

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)

Received

(Form # Eng-§230-160)

AUG 01 2025

Engineers Office

(Revised 05 2024)

Application Date: August 1, 2025

Application #: 20250460

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: 78.8 Block: 4 Lot: 27
Property Location (street address): 19 Hunter Place

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 ☒ Trustee of The Vito N. Calcutti Sr., and Virginia
☐ Attorney ☐ Engineer ☐ Architect ☒ Other: Calcutti Irrevocable Trust Agreement.

Last Name: Garrett First Name: Darlene MI: _____

Company: _____

Address: 19 Hunter Place

Address: _____

Phone #: _____ Cell #: _____ E-mail: _____

Property Owner: ☒ Same As Above

Last Name: _____ First Name: _____ MI: _____

Company: _____

Address: _____

Address: _____

Phone #: _____ Cell #: _____ E-mail: _____

General Application requirements:

- 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 Please note the application **fee is non-refundable** even in the event the application is withdrawn.
- 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 4th Tuesday of the month at 7:00PM (no August meeting).
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): 230-33A, 230-40 (E)(1), 86-10A and 86-18A

Description of variance requested:

1. Enclosure & extension of roofed-over front porch with bay window and attic overhang (1974 Building Permit and Certificate of Occupancy issued. 13.0 and 13.2ft to front line where 15ft required (230-33A)
2. Stone patio encroachment onto adjacent property and within setback 230-40E (1)
3. Legalize roof structure over rear patio 86-10(A) and 86-18(A)
4. Roof structure in proximity to property line 230-33A
5. Rear extension (5X5 shown on property card, 5X12 existing (86-10A, 86-18A, 230-33A. SEE NARRATIVE LETTER FOR DESCRIPTION OF VARIANCES
(can use separate paper if necessary)

	Required setbacks:	Proposed Setbacks:	Variance Requested:
Side Yard	8 ft	4.6 ft	3.3 ft (230-33A)
Total Side Yard	20 ft	over 20; at least 65 ft	N/A
Front Yard	15ft	13-13.2 ft	2-1.8ft (230-33A)
Rear Yard	25ft	0 ft	25 ft (230-33A)
PATIOS	4'ft	0 ft	4 ft (230-40 E (1))

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 NARRATIVE FOR EXPLANATION OF 5 FACTORS

(can use separate paper if necessary)

Have any previous area variance applications been made?

☐ yes ☐ no If so, give date:

Description of previous variance:

2. Special Permit

Village Code Section(s): N/A

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): N/A

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): N/A

Description of proposed project or improvement:

Explanation/describe request:

5. Use VariancesVillage Code Section(s): N/A

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.

Darlene Garrett
Applicant's Name (please print)Darlene Garrett
Applicant's Signature7/30/2025
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: \$ 375.00Date paid: 8/1/25Rec'd by: sc