

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

Setback - 1/2

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: Sofia Kakoulidis On behalf of: Herself

Property Located at: 4 Hemlock Court, Laurel Hollow

Sec. 26 Blk. 1 Lot(s) 14

Zoning District: Residential Case #: ZV3-2018

Requirements for which Variance is requested: Principal building shall be set back at least 40 feet from every lot line not abutting a street (proposed setback is 24.45 feet)

Applicable Sections of Chapter 145-5(B)(1)

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 proposal is reasonable conditioned upon suitable evergreen screening as required herein.

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

yes ___ no X Reason: The location proposed is appropriate and negative impacts limited through suitable evergreen screening.

3) Is the variance requested substantial?

yes ___ no X Reason: See #1 and #2 above. In addition, the applicant's amended plan submitted to the Board and approved herein increased the side yard to 26.45 feet.

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

yes ___ no X Reason: See #1, #2, and #3 above.

5) Is the alleged difficulty self-created?

yes X no ___ Reason: But on the facts of this case, self-created hardship does not mandate denial.

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)(1)** 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

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: Compliance with all items set forth in the Building Inspector's report dated 9/18/2018.

Adverse impact to be minimized: Potential noncompliance with Village requirements.

Condition #2: Submission of a revised landscape plan to the satisfaction of the Board of Appeals including two staggered rows of "Green Giant" arborvitae shrubs (or substantially similar evergreen species) eight (8) feet in height and six (6) feet on center.

Adverse impact to be minimized: The evergreen screening will serve to minimize visual impacts, if any.

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.

ZV3-2018 10/18/2018 [Signature]
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	X	
Member Kaufman	Excused	
Member Parziale	X	
Member Lebedin	X	

INC VLG OF LAUREL HOLLOW
Filed in the Office of the
Village Clerk on the 23
day of OCT 2018
Signed: Nancy Pepper
Print: Nancy Pepper

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

Surface Coverage 2/2

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: Sofia Kakoulidis On behalf of: Herself

Property Located at: 4 Hemlock Court, Laurel Hollow

Sec. 26 Blk. 1 Lot(s) 14

Zoning District: Residential Case #: ZV3-2018

Requirements for which Variance is requested: Total surface coverage shall not exceed 20% of the lot area. Proposed=21.67%

Applicable Sections of Chapter 145-5(A)(1)(d)

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 proposal is reasonable conditioned upon suitable evergreen screening as required herein.

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

yes no Reason: The location proposed is appropriate and negative impacts limited through suitable evergreen screening.

3) Is the variance requested substantial?

yes no Reason: See #1 and #2 above. In addition, the applicant's amended plan submitted to the Board and approved herein decreased the proposed surface coverage to 21.64%.

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

yes no Reason: See #1, #2, and #3 above.

5) Is the alleged difficulty self-created?

yes no Reason: But on the facts of this case, self-created hardship does not mandate denial.

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 **surface coverage** of Sections: **145-5(A)(1)(d)** 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

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: Compliance with all items set forth in the Building Inspector's report dated 9/18/2018.

Adverse impact to be minimized: Potential noncompliance with Village requirements.

Condition #2: Submission of a revised landscape plan to the satisfaction of the Board of Appeals including two staggered rows of "Green Giant" arborvitae shrubs (or substantially similar evergreen species) eight (8) feet in height and six (6) feet on center.

Adverse impact to be minimized: The evergreen screening will serve to minimize visual impacts, if any.

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.

ZV3-2018 10/18/2018 [Signature]
Case # Date Signature, Chairman, BZA

Record of Vote on Motion as stated above:

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

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

INC VLG OF LAUREL HOLLOW
Filed in the Office of the
Village Clerk on the 23
day of OCT, 2018
Signed: [Signature]
Print: Nancy Pepper