



\$350

**TOWN OF OSSINING
BUILDING & PLANNING DEPARTMENT**

101 ROUTE 9A, P.O. Box 1166

OSSINING, N. Y. 10562

PHONE: (914) 762-8419 FAX: (914) 290-4656

Website www.townofossining.com & Email bldgdept@townofossining.com

APPLICATION TO THE ZONING BOARD OF APPEALS

Date 8/2/24

I, We Cynthia Decker of 4 Bracken Road
(Name of Applicant) (Street)

Town of Ossining NY 10562 914 438 7523 : HEREBY
(Municipality) (State) (Zip Code) (Phone No.) (Email)

cintiya@aol.com
~~tonnydom@verizon.net~~

☒ APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF
THE BUILDING INSPECTOR AND IN CONNECTION THEREWITH REQUEST

() an Interpretation of the Zoning Code or Zoning Map of the Town of Ossining

☒ a Variance from the terms of the Zoning Code of the Town of Ossining, or

() a Temporary Certificate of Occupancy.

() APPLY TO THE ZONING BOARD OF APPEALS FOR A SPECIAL PERMIT.

1. **LOCATION OF PROPERTY:** 4 Bracken Road
(Street and Number)

SECTION 81 BLOCK 17 LOT 1 ~~LOT~~ 78 Zone R20

A) Is the Property located within a distance of 500 feet of the boundary of any village, town or county, or any boundary of a State park or parkway?
If yes, specify.

Yes _____ No X

B) Does the Property abut the boundary of any village or town, the boundary of any State or County park or other recreation area, the right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines, or the boundary of any county or State owned land on which a public building or institution is located? If yes, specify.

Yes _____ No X

C) If a Special Permit is being applied for, is the property shown on the Hudson River Valley Commission Jurisdiction Map?

Yes _____ No _____

N/A

2. PROVISION (S) OF THE ZONING CODE INVOLVED:

Section 200 subsection 25.A paragraph (1)

Section 200 subsection 25 paragraph B(2)

Section _____ subsection _____ paragraph _____

3. DESCRIPTION OF RELIEF REQUESTED (Set forth the circumstances of the case, interpretation that is claimed and details of any variance applied for. Use extra sheet if necessary.)

person (10x7 sq ft) Wood shed on what we considered a side yard. Not feasible to move, not fully visible from street. No adverse affect on physical or environmental conditions. No

4. REASON FOR APPEAL (State precisely grounds on which it is claimed that relief should be granted. Use extra sheet if necessary.) Environmental impact.

Wood shed built and set. Would be difficult and not feasible to move. Not visible from the street, we consider this our "side yard" with pets + children less used

5. Enclose 10 copies and 1 pdf version of an accurate and intelligible plan, survey, location map, of the Property drawn to a suitable scale email to blgddept@townofossining.com and a nonrefundable fee of \$350.00 payable to Town of Ossining.

as opposed to "rear" yard


(Signature of Property Owner or Authorized Agent)

where there is a pool and patio area utilized daily. This is for wood, personal use shed. It preserves the character of the neighborhood.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

