



2017-05

City of Beacon Zoning Board of Appeals

RESOLUTION

WHEREAS, an application has been made to the City of Beacon Zoning Board of Appeals by Seven & One Development, (the “Applicant”) for a two lot subdivision that creates a non-conforming rear yard setback; seeking relief from Section 223-17(C) for a 26.5 ft. rear yard setback where 30 ft. is required on property located at 16 Church Street in the R1-5 Zoning District. Said premises being known and designated on the City of Beacon Tax Map as **Parcel ID# 30-5954-28-885953-00**; and

WHEREAS, a duly advertised public hearing on the application was held on February 22, 2017 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 February 22, 2017; 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 223.55(C)(2)(b)[1]-[5] of the City of Beacon Code, finds with respect to the variance:

- 1) The variance **will not** produce an adverse impact to the character of the neighborhood or create a detriment to the nearby properties;
- 2) The benefit the applicant seeks **cannot** be achieved through another method, feasible for the applicant to pursue, other than an area variance;
- 3) The variance **is not** substantial; and
- 4) The variance **will not** create any adverse impacts to the physical or environmental conditions in the neighborhood or district; and
- 5) The need for the variance **was** self-created.



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NOW THEREFORE, BE IT RESOLVED, that said application for a two lot subdivision that creates a non-conforming rear yard setback; seeking relief from Section 223-17(C) for a 26.5 ft. rear yard setback where 30 ft. is required is hereby **granted** subject to the following conditions:

1. No permit or Certificate of Occupancy shall be issued until the Applicants have paid in full all application and consultant fees incurred by the City of Beacon in connection with the review of this application.
2. Other: _____

Dated: February 22, 2017

Mr. Dunne called the roll:							
Motion	Second	Zoning Board Member	Aye	Nay	Abstain	Excused	Absent
		John Dunne	X				
		Jordan Haug	X				
	X	Robert Lanier	X				
X		Judy Smith	X				
		Neil Sullivan	X				
Motion Carried			5	0			