

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 June 25, 2018 at 7:30 p.m. relative to the following matter:

Applicant: John & Rita McCarey On behalf of: Themselves

Property Located at: 5 Cedarwood Court, Laurel Hollow, NY 11791

Sec. 14 Blk. A Lot 1108

Zoning District: Residential Case #: ZV4-2018

Requirement for which Variance is requested: Accessory structures must be set back at least 40 feet from every lot line not abutting a street. Existing setback is 30.0 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 Reason: The location of the equipment causes no adverse impacts to surrounding property owners.

2) Can the benefit sought by the applicant be achieved by a feasible alternative to the variance?
yes no Reason: The equipment can be relocated but at great expense and inconvenience to the applicant. Therefore, variance relief is appropriate.

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: No visual or noise impacts will result.

5) Is the alleged difficulty self-created?
yes no Reason: However, denial is not mandated on the facts of this case.

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 **setback for accessory structure** 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 impacts will result from the requested relief.**

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: _____

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.

ZV4-2018

June 25, 2018

Russell A. Mohr

Case #

Date

Signature, Chairman, BZA

Record of Vote on Motion as stated above:

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

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