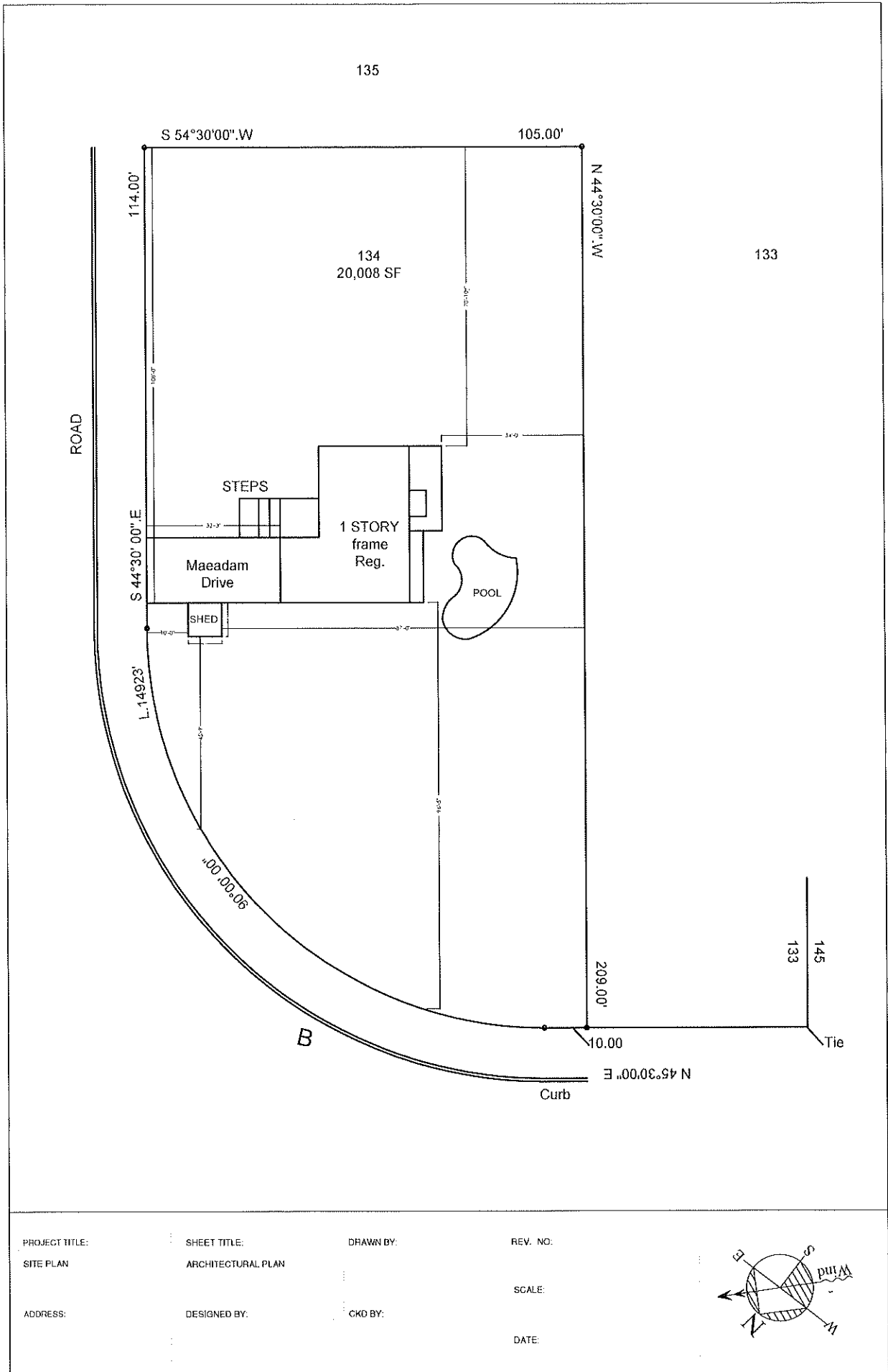
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

