to the detriment to the neighborhood, whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties. As this is a pre-existing shed and was included when we purchased the home in 2008, we have not found or heard that it detracts from the neighborhood. We have upgraded our home to ensure that it continues to reflect the quiet, residential community, and the pre-existing shed blends into the property. The shed is only visible when someone passes from the south to the north. Otherwise, it is hidden by the shrubbery in the area. Neither we nor the title company were aware of the shed's violation of village codes at the time of purchase or over the subsequent fifteen years. We appreciate this opportunity to bring the home into compliance.

We appreciate your review and consideration of this matter.

Thank you,



Steven & Lisa Baranowski



REGULAR MEETING ZONING BOARD OF APPEALS DECEMBER 11, 1991

PRESENT: Mr. Donald Sapir, Chairman
Mrs. Ruth Waitkins
Mrs. Rhoda Stephens
Mr. Andrew Dickey
Mrs. Anna Reisner
Mr. Tony Gagliotti, Code Enforcement Officer

Meeting called to order by Chairman Sapir at 8:00 p.m.

Minutes of November 13, 1991

Motion made by Waitkins and seconded by Stephens to accept the minutes of the previous meeting.

Vote--Aye: Waitkins, Stephens, Sapir
Abstain: Dickey, Reisner

Chairman Sapir stated that he would "step down" for the next two applications. Mr. Dickey will be acting chairman.

Norman Sheer representing Triss R. Ulman--21 Glengary Road--variance, side yard for proposed carport, (57-224-28)

Application for side yard variance to permit construction of a carport. Property is located at 21 Glengary Road and is in an R-40 district. The house was built in the 50's under the prior zoning ordinance and was legal and in conformance with old zoning ordinance. In 1962 when the new ordinance was adopted the parcel became non-conforming at least in respect to its side yards. Current zoning requires one side of yard of 30 feet and two side yards of 80 feet. The property has one side yard of about 37 feet and two side yards of 61 feet. The proposal is to build an eleven foot wide carport on the north side of the property. That would result in one side yard of 26 feet; one of 49.8 feet. Dr. Ulman is a psychologist. House was purchased in September of this year. Renovation of the home began where Dr. Ulman is planning to have a home office. They also built a study in a former one-car garage at the top of the driveway. Construction of house was in '55 or '56. September of this year garage was renovated. Applicant expected gravel would be in at this time but it will be shortly and a car will be parked there. Applicant wants to simply cover a car that will be parked there soon. Mr. Bock to the rear and to the left, adjoining neighbors and those across the street have no objection. Mr. and Mrs. Kunen on the corner of Glengary and Hession Hills Road are the only neighbors that could be

affected. It is located about one hundred feet beyond the common property. Between the two properties is heavily wooded. They have no objection to this. There will be well over 100 feet from the carport to their house. More than double of what is required between two houses. Photo submitted to show how far apart the properties actually are. Area variance--practical difficulties can be demonstrated in this case according to Attorney Sheer. Magnitude of the variance sought is one standard to gaining a variance. According to Mr. Sheer, there is no feasible way that Dr. Alman can accomplish what she wants through any other means than a variance. In the rear a patio would have to be removed. No adverse affect to the health, safety and welfare of the community. It is very easy to justify the granting of the variance given the locale and the topography of the area.

Dicker: Were they planning on a carport when they began renovation? Reply: Contractor wasn't aware of the parking requirements for a home office. The carport idea postdated the beginning of the renovation of the house. Stephens: The carport will be for the residential use? Reply: Yes. Stephens: If it is used as a home office where will other people park? Reply: Parking area that Phil Tully laid out initially while it was very practical it involved taking down one of the beautiful spruce trees--we have several other alternatives. One of the requirements is to satisfy Phil Tully and that will be done. One car will be parked there on the gravel and we are asking to be allowed to cover up that car.

Sheer: The contractor came in, got a building permit but he did not tell Phil that this was going to be a home office. Applicants are from New York City and are not familiar with how things work. I don't think the contractor was forthright. Three off street parking spaces were discussed with Phil. Discussion came up of since we are going to have a parking area near the house can we cover it and I told the Ulman's not without a variance.

No further questions from the Board. No public comments were made either in favor or against the application.

Motion to grant made by Waitkins and seconded by Reiser.
Vote: Aye: Reiser, Stephens, Waitkins

Fred Guisti--Finney Farm--variance, front yard setback, proposed dwelling (57-222-BW & BW-1)