

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

Retaining Wall Setback

A public hearing of the Board of Zoning Appeals was held in the Village Hall, Village of Laurel Hollow, on 3/19/2019 at 7:30 pm relative to the following matter:

Applicant: Michael Rant On behalf of: Donny Zarro

Property Located at: 43 Springwood Path, Laurel Hollow, NY 11791

Sec. 14 Blk. 25 Lot 15

Zoning District: Residential Case #: ZV2-2019

Requirement for which Variance is requested: retaining walls over 3' in height shall not be located within required setback areas. Proposed Setbacks: stacked stone wall side yard=34.9'; east retaining wall side yard=18.5'; west retaining wall side yard=32.4'.

Applicable Section(s) of Chapter 145-18(B)

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 variance relief sought is reasonable and no adverse impacts to surrounding properties will result.

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

yes no Reason: The location of the home and topography militate in favor of the relief sought.

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 retaining walls over 3' in height not set back as required by Section: **145-18(B)** 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 negative impacts will not 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:

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.

ZV2-2019
Case #

3/19/2019
Date

[Signature]
Signature, Chairman, BZA

Record of Vote on Motion as stated above:

Motion to Approve by Member Lebedin
Seconded by Member Parziale

Member Name	Aye	Nay
Chairman Mohr	X	
Member Blumin		Excused
Member Kaufman	X	
Member Parziale	X	
Member Lebedin	X	

INC VLG OF LAUREL HOLLOW
Filed in the Office of the
Village Clerk on the 18
day of APRIL, 2019
Signed: [Signature]
Print: [Signature]

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

Setback

A public hearing of the Board of Zoning Appeals was held in the Village Hall, Village of Laurel Hollow, on 3/19/2019 at 7:30 pm relative to the following matter:

Applicant: Michael Rant On behalf of: Donny Zarro

Property Located at: 43 Springwood Path, Laurel Hollow, NY 11791

Sec. 14 Blk. 25 Lot 15

Zoning District: Residential Case #: ZV2-2019

Requirement for which Variance is requested: proposed accessory structures are not set back at least 40 ft. from lot lines not abutting a street; Proposed: pool patio side yard=26.2'; pool side yard=38.2'; pool equipment side yard=23.9'; and existing shed side yard=29.2'.

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 Reason: The variance relief sought is reasonable and no adverse impacts to surrounding properties will result.

2) Can the benefit sought by the applicant be achieved by a feasible alternative to the variance?
yes no Reason: The location of the home and topography militate in favor of the relief sought.

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.

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 accessory structures not set back 40' from lot lines not abutting a street 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 negative impacts will not 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:

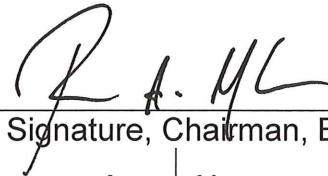
INCORPORATED VILLAGE OF LAUREL HOLLOW
APPROVED / BZA

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.

ZV2-2019

3/19/2019



Case #

Date

Signature, Chairman, BZA

Record of Vote on Motion as stated above:

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

Member Name	Aye	Nay
Chairman Mohr	X	
Member Blumin	Excused	
Member Kaufman	X	
Member Parziale	X	
Member Lebedin	X	

INC VLG OF LAUREL HOLLOW
Filed in the Office of the
Village Clerk on the 18
day of APRIL, 2019
Signed: Nancy Topper
Print: Nancy Topper