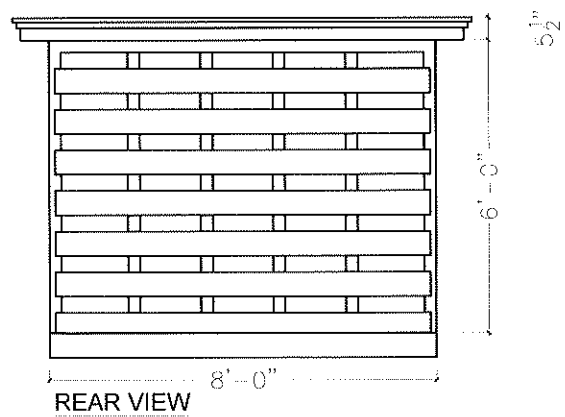
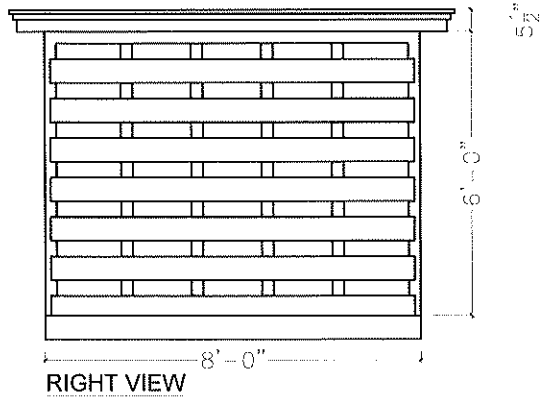
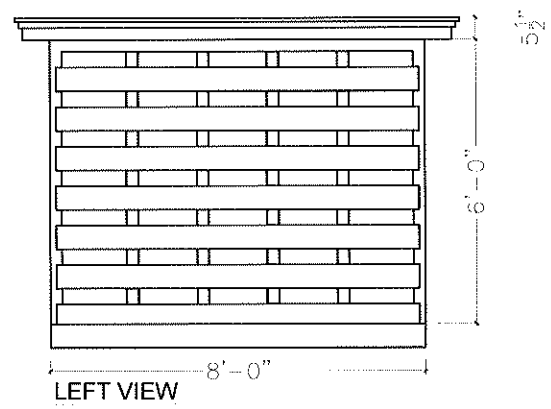
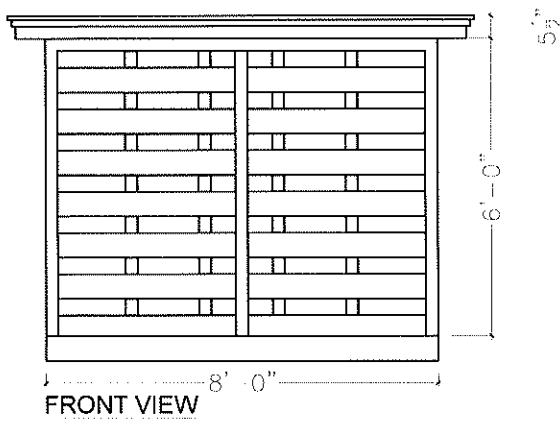
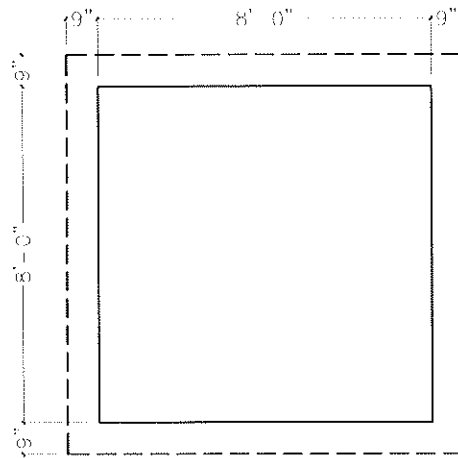
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Decker residence at 4 Bracken Rd ^{Personal} WOOD SHED			
Project Location (describe, and attach a location map): 4 Bracken road, yard to the ^{Right} Left side of House going down the Hill			
Brief Description of Proposed Action: We built a personal use wood shed, ^{for storage} on what is our "side yard", Back yard is used by dogs, children, family and a wood shed would be better located in "side yard" not visible to the street, covered by shrubs			
Name of Applicant or Sponsor: Cynthia Decker		Telephone: 9144387523 E-Mail: cintiya@aol.com	
Address: 4 Bracken Road			
City/PO: Ossining		State: NY	Zip Code: 10562
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		☒	☐
3. a. Total acreage of the site of the proposed action?		.46 acres	
b. Total acreage to be physically disturbed? (10x7ft)		.001 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.46 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

		NO	YES	N/A
5. Is the proposed action,				
a. A permitted use under the zoning regulations?		☐	☒	☐
b. Consistent with the adopted comprehensive plan?		☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
Not Applicable.		☒	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
b. Are public transportation services available at or near the site of the proposed action?		☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:				
Not Applicable		☒	☒	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____		☒	☐	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____		☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
		☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban			N/A	
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?			NO ☒	YES ☐
16. Is the project site located in the 100-year flood plan?			NO ☒	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:			NO ☒	YES ☐
N/A			☒	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:			NO ☒	YES ☐
			☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:			NO ☒	YES ☐
			☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:			NO ☒	YES ☐
			☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE				
Applicant/sponsor/name: <u>Cynthia Decker</u> Date: <u>8/2/24</u>				
Signature: <u>[Signature]</u> Title: _____				





PROJECT TITLE:
SHED PLAN

SHEET TITLE:
ARCHITECTURAL PLAN

DRAWN BY:

REV. NO:

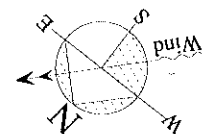
ADDRESS:

DESIGNED BY:

CKD BY:

SCALE:

DATE:



THE JUDICIAL TITLE INSURANCE AGENCY LLC

Title Number: 136506FA-W

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Ossining, County of Westchester and State of New York, more particularly known as Lot No. 134 on a certain map entitled, "Map of Flower Hill, Section 2", made by W.A. Slater, P.E. & L.S., dated May 18, 1964 and filed in the County Clerk's Office of Westchester County, Division of Land Records, on June 17, 1964 as Map No. 13973, being more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Road "B" (Bracken Road) where the division line between Lot No. 134 and Lot No. 135 on said map intersects said southerly side of Road "B";

RUNNING THENCE along said division line, south 45 degrees 30 minutes 00 seconds west, 105.00 feet to the division line between Lot No. 133 and Lot No. 134 on said map;

THENCE along said division line, north 44 degrees 30 minutes 00 seconds west, 209.00 feet to the southerly side of Road "B";

THENCE along said southerly side of Road "B," north 45 degrees 30 minutes 00 seconds east, 10.00 feet, easterly along a curve to the right having a radius of 95.00 feet and an arc length of 149.23 feet and south 44 degrees 30 minutes 00 seconds east, 114.00 feet to the point or place of BEGINNING.

