

**ZONING BOARD OF APPEALS
VILLAGE OF ARDSLEY
RESOLUTION of DECEMBER 27, 2023
GRANTING VARIANCE of YARD REQUIREMENTS
and of CORNER LOT TRANSITION
To: VINCENT RUSSO and ARISA KATERINA PROKO**

WHEREAS, Vincent Russo and Arisa Katerina Proko, 20 Grandview Avenue, Ardsley NY 10502, have applied to this Board for variances from Section 200-26 entitled “Yard Requirements”, and Section 200-89 entitled “Corner lot transition” of the Zoning Code of the Village of Ardsley in order to construct a single-story addition in front of the existing, non-conforming, one-story dwelling; where, on Grandview Avenue, the front yard depth is 16.6 feet to the garage of the existing house, and 14.5 feet to the proposed addition and on Eastern Drive, the side yard width is 9.8 feet to the rear corner of the existing house, and 17.1 feet to the proposed addition; and

WHEREAS, this application is made under the authority of Section 200-97, subdivision B, of the Zoning Ordinance of the Village of Ardsley, affecting the premises known as 20 Grandview Avenue, Ardsley, New York and designated on local tax maps as Section 6.80, Block 64, Lot 5, which is within an R-3 One-Family Residential District; and

WHEREAS, a public hearing on this application was held by the Ardsley Zoning Board of Appeals at the Municipal Building, 507 Ashford Avenue, Ardsley, NY on November 29, 2023 after due notice by publication; and

WHEREAS, at the hearing, Mr. Russo and Ms. Proko appeared in support of their application, and all those who desired to be heard were heard and their testimony recorded; and

WHEREAS, this Board, after carefully considering all testimony and the application, and in weighing both the potential benefit to the applicant and the potential detriment to the health, safety and welfare of the neighborhood if the variance is granted, has determined that:

- (1) there will not be an undesirable change in the character of the neighborhood or a detriment to nearby properties if the variances are granted, in that the proposed addition will project approximately 2 feet further into the front yard only slightly increasing the degree of non-conformity thus having minimal impact on the front yard. The existing home also sits substantially below the existing roadway along Grandview Avenue, and at the street side along Eastern Drive, the existing home is already non-conforming at the west corner of the property. The proposed addition will minimally project into the street side yard setback

and will remain substantially less than the non-conforming street side setback of the existing home;

- (2) the benefit sought by the applicants cannot be achieved by some other method, feasible for the applicants to pursue in their reasonable use and possession of the premises, as the layout of the existing home is not conducive to an alternative design which will achieve the same result. Additional square footage elsewhere would not work with existing floor plan of the home and would be cost prohibitive while not reducing the existing level of non-conformity;
- (3) the requested variances are not substantial, in that the proposed front yard addition will project into the required front yard setback only slightly more than the existing structure and will project into the required street side yard setback less than the existing non-conforming structure;
- (4) the proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood because the proposed addition will not change the overall character of the premises relative to neighboring properties, and will not meaningfully impact other property owners, if at all, since the proposed addition is consistent with the character of other homes in the immediate area, and the small increase in impervious surface area will be mitigated by the installation of new stormwater recharger units;
- (5) the proposed difficulty was not self-created in that the original house construction and layout prior to the applicants' purchase of the home had previously created the existing non-conforming front-yard and side-yard setbacks;

NOW THEREFORE, be it resolved that the application of Vincent Russo and Arisa Katerina Proko, 20 Grandview Avenue, Ardsley, New York is granted.

PROPOSED BY:	Mr. Serge Del Grosso
SECONDED BY:	Dr. June Archer
VOTE:	4 in favor, 0 opposed, 0 abstentions, as follows:
ROSTER:	Mr. Michael Wiskind, Chair – AYE
	Mr. Jacob E. Amir – ABSENT
	Dr. June Archer AYE
	Mr. Serge Del Grosso – AYE
	Mr. Mort David – AYE