

ARDSLEY ZONING BOARD OF APPEALS
RESOLUTION
of MARCH 22, 2023
GRANTING VARIANCE
FOR CONSTRUCTION OF A SECOND-STORY ADDITION
TO EXISTING NON-CONFORMING DWELLING
WHERE THE SIDE YARD WIDTH IS LESS THAN
THE FIFTEEN FEET MINIMUM REQUIRED
To: AMANDA SARA KEIL and MICHAEL YOUNGHO JO

WHEREAS, Amanda Sarah Keil and Michael Youngho Jo of 14 Taft Lane, Ardsley NY 10502, have applied to this Board for a variance from Section 200-26B of the Zoning Ordinance of the Village of Ardsley for construction of a second-story addition to the existing non-conforming dwelling at the premises; 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 14 Taft Lane, Ardsley, New York and designated as Section 6.110, Block 100, Lot 11, 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 February 22, 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 variance is granted, where other single-family homes within the neighborhood have second-story features similar to those which the applicant seeks to add, and owners of single-family residences within close proximity to the applicant, on Taft Lane and McKinley Lane, have been granted variances for additions similar to that being proposed which incorporate the vertical extension of pre-existing non-conforming setback encroachments;
- (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 property is already improved by an existing non-conforming dwelling, the design plans submitted to the Building Department reflect second-floor expansions of 40 square feet and 92 square feet, respectively at the northwest and northeast corners of the existing premises that cannot be done elsewhere on the second-floor, and the proposed second-floor expansion comports with the existing layout of the dwelling, including locations of bedrooms, closets and hallways.
- (3) the requested variance is not substantial, as stated above, in that the applicant proposes 40 square feet and 92 square feet, respectively at the northwest and northeast corners of the existing dwelling, of additional space in the side yard setback on the second-floor but without changing the footprint of the property, and that all other schedules of dimensional use, including lot area, height, building and land coverage and floor area, do not require variances;
- (4) the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood and therefore does not change the overall character of the premises relative to neighboring properties, in that the addition will enable the premises to have a third bedroom, where other single-family dwellings in the neighborhood have upwards of four or five bedrooms, and the addition will not appear to meaningfully impact other property owners, if at all; and

- (5) the circumstances requiring the variances were not self-created where the additions are to an existing non-conforming dwelling, and even if self-created, would not preclude the granting of a variance.

NOW THEREFORE, be it resolved that the application of Amanda Sarah Keil and Michael Youngho Jo is granted.

PROPOSED BY: Mr. Jacob E. Amir

SECONDED BY: Dr. June Archer

VOTE: 4 in favor, none opposed, none abstaining, as follows

ROSTER: Mr. Michael Wiskind, Chair – AYE

Mr. Jacob E. Amir – AYE

Dr. June Archer – AYE

Mr. Mort David – ABSENT

Mr. Serge Del Grosso – AYE