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party in the first part, or, in and to the land lying in the street in front of and adjoining said premises.



4 Bracken Rd.

Ossining, NY

1 inch = 71 Feet

September 26, 2024



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

ZONING

200 Attachment 2

BULK REGULATIONS FOR ONE-FAMILY RESIDENCES
IN THE R-40, R-30, R-20, R-20A, R-15, R-10, R-7.5 and R-5 DISTRICTS
[Amended 3-9-1993 by L.L. No. 3-1993; 4-12-2011 by L.L. No. 1-2011]

Minimum Requirements	R-40	R-30	R-20	R-20A	R-15	R-10	R-7.5	R-5
Lot areas (square feet)	40,000	30,000	20,000	20,000	15,000	10,000	7,500	5,000
Lot width (feet)	150	125	100	90	90	75	60	50
Lot depth (feet)	150	150	130	130	120	100	100	80
Lot depth (feet)	40	35	30	30	30	25	25	25
Front yard (feet)	20	18	16	16	14	12	10	8
1 side yard (feet)	42	38	34	34	30	26	22	18
Both side yards (feet)	38	36	34	34	32	30	28	26
Rear yard (feet)	850	850	850	850	850	850	750	750
Livable floor area per dwelling unit (square feet)								
Maximum Permitted								
Building height	2½	2½	2½	2½	2½	2½	2½	2½
Stories	35	35	35	35	35	35	35	35
Feet	18	20	22	22	25	27	30	30
Building coverage (percent)								

200 Attachment 2:1

08 - 01 - 2011



\$350

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(Name of Applicant) (Street)

Town of Ossining NY 10562 914 438 7523: HEREBY
(Municipality) (State) (Zip Code) (Phone No.) (Email)

cintiya@aol.com

~~Donny Decker@aol.com~~

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☒ a Variance from the terms of the Zoning Code of the Town of Ossining, or

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If yes, specify. Yes No X

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C) If a Special Permit is being applied for, is the property shown on the Hudson River Valley Commission Jurisdiction Map?
N/A Yes No

2. PROVISION (S) OF THE ZONING CODE INVOLVED:

Section 200 subsection 25.A paragraph (1)

Section 200 subsection 25 paragraph B(2)

Section _____ subsection _____ paragraph _____

3. DESCRIPTION OF RELIEF REQUESTED (Set forth the circumstances of the case, interpretation that is claimed and details of any variance applied for. Use extra sheet if necessary.)

personnel
10x7 sq ft
Wood shed on what we considered a side yard. Not feasible to move, not fully visible from street. No adverse affect on physical or environmental conditions. No environmental impact.

4. REASON FOR APPEAL (State precisely grounds on which it is claimed that relief should be granted. Use extra sheet if necessary.)

Wood shed built and set. Would be difficult and not feasible to move. Not visible from the street, we consider this our "side yard" with pets + children less used

5. Enclose 10 copies and 1 pdf version of an accurate and intelligible plan, survey, location map, of the Property drawn to a suitable scale email to bldgdept@townofossining.com and a nonrefundable fee of \$350.00 payable to Town of Ossining.

as opposed to "rear" yards



(Signature of Property Owner or Authorized Agent)

where there is a pool and patio area utilized daily. This is for wood, personal use shed. It preserves the character of the neighborhood.

Short Environmental Assessment Form

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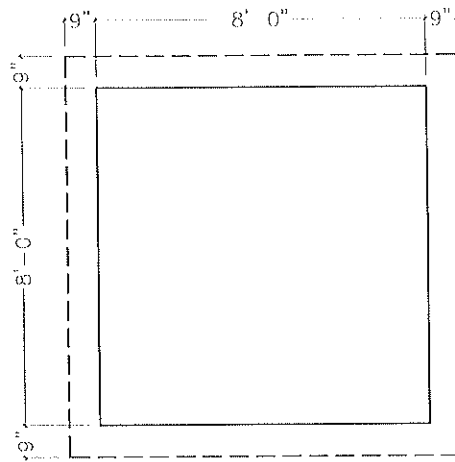
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Part 1 - Project and Sponsor Information

