

Village of Croton-on-Hudson
Zoning Board of Appeals Meeting of
June 17, 2015

PRESENT: Seth Davis, Chair
Doug Olcott
Rhoda Stephens
Christine Wagner

ALSO PRESENT: Joe Sperber, Assistant Building Inspector

ABSENT: Alan Macdonald
Village Board Liaison

1. CALL TO ORDER:

The Zoning Board of Appeals Meeting of June 17, 2015 was called to order at 8:02 P.M.

2. NEW BUSINESS:

- a) **Siegel, Stephanie & Hal – 165 Old Post Road North.** Located in a RA-40 District and designated on the Tax Maps of the Village as Section 67.16 Block 1 Lot 15. Request for side yard variance and front yard variance for a proposed screened porch.

Mr. and Mrs. Siegel were present along with their Architect, Todd Springer. Mr. Siegel presented the application to the Board. He explained that when they bought the house two years ago there was a deck at the rear of the house where they would now like to place the screened porch. Subsequently, when the house was waterproofed the deck was removed because it was in bad shape. He further explained that the lot is undersized and with Finney Farm Road running behind the house, they have two front yards. The screened porch would be constructed at the back of the house but requires a front yard variance and a side yard variance. Mrs. Siegel added that Mr. Springer had designed the screened porch to be about half the size of the old deck and to fit in with the landscape. She added that it would not be that visible to her neighbors and that they had reached out to their neighbors, the Fagans, at 163 Old Post Road North, to whom the impact would be the greatest and they were okay with it. They wanted a porch rather than a deck for privacy reasons.

Mrs. Siegel confirmed for Chairman Davis that the old deck no longer existed; that the porch would be half the size of the deck and within the old footprint of the deck.

Mr. Sperber interjected that the previous owners had gotten a variance in 1992 for the old deck and that the porch (half the size of the old deck) would be on the side of the deck that had gotten the variance.

Mrs. Siegel then confirmed for Ms. Stephens that the kitchen door leading to the proposed porch was the main entrance to the house from the back.

Chairman Davis opened the hearing to the public and with no one stepping forward he then closed the public hearing.

In response to Chairman Davis' inquiry, Mr. Sperber explained that to be on the cautious side and to be consistent with the 1992 variance, the requested variance is slightly more than actually needed.

Ms. Wagner followed with a motion to grant a 21-foot front yard variance and a 5-foot side yard variance for the proposed screened porch at the rear of the house as shown in the application. Ms. Stephens seconded the motion. The motion passed 4 – 0 with all members present voting in favor.

- b) True, Timothy – 31 Palmer Avenue.** Located in a RB District and designated on the Tax Maps of the Village as Section 78.08 Block 4 Lot 14. Request for front yard variance and rear yard variance for a proposed new deck at the rear of the one-family house.

Mr. True presented the application. He stated that his property according to zoning has two front yards, a side yard and a rear yard. There is only 8 feet at the back of the house which is deemed to be the side yard. The only feasible location to place the deck is at the side of the house where there is a steep incline. A flat deck with a pergola is proposed which requires a front yard variance and a rear yard variance as indicated on the survey included in the application. He said he had letters of support from the immediate neighbors except for a renter across the street.

Ms. Wagner asked if Mr. True had gotten any negative reaction to the project, to which Mr. True replied that no one he contacted was against it. He added that his neighbors look up towards an incline. He explained that he really does not have a backyard and thus the proposed deck will follow along the side yard property line, on the slope, with a railing for safety.

Chairman Davis asked Mr. Sperber if any variances had been granted in the past, to which Mr. Sperber replied in the negative.

Ms. Wagner asked why the proposed deck extends out 25 feet and Mr. True replied that he was trying to maximize the backyard coverage to make it safe since all of the backyard is on an incline/decline.

Mr. Sperber confirmed that the lot has two front yards, both on Palmer Avenue (which curves around the property), and a rear yard, and a side yard.

Chairman Davis noted that there is at least an 8-foot setback on what is deemed the side yard of the lot and which therefore does not require a side yard variance.

Next, the hearing was opened to the public, and with no one stepping forward, the hearing was then closed.

Chairman Davis wanted it noted that the application included letters of support from neighbors residing at 22, 26, 20, 37, 35, 33, 34, 32, 21, 18, 14, 16, and 30 Palmer Avenue.

Ms. Stephens then made a motion to grant an 8.6-foot front yard variance and an 11-foot rear yard variance for the building of a deck onto the side of the house in what is deemed to be the rear yard. Ms. Wagner seconded the motion, and the motion passed 4 to 0 with all members present voting in favor.

3. APPROVAL OF MINUTES:

Ms. Stephens made a motion to approve the minutes as amended and the resolution of the May 13, 2015 Zoning Board of Appeals meeting. The motion was seconded by Ms. Wagner. The motion passed 3 – 0 in favor; Mr. Olcott abstained from voting having been absent from the meeting.

4. ADJOURNMENT:

The meeting was adjourned at 8:47 P.M.

Respectfully submitted,

Toni Cruz
Secretary, Zoning Board of Appeals