

VILLAGE OF RYE BROOK
ZONING BOARD OF APPEALS

RESOLUTION

WHEREAS, an application has been made to the Rye Brook Zoning Board of Appeals by **The Deutsch Family Trust, c/o Hugh Stephenson** (the "Applicant") for a 5-foot front yard setback variance where the minimum allowable setback in the front yard is 40 feet pursuant to Village Code §250-22(G)(1) in connection with a proposed front porch addition on the property located at **8 Whipoorwill Road**, in an R-15 zoning district on the west side of Whipoorwill Road, approximately 400 feet from the intersection of Country Ridge Drive and Whipoorwill Road, said premises being further identified as **Parcel ID# 129.60-1-15** on the Town of Rye Tax Map; and

WHEREAS, a duly advertised public hearing on the application was opened on April 5, 2016, at which time all those wishing to be heard on the application were given such opportunity; and

WHEREAS, the Board closed the public hearing on May 9, 2016; and

WHEREAS, the proposed action is a Type II Action pursuant to the New York State Environmental Quality Review Act, and accordingly, no further environmental review is required; and

WHEREAS, the Board, from the application, after viewing the premises and neighborhood concerned, and upon considering each of the factors set forth at Section 250-13(G)(2)(b)[2][a]-[e] of the Rye Brook Code, finds with respect to the front yard setback variance:

- 1) The variance [WILL/WILL NOT] create an adverse impact to the character of the neighborhood;
- 2) The benefit the applicant seeks [CAN/CANNOT] be achieved through another method, feasible for the applicant to pursue, that does not require the variance;
- 3) The variance [IS/IS NOT] substantial;

- 4) The variance [WILL/WILL NOT] create any adverse impacts to the physical or environmental conditions of the neighborhood; and
- 5) The need for the variance [IS/IS NOT] self-created.

NOW, THEREFORE, BE IT RESOLVED, that said application is hereby [GRANTED/DENIED] subject to the following conditions:

- 1. No permit or certificate of occupancy shall be issued until the Applicant has paid in full all application and consultant fees incurred by the Village in connection with the review of this application.
- 2. _____

- 3. _____

Dated: May 9, 2016

Don Moscato, Chairman

Chairman Moscato called the roll:

Steven Berger	Voting: ___ Aye ___ Nay ___ Abstain ___ Absent
Glen Brettschneider	Voting: ___ Aye ___ Nay ___ Abstain ___ Absent
Don Moscato	Voting: ___ Aye ___ Nay ___ Abstain ___ Absent
Jamie Schutzer	Voting: ___ Aye ___ Nay ___ Abstain ___ Absent
Joel Simon	Voting: ___ Aye ___ Nay ___ Abstain ___ Absent

___ **Ayes**
 ___ **Nays**
 ___ **Recused**
 ___ **Absent**