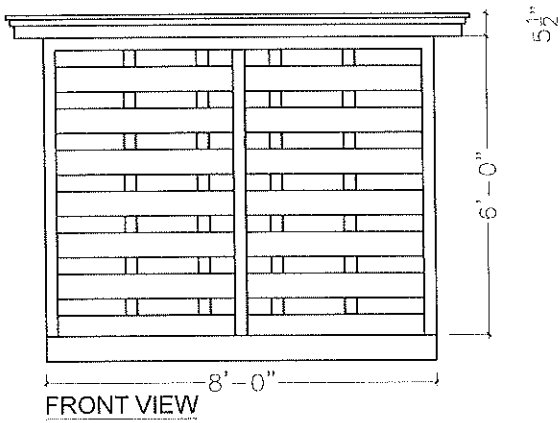
Name of Action or Project: Decker residence at 4 Bracken Rd ^{Personal} WOOD SHED	
Project Location (describe, and attach a location map): 4 Bracken road, yard to the ^{Right} Left side of House going down the Hill	
Brief Description of Proposed Action: We Built a personal use wood shed, ^{Food storage} on what is our "side yard", Back yard is used by dogs, children, family and a wood shed would be better located in "side yard" not visible to the street, covered by shrubs	
Name of Applicant or Sponsor: Cynthia Decker	Telephone: 9144387523 E-Mail: cynthia@aol.com
Address: 4 Bracken Road	
City/PO: Ossining	State: NY Zip Code: 10562
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	NO YES ☒ ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:	NO YES ☒ ☐
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? (10x7 ft) c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	.46 acres .001 acres .46 acres
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland	

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
<i>Not Applicable</i>	☒	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: <i>Not Applicable</i>	☒	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

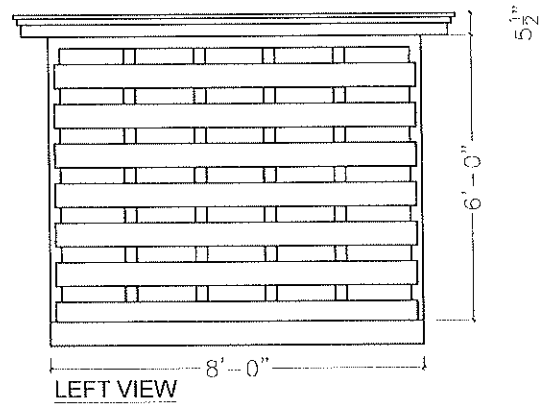
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15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?			NO ☒	YES ☐
16. Is the project site located in the 100-year flood plan?			NO ☒	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:			NO ☒	YES ☐
			N/A	
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:			NO ☒	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:			NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:			NO ☒	YES ☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE				
Applicant/sponsor/name: <u>Cynthia Decker</u>			Date: <u>8/2/24</u>	
Signature: <u>[Signature]</u>			Title: _____	



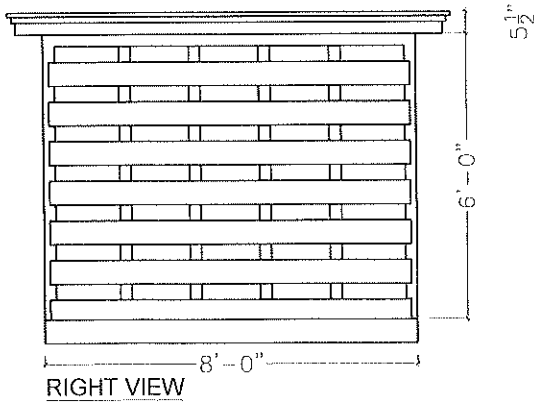
SHED PLAN



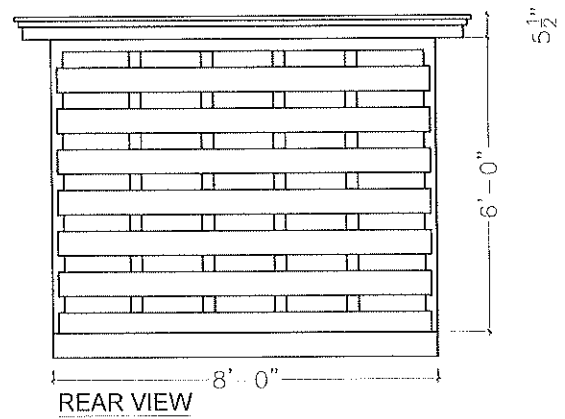
FRONT VIEW



LEFT VIEW



RIGHT VIEW



REAR VIEW

PROJECT TITLE:
SHED PLAN

SHEET TITLE:
ARCHITECTURAL PLAN

DRAWN BY:

