

Zoning Board

The current agenda for May 18, 2011 can be found on the Town Calendar. The next meeting will be held on June 15, 2011 with submission deadline on May 27, 2011.

Zoning Board of Appeals Members

Les Maron, Chairman
Larry Brotmann
David Grubb
Tom Smith
Murray Levy

Consultants:

William Harrington, Counsel
Karen Taft, Administrator
Paul McConville, Town Board Liaison to Zoning Board of Appeals

Zoning Board Meetings

Meetings are usually held on the 3rd Wednesday of each month at 7:30 p.m. at the Town House. Call the Zoning Office at 914-764-3982 for specific dates. Deadline for submissions is on the Monday that is two weeks prior to the meeting. The Board walks the property the Saturday prior to the meeting between the hours of 9:00 and 11:00 a.m. Proposed structures must be staked prior to the walk.

Powers Of The Zoning Board Of Appeals

The Zoning Board of Appeals is empowered to act in two (2) ways:

Variances The Board may grant a variance from the provisions of the Zoning Ordinance when specific relief is requested and the applicant can demonstrate that he/she meets the criteria for the granting of a variance as prescribed by law.

Reversal The Board may reverse a decision or interpretation made by the Zoning Code Enforcement Officer where a reversal is requested and the evidence presented demonstrates that the decision or interpretation was incorrect.

It is important for all applicants to understand that legal criteria exist and the burden of proof must be met for any decision favorable to the applicant to be rendered.

VARIANCES

Area Variance

Generally, an area variance involves limitations with respect to size or placement of a structure. These limitations could involve height restrictions, setback requirements, square footage, etc. To grant an area variance, the Board must consider two basic things: the benefit to the applicant if the variance is granted and the detriment to the health, safety and general welfare of the neighborhood or community if the variance is granted. In arriving at the

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preceding "balanced approach" the Board must consider the following:

1. Whether an undesirable change will occur in the character of the neighborhood or a detriment to nearby properties will be created;
2. Whether the benefit sought can be achieved by a feasible alternative other than a variance;
3. Whether the variance requested is substantial;
4. Whether there will be an adverse effect on the physical or environmental conditions of the neighborhood;
5. Whether the alleged difficulty is self created.

In considering the foregoing, the Board must also determine the minimum variance necessary to satisfy the aggrieved party and also preserve the essential character of the neighborhood and protect the health, safety and welfare of the community.

Use Variance

A use variance involves the use of land in a manner or for a purpose, which is otherwise not allowed by the Zoning Ordinance. In order to be granted a use variance, the applicant must be able to demonstrate "unnecessary hardship." To prove unnecessary hardship, it must be shown that:

1. The land cannot yield a reasonable return if used only for the uses permitted in that zone (must be actual dollars and cents proof);
2. That the plight of the owner is due to unique circumstances of the parcel in question;
3. That the proposed use will not alter the essential character of the locality;
4. That the unnecessary hardship was not self created.

Supporting Documents

 [ZBA Application Form](#)

- [Boards and Commissions](#)

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