

ARDSLEY ZONING BOARD of APPEALS
RESOLUTION of JULY 26, 2023
GRANTING VARIANCE FOR TWO SINGLE-STORY ADDITIONS
WHERE THE SIDE YARD WIDTH AND THE REAR YARD DEPTH
ARE EACH LESS THAN THE MINIMUM REQUIRED
TO: ABHIJIT SANYAL

WHEREAS, Abhijit Sanyal, of 36 Western Drive, Ardsley, NY 10502, has applied to this Board for variances from Sections 200-9 Building Coverage, 200-10B Yard Requirements - Side Yard Width, and 200-10C Yard Requirements - Rear Yard Depth of the Zoning Code of the Village of Ardsley in order to construct two single-story additions to the existing non-conforming dwelling located on the property; and

WHEREAS, this application is made under the authority of Sections 115-6 and 200-97, Subdivision B of the Zoning Ordinance of the Village of Ardsley, affecting the premises known as 36 Western Drive, Ardsley, New York and designated as Section 6.50, Block 31, Lot 3, which is within an R-1 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 June 28, 2023 after due notice by publication; and

WHEREAS, at the hearing, 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 additions are not increasing the existing non-conformity regarding side-yard (minimum 30 feet) or rear-yard (minimum 40 feet) setbacks. The existing minimum side-yard width on the west side of the residence is 6 feet 4 inches to the existing structure and 19 feet 4 inches to the closest point of the proposed addition, the existing minimum side-yard width on the east side is 14 feet 2 inches to the existing structure and 18 feet 7 inches to the closest point of the proposed addition, and the existing minimum rear-yard depth is 31 feet 6 inches to the existing structure and 33 feet 3 inches to the closest point of the proposed additions;
- (2) the benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue in its reasonable use and possession of the premises, as the existing structure, like many older homes in the surrounding neighborhood and generally elsewhere in the Village, is non-conforming in terms of building coverage, both side-yard setbacks, and rear-yard setback;
- (3) the requested variances are not substantial, in that the proposed increase in building coverage (from the existing 1,942 square feet to 2,012 square feet) is only 70 square feet (0.8% of the lot area);
- (4) the proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood and therefore do not change the overall character of the premises relative to neighboring properties, and will not appear to meaningfully impact other property owners, if at all, since both proposed additions are to the rear of the existing residence with one filling in an indentation and the other replacing an existing elevated deck with a more usable space; and
- (5) the circumstances requiring the variances were not self-created, as they are proposed as part of the reconstruction of the residence following a 2022 fire.

NOW THEREFORE, be it resolved that the application of Abhijit Sanyal, of 36 Western Drive, Ardsley, New York is granted.

PROPOSED BY: Mr. Michael Wiskind, Chair

SECONDED BY: Mr. Serge Del Grosso

ROSTER: Mr. Michael Wiskind, Chair – AYE

Mr. Jacob E. Amir – AYE

Dr. June Archer – AYE

Mr. Serge Del Grosso – AYE

Mr. Mort David – AYE