REV. NO:

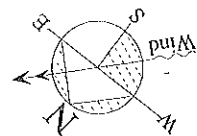
ADDRESS:

DESIGNED BY:

CKD BY:

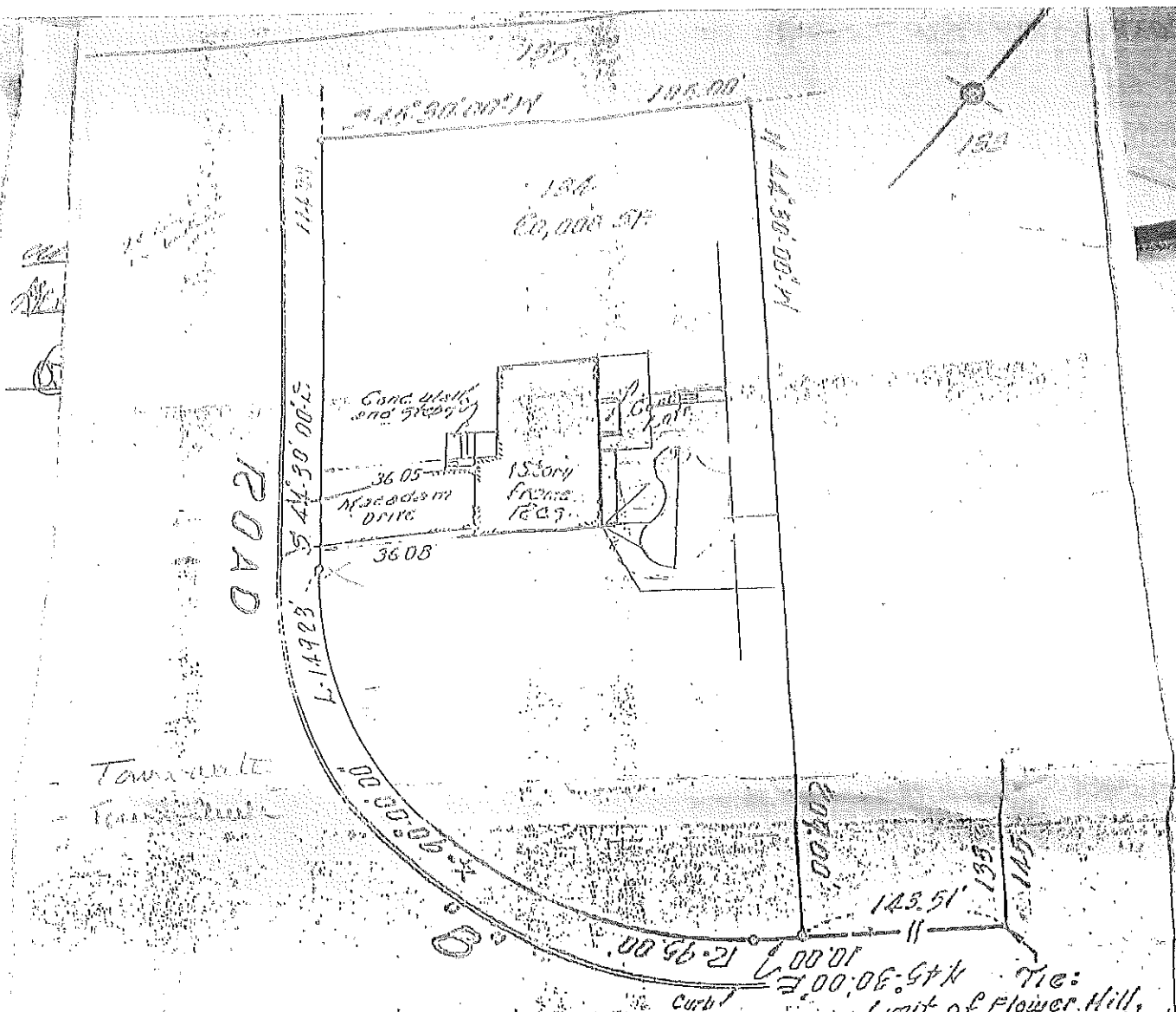
SCALE:

DATE:



SEP 26, 2024

[illegible]



Tie:
Limit of Flower Hill,
Sect. 11, T. 1, R. 1, filed in West
Co. Clerk's Office, Division
of Land Records, 25
Map No. 15973, as
May 10, 1964

**SURVEY OF PROPERTY
SITUATE IN THE
TOWN OF OSSINING
WESTCHESTER CO., NY
TO BE CONVEYED TO**

Scale of 1" = 80'

Subd. Flower Hill, Sect. 11,
filed in West Co. Clerk's Office
Division of Land Records, 25
Map No. 15973 on June 17, 1964.

