

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

Application (ZBA)

(Form # Eng-§230-160)

SEP 09 2025

Engineers Office

(Revised 05 2024)

Application Date: Sept. 9, 2025

Application #: 2025054

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: 23
Property Location (street address): 12 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
 Attorney Engineer Architect Other: _____

Last Name: Schuyler First Name: Peter MI: _____

Company: Kitson & Schuyler PC

Address: 321 South Riverside Avenue, Suite 5

Address: Croton, NY 10520

Phone #: [REDACTED] Cell #: [REDACTED] E-mail: pschuyler@kitsonschuyler.com

Property Owner: Same As Above

Last Name: Galazin First Name: Marlene MI: _____

Company: _____

Address: 12 Hunter Place

Address: Croton, NY 10520

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

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 Please note the application **fee is non-refundable** even in the event the application is withdrawn.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): 230-33A ; 230-40A(1)(b)

Description of variance requested:

House was constructed in the early 1930s. The applicant is requesting the following variances:

- 1) Front yard setback. Requesting 1.3' variance from 15' required.
- 2) Side yard setback/total side yard. Requesting 6.8' variance for south side yard and 10.3' for combined side yards.
- 3) Shed variance. The existing shed on the north property line is 1' from the line. Seeking 4' variance.

(can use separate paper if necessary)

	Required setbacks:	Proposed Setbacks:	Variance Requested:
Side Yard	8	1.2'	6.8'
Total Side Yard	20	9.7'	10.3'
Front Yard	15	13.7'	1.3'
Rear Yard			
Shed	5	1'	4'

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:

Five factors analysis to be separately emailed to engineering department.

(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): _____

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.

Owner: Marlene Gralazin
Applicant's Name (please print)

Maehae Sulayan
Applicant's Signature

9/9/25
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 Denied

Fee: \$ 3750 Date paid: 9/9/25 Rec'd by: sc

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties:

All variances requested by the applicant relate to the house that she and her late husband purchased in 1986. The applicant has not expanded or added any extension to her property in the nearly forty-year period of her ownership. The shed for which she seeks a variance was also in the same place at the time of her purchase. There will be no change in the character of the neighborhood, and certainly not an undesirable one, by the granting of the requested variances. Similarly, there will be no detriment to nearby properties created. Hunter Place is a narrow road with many nearby houses located very close to the street. The side yard variance will be legalizing the existing structure which has been in place for more than forty years. The shed is located next to a retaining wall that runs along the property line with the adjoining neighbor. The wall is more than twice the height of the shed and obscures the shed from the neighbor's view, except from above.

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:

The applicant has come to the Zoning Board of Appeals to bring her property into conformity with zoning requirements. The only way for the applicant to do so without incurring significant costs, as well as demolishing a portion of her house, would be to obtain the requested variances. The shed is used for storage so that outdoor tools are conveniently accessible at a central point on the sloped property. Moving the shed, which is substantial in size (the house does not have a garage), would incur a significant cost to the applicant, who is of limited means.

3. Whether the requested area variance is substantial:

The front yard variance is not substantial, and the fact that the house is a little more than one foot closer to the street than required is essentially imperceptible to neighbors and the public, and as mentioned above, is in keeping with other houses in the neighborhood. The other variances are substantial, but are being requested to legalize a pre-existing structure that was not built by the applicant and has existed essentially as-is for at least 40 years.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district:

