

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: Dennis Oliver, Architect On behalf of: Margaret Austin

Property Located at: 391 Cold Spring Road, Laurel Hollow

Sec. 25 Blk. C1 Lot(s) 1065

Zoning District: Residential Case #: ZV9-2017

Requirement for which Variance is requested: Swimming pools shall be located in the rear yard. Proposed location of pool is side yard.

Applicable Section(s) of Chapter 145-20(F)

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  Reason: The location of the pool is such that no adverse consequences will result.

2) Can the benefit sought by the applicant be achieved by a feasible alternative to the variance?  
yes  no  Reason: The configuration of the parcel and location of the principal building along with location of power lines mandate location of the pool as proposed.

3) Is the variance requested substantial?  
yes  no  Reason: See #1 and #2 above.

4) Will the variance have an adverse impact on the physical or environmental conditions in the neighborhood?  
yes  no  Reason: See #1 and #2 above.

5) Is the alleged difficulty self-created?  
yes  no  Reason: See #1 and #2 above.

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 rear yard location for pools of Sections: **145-20(F)** 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.

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:** N/A

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

**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.**

ZV9-2017

10/25/2017

**Russel 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>	