Brought to date May 10, 1965
Brought to date Oct. 10, 1964
Surveyed June 26, 1964

[Signature]
W. A. Slater, P.E. & L.S.
New York

Insured by the Chicago Title
Insurance Co., Home Title Division,
at the Home Savings Bank Co.
Cook, Ill.

THE JUDICIAL TITLE INSURANCE AGENCY LLC

Title Number: 136506FA-W

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Ossining, County of Westchester and State of New York, more particularly known as Lot No. 134 on a certain map entitled, "Map of Flower Hill, Section 2", made by W.A. Slater, P.E. & L.S., dated May 18, 1964 and filed in the County Clerk's Office of Westchester County, Division of Land Records, on June 17, 1964 as Map No. 13973, being more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Road "B" (Bracken Road) where the division line between Lot No. 134 and Lot No. 135 on said map intersects said southerly side of Road "B";

RUNNING THENCE along said division line, south 45 degrees 30 minutes 00 seconds west, 105.00 feet to the division line between Lot No. 133 and Lot No. 134 on said map;

THENCE along said division line, north 44 degrees 30 minutes 00 seconds west, 209.00 feet to the southerly side of Road "B";

THENCE along said southerly side of Road "B," north 45 degrees 30 minutes 00 seconds east, 10.00 feet, easterly along a curve to the right having a radius of 95.00 feet and an arc length of 149.23 feet and south 44 degrees 30 minutes 00 seconds east, 114.00 feet to the point or place of BEGINNING.

FOR
EYANCING
ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party in the first part, or, in and to the land lying in the street in front of and adjoining said premises.

ZONING

200 Attachment 2

BULK REGULATIONS FOR ONE-FAMILY RESIDENCES
IN THE R-40, R-30, R-20, R-20A, R-15, R-10, R-7.5 and R-5 DISTRICTS
[Amended 3-9-1993 by L.L. No. 3-1993; 4-12-2011 by L.L. No. 1-2011]

Minimum Requirements	R-40	R-30	R-20	R-20A	R-15	R-10	R-7.5	R-5
Lot areas (square feet)	40,000	30,000	20,000	20,000	15,000	10,000	7,500	5,000
Lot width (feet)	150	125	100	90	90	75	60	50
Lot depth (feet)	150	150	130	130	120	100	100	80
Lot depth (feet)	40	35	30	30	30	25	25	25
Front yard (feet)	20	18	16	16	14	12	10	8
1 side yard (feet)	42	38	34	34	30	26	22	18
Both side yards (feet)	38	36	34	34	32	30	28	26
Rear yard (feet)	850	850	850	850	850	850	750	750
Livable floor area per dwelling unit (square feet)								
Maximum Permitted								
Building height	2½	2½	2½	2½	2½	2½	2½	2½
Stories	35	35	35	35	35	35	35	35
Feet	18	20	22	22	25	27	30	30
Building coverage (percent)								

200 Attachment 2:1

08 - 01 - 2011

Chapter 200. Zoning

Article V. Supplementary Regulations

§ 200-25. Supplementary regulations applying to all residence districts.

A. Accessory buildings.

-  (1) An accessory building may be located in any required side or rear yard, provided that:
 - (a) Such building shall not exceed 15 feet in height.
 - (b) Such buildings shall be set back 10 feet from any lot line.
[Amended 9-16-1969 by Ord. No. 73]
 - (c) All such buildings in the aggregate shall not occupy more than 30% of the area of the required rear or side yard.
- (2) Accessory buildings constructed at the same time may be located in pairs or groups in the required rear or side yard along the common side lot line or rear lot line of contiguous lots.
- (3) An accessory building on that portion of a lot not included in any required yard shall conform with the height regulations for principal buildings.
- (4) No accessory building shall project nearer to the street on which the principal building fronts than such principal building. Should topographic conditions be such that practical difficulties would be caused by this requirement with respect to the location of garages, the Planning Board may authorize the erection of such garages under the following conditions:
[Amended 9-16-1969 by Ord. No. 73]
 - (a) If the natural slope is from 10% to 20% within 25 feet of the street line, the Board may permit a garage not closer than 10 feet to the street line.
 - (b) Where such slope exceeds 20%, a garage may be permitted not closer than five feet to the street line.

