

VILLAGE OF LAUREL HOLLOW BOARD OF ZONING APPEALS  
AREA VARIANCE FINDINGS AND DECISION

A public hearing of the Board of Zoning Appeals was held in the Village Hall, Village of Laurel Hollow, on October 25, 2017 at 7:30 p.m. relative to the following matter:

Applicant: Alan J. Cooper, Architect On behalf of: Peter and Nancy Silver

Property Located at: 12 Woodvale Drive, Laurel Hollow

Sec. 25 Blk. 48 Lot(s) 7

Zoning District: Residential Case #: ZV12-2017

Requirement for which Variance is requested: Accessory structures must be set back at least 40 feet from every lot line not abutting a street. Shed setback = 20 feet

Applicable Section(s) of Chapter 145-5(B)(2)

At said hearing the Board considered the following factors and made determinations as stated.

1) Will an undesirable change be produced in the character of the neighborhood or be a detriment to nearby properties?

yes \_\_\_\_\_ no X Reason: The relief sought is appropriate as long as there is sufficient visual screening.

2) Can the benefit sought by the applicant be achieved by a feasible alternative to the variance?

yes X no \_\_\_\_\_ Reason: However, relocation of the shed is not mandated on the facts of this case.

3) Is the variance requested substantial?

yes \_\_\_\_\_ no X Reason: See #1 above.

4) Will the variance have an adverse impact on the physical or environmental conditions in the neighborhood?

yes \_\_\_\_\_ no X Reason: See #1 above.

5) Is the alleged difficulty self-created?

yes X no \_\_\_\_\_ Reason: However, on the facts of this case, approval of the application is nonetheless appropriate.

The Board of Appeals, after taking into consideration the above five factors, finds that:

The benefit to the applicant does not outweigh the detriment to the Neighborhood or community and therefore the variance requested is denied.

X The benefit to the applicant does outweigh the detriment to the neighborhood or community, and the Board of Zoning Appeals further finds that variances of side yard setback of Sections: **145- 5(B)(2)** of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because No adverse consequences will result as long as adequate evergreen screening is provided.

and for these reasons the variance is granted with conditions as indicated.

CONDITIONS: The Board of Zoning Appeals finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

**Condition #1:** Installation of sufficient evergreen screening surrounding the shed so that it will not be visible from Woodvale Drive.

Adverse impact to be minimized: Visual Impacts.

**Condition #2:** \_\_\_\_\_

Adverse impact to be minimized: \_\_\_\_\_

**Condition #3:** \_\_\_\_\_

Adverse impact to be minimized: \_\_\_\_\_

INCORPORATED VILLAGE OF LAUREL HOLLOW  
APPROVED / BZA

These plans were approved by the Board of Appeals of the Incorporated Village of Laurel Hollow. **This is not a permit.**

**Applicant must now submit any and all additional documentation required by the Building Inspector in order to obtain a permit in a timely manner.**

ZV12-2017

10/25/2017

**Russell A. Mohr**

Case #

Date

Signature, Chairman, BZA

Record of Vote on Motion as stated above:

**Motion to Approve by Member Burkett  
Seconded by Member Lebedin**

<u>Member Name</u>	<u>Aye</u>	<u>Nay</u>
<b>Chairman Mohr</b>	<b>X</b>	
<b>Member Blumin</b>	<b>Excused</b>	
<b>Member Kaufman</b>	<b>Excused</b>	
<b>Member Burkett</b>	<b>X</b>	
<b>Member Lebedin</b>	<b>X</b>	