



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 blgdept@townofossining.com

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JUL 13 2023

Town of Ossining
Building & Planning Department

APPLICATION TO THE ZONING BOARD OF APPEALS

Date 7/12/23

I, We Bonnie & Evan Rogers of 13 Tappan Terrace
(Name of Applicant) (Street)

Brarcliff NY 10510 9145224211 bonnie@
(Municipality) (State) (Zip Code) (Phone No.) (Email) bonnierogers.com HEREBY

☒ 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:** 13 Tappan Terrace
(Street and Number)

SECTION 90.18 BLOCK 2 LOT 6 ZONE R15

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_____ subsection_____ paragraph_____

Section_____ subsection_____ paragraph_____

Section_____ subsection_____ paragraph_____

table 200
R 7.5

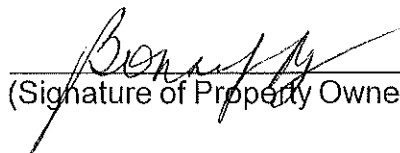
3. DESCRIPTION OF RELIEF REQUESTED (Set forth the circumstances of the case, interpretation that is claimed and details of any variance applied for. Use extra sheet if necessary.)

We respectfully request permission to put a permeable patio (unilock) on the side of our pool to butt up against the fence. To put grass here would create a mess & using a permeable patio would not affect anyone else as it will go up to the 6' high fence (solid)

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

The 10 feet alongside the wood fence will allow us to install a patio next to the pool. It will not create a hardship to our neighbors and will allow drainage throughout the area to create a safe space

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.


(Signature of Property Owner or Authorized Agent)

Dear Zoning Board:

First: answers to criteria for variance:

1. **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**
 - a. We have a 6-foot fence surrounding the property, as seen on the image below, the pool is 10 feet from the property line as evidenced by the updated survey we had done. We would like to put a permeable patio made up of pavers to keep the area safe, neat, clean and without messy grass by the pool. It will not be seen by anyone other than people within the fence
2. **Whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue.**
 - a. This is the only location that we can put a patio where I can put a few chairs. Grass gets slippery and is a hazzard
3. **Whether the requested area variance is substantial:**
 - a. It is almost 10 feet wide by the length of the fence and won't affect anyone on the street as it is wholly enclosed by the fence which is a solid wood fence
4. **Whether the proposed variance will have an adverse effect of impact on the physical or environmental conditions in the neighborhood or district**
 - a. The patio will not have any effect on the neighborhood as it is totally behind the fence and not visible to anyone who is not within the fence
5. **Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance:**
 - a. We purchased the home in 1984 and the only place to put a pool was on the side as our back is very narrow. There was an above ground pool, but it was removed 2 years ago because the steel failed after 33 years

6.



a.

i.



July 11, 2023

Town of Ossining
John-Paul Rodrigues Operations Center
Route 9A - P.O. Box 1166
Ossining, NY 10562

Re: Renovation
Rogers Residence
13 Tappan Terrace
Briarcliff Manor, NY 10531

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
The scale of the proposed patio is in keeping with the scale of the surrounding houses.
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.
No. Due to the location of the house on the property and the steep backyard, this was the only location for the pool and patio.
3. Whether the requested area variance is substantial.
The setback variance substantial but it the only location for the pool and patio. If the patio were not adjacent to the pool it would not require a variance.
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
The proposed design would not affect the traffic circulation, would not effect the views of neighbors across the street or next door.
5. Whether the alleged difficulty was self created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.
No. Current owners bought the house and lot as is.

Sincerely,

Michael Piccirillo, AIA

345 Kear Street, Suite 203
Yorktown Heights, New York 10598

(914) 368-9838 (telephone)
Email: Michael@mpiccirilloarchitect.com