B. Corner lots.

- (1) Obstruction to vision at street intersections. At all street intersections in all residence districts, no obstructions to vision exceeding 30 inches in height above curb level shall be erected or maintained on any lot within the triangle formed by the street lines of such lot and a line drawn between points along such street lines 30 feet distant from their point of intersection.
 -  (2) Rear and side yards. On a corner lot, front yards are required on both street frontages, and one yard other than the front yards shall be deemed to be a rear yard and the other, or others, side yards.
- C. Exceptions to lot depth requirements. The required lot depth at any point may be decreased by 25% if the average lot depth conforms with the minimum requirement.
- D. Exceptions to yard requirements.
- (1) Permitted obstructions. Cornices or cantilevered roofs may project not more than three feet into a required yard. Belt courses, window sills and other ornamental features may project not more than six

inches into a required yard. Fences or walls over 6 1/2 feet in height may not be erected in front, rear or side yards. Fences or walls with a height in excess of 6 1/2 feet shall conform to the requirements set forth herein for buildings. Paved areas (other than such as are needed for access to the buildings on the lot) shall not project within 15 feet of a street line or four feet of lot lines. All fences shall be installed with the more attractive side facing neighboring properties.
[Amended 9-16-1969 by Ord. No. 73; 4-12-2011 by L.L. No. 6-2011]

- (2) Entries and porticos. A roofed-over but unenclosed projection in the nature of an entry or portico, not more than eight feet wide and extending not more than six feet out from the front wall of the building, shall be exempt from front yard requirements when the building otherwise complies with all other yard restrictions of this chapter.
 - (3) Existing setback. No proposed one- or two-family dwelling need have a setback greater than the average setback of the existing dwellings within 200 feet of each side of the said proposed dwelling.
[Amended 9-16-1969 by Ord. No. 73]
 - (4) Front yards on narrow streets. On streets with less than a fifty-foot right-of-way, the front yard setback shall be measured from the center line of the existing street, and 25 feet shall be added to the front yard setback.
- E. Existing small lots. A lot owned individually and separately, and separated in ownership from any adjoining tracts of land on the effective date of this chapter, which has a total lot area or lot width less than prescribed in this chapter, may be used for a one-family residence, provided that such lot shall be developed in conformity with all applicable district regulations other than the minimum lot area, lot width and side yards.
[Amended 9-16-1969 by Ord. No. 73]
- F. Uniformity of design. In order to avoid monotony of architectural design, no building permit shall be issued for the erection of a home if it is substantially like any neighboring building which is existing or for which a building permit has been issued or is being concurrently considered.
[Amended 9-16-1969 by Ord. No. 73]
- (1) A building shall be considered neighboring if it fronts on the same street as the building being considered and which is the first or second house along the street in either direction or which faces the building site being considered from across the street.
 - (2) In considering those items listed in Subsection **F(3)**, buildings shall be considered substantially alike in any dimension for which they differ by less than two feet, except 20 feet for setback differences. Buildings between which the only difference in relative location of elements is end-to-end or side-to-side reversal shall be deemed to be alike in related location of such elements.
 - (3) Buildings shall be considered substantially alike unless they differ in at least three of the following respects or dimensions:
 - (a) Setback from the street.
 - (b) Relation of a garage visible from the street to the main structure.
 - (c) Length of the main roof ridge.
 - (d) Height of the roof ridge above the first-floor elevation.
 - (e) Width measured perpendicular to the main roof ridge if the building has a gable extending from the main roof visible from the street.
 - (f) Relationship to each other of either windows, doors, chimney or any porch in the front elevation.
 - (4) The Planning Board may waive or vary any requirement of this subsection where the layout of the neighborhood, road pattern, topography, natural features, views and the siting of individual structures is such as to avoid monotony of appearance despite similarity of buildings.
- G. Portable storage unit. A maximum of one portable storage unit may be placed on any residentially used or zoned lot for a period not exceeding nine months during any twelve-month period if the property owner possesses a valid building permit, or for a period not exceeding three months during any twelve-month

Dear Zoning Board Applicant,

The Zoning Board of Appeals must consider the following criteria when reviewing your application. Please review these items prior to submitting your application. For additional information visit our Town website www.townofossining.com and/or <https://ecode360.com/OS0797>

Criteria for Area Variance

Whether an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created by the granting of the area variance;

Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance;

Whether the requested area variance is substantial;

Whether the proposed variance will have an adverse effect on the physical or environmental conditions in the neighborhood or district;

Whether the alleged difficulty was self-created – this factor is relevant to the decision, but the fact that the difficulty was self-created does not preclude granting the area variance.