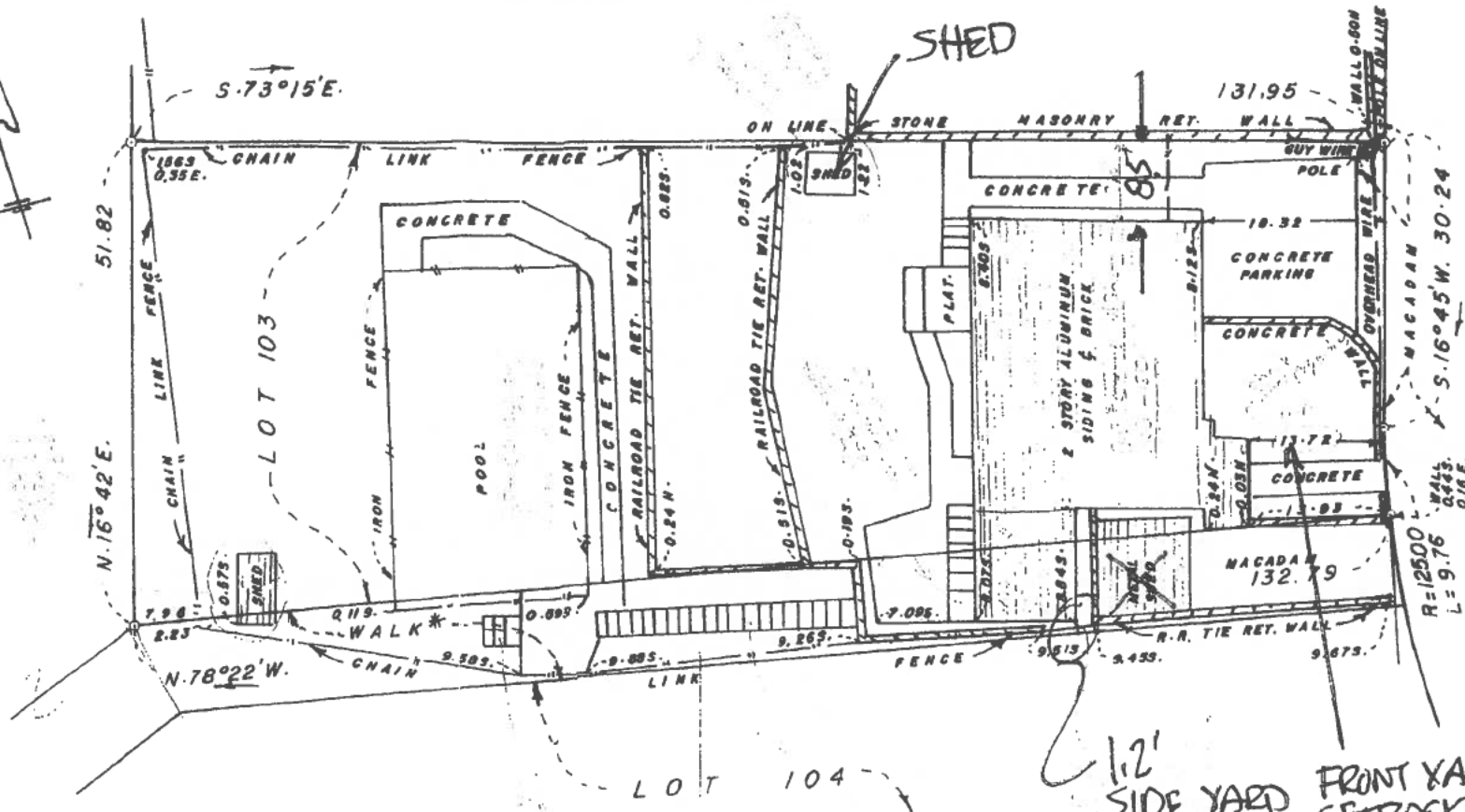
As noted above, the house and shed at issue have been in existence for approximately forty years. Granting the variance will have no adverse effect or impact on the physical or environmental conditions in the neighborhood.

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 variance:

The alleged difficulty is not self-created by the applicant. The applicant's purchase of the home almost forty years ago was done in a private sale without the involvement of real estate agents, who might have alerted the applicant and her husband to the issues presented here. The applicant and her husband only became aware of these issues less than ten years ago. The applicant and her late husband first undertook to initiate a lawsuit to obtain ownership of an orphan right of way that was contiguous to the property, which was resolved shortly before the pandemic. The applicant has recently restarted her efforts to resolve these matters as she wishes to market her property for sale due to the death of her husband earlier this year.

We thank the Board for its consideration.

LOT 117



HUNTER STREET

1/2' SIDE YARD SETBACK
FRONT YARD SETBACK



CERTIFIED TO CHICAGO TITLE INSURANCE COMPANY
 IN ACCORDANCE WITH THE MINIMUM STANDARDS OF
 THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL
 LAND SURVEYORS AS OUTLINED IN THEIR "CODE OF
 PRACTICE FOR LAND SURVEYS."

LOTS 102, 103, 104, 117, AND WALK MENTIONED HEREON
 ARE SHOWN ON A CERTAIN MAP ENTITLED "MAP OF BUILDING
 LOTS BELONGING TO LESLIE R. PALMER" FILED IN THE
 DIVISION OF LAND RECORDS, OFFICE OF THE COUNTY
 CLERK DECEMBER 4, 1917 AS MAP No. 2186.

SURVEYED: FEBRUARY 1, 1979
 FOR: ROBERT & MARLENE BALAZIN AND WILLIAM & BERNICE SEELKE
 CERTIFIED TO: CHICAGO TITLE INSURANCE CO. No. 7910151354
 PEOPLE'S WESTCHESTER SAVINGS BANK

ENCROACHMENTS BELOW GRADE, IF ANY, NOT SHOWN HEREON.

PREPARED BY:
 VINCENT BURRUANO, L. S.
 31 ALBANY POST RD., MONTROSE, N.Y.

SURVEY OF PROPERTY
 SITUATE IN
VILLAGE OF CROTON-ON-HUDSON
TOWN OF CORTLANDT
 WESTCHESTER COUNTY, N.Y.

