



# TOWN of GREENBURGH

WESTCHESTER COUNTY, NEW YORK  
DEPARTMENT OF COMMUNITY DEVELOPMENT AND CONSERVATION

## Zoning Board of Appeals

**\*\* AMENDED \*\* APPLICATION FORM \*\* AMENDED \*\***

**Paul Feiner**  
*Supervisor*  
**Garrett Duquesne,**  
**AICP**  
*Commissioner*  
**Carole Walker**  
*ZBA Secretary*

### Section 1: Subject Property

Name or other identification of site (address): 0 Clarendon Road

Situated on the West side of Clarendon (Street) 200 feet

From the intersection of Clarendon Place (Street)

Parcel Lot ID: 8.460-324-9 Total size area (sq. ft.) 6,105

### Section 2: Owner Information

Name: Orly Gez Street: 10 Pheasant Run

City: Scarsdale State: N.Y. Zip: 10583

Telephone: \_\_\_\_\_ Cell Phone : (917) 355-5550 Fax: \_\_\_\_\_ Email: drorgez@gmail.com

### Section 3: Representative Information Attorney Engineer Other \_\_\_\_\_

Name: Lino J. Sciarretta, Esq. Street: One North Lexington Avenue

City: White Plains State: N.Y. Zip: 10601

Telephone: 914-287-6177 Cell Phone : \_\_\_\_\_ Fax: \_\_\_\_\_ Email: LSciarretta@bpslaw.com

### Section 4: Relief Sought:

1) Type of request for the Zoning Board of Appeals (Check all that apply):

- Area Variance
- Use Variance
- Appeal from Decision of Building Inspector
- Sign Variance
- Special Permit
- Same/Similar Relief within 18 Months

2) List variance or other modifications required. **Variations must be verified in writing by the Building Inspector and attached hereto.**

Zoning Code Reference	<u>285-15-B1</u>	Variance sought	<u>See: Application dated 2-11-22</u>
Zoning Code Reference	<u>285-15-B-2</u>	Variance sought	<u>See: Application dated 2-11-22</u>
Zoning Code Reference	<u>Min. Lot Width</u>	Variance sought	_____
Zoning Code Reference	_____	Variance sought	_____

3) Have you, or to your knowledge, any predecessor of interest in this property, previously applied to the Zoning Board of Appeals?  Yes  No  
*(Case Histories can be obtained from the Department of Community Development & Conservation, attach separate sheet if more room is needed)*

<b>If yes,</b>	case number _____	application _____	disposition _____
	_____	for _____	_____
	case number _____	application _____	disposition _____
	_____	for _____	_____
	case number _____	application _____	disposition _____
	_____	for _____	_____

**4) Provide your reasons for granting area variances**

A) Please describe 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;

See: Original application dated 2-11-22; see also attached narrative.

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See also: 5-11-22 ZBA Letter.

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B) Please describe whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

See: Original application dated 2-11-22; see also attached narrative.

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See also: 5-11-22 ZBA Letter.

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C) Please describe whether the requested area variance is substantial;

See: Original application dated 2-11-22; see also attached narrative.

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See also: 5-11-22 ZBA Letter.

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D) Please describe whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

See: Original application dated 2-11-22; see also attached narrative.

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E) Please describe 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.

See: Original application dated 2-11-22; see also attached narrative.

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**5) Provide reasons for granting use variance;**

A) Please describe how the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence; (Financial records and information will be needed to be submitted as part of the evidence.)

N/A

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B) Please describe how that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;

N/A

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C) Please describe how that the requested use variance, if granted, will not alter the essential character of the neighborhood; and

N/A

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D) Please describe how that the alleged hardship has not been self-created.

N/A

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**7) Will this application involve land development or the subdivision of land?**

*Applications that involve land development or subdivision of land are referred to the Planning Board for review and recommendation.* See: Original application dated 2-11-22.  Yes  No

**8) Is the action located on property within 500 feet of: See: Original application dated 2-11-22.**

a) The boundary of an adjoining city, town or village  Yes  No

b) The boundary of an existing or proposed state or county park, recreation area or road right-of-way  Yes  No

- c) An existing or proposed county drainage channel line:  Yes  No
- d) The boundary of state- or county-owned land on which a public building/institution is located  Yes  No
- e) The boundary of a farm located in an agricultural district.  Yes  No

9) State name and residence, nature and extent of the interest of any state officer or employee of the Town of Greenburgh, pursuant to the provisions of §809 of the General Municipal Law of the State of New York.

See: Original application dated 2-11-22. \_\_\_\_\_

**NOTE: All of the submission requirements outlined in this application must be approved by the Secretary to the Zoning Board of Appeals prior to the application being accepted in form and content**

**Section 5: Acknowledgement : See original application dated 2-11-22**

**SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC**

**I, the applicant, request a variance from the above named Chapter(s) and Section(s) of the Town of Greenburgh Town Code for the stated reasons, in accordance with the materials attached hereto.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Further, I hereby give Town of Greenburgh Department of Community Development and Conservation and Building Department staff and members of the Zoning Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

STATE OF NEW YORK )  
 ) SS.:  
 COUNTY OF )

**On this** \_\_\_\_\_ **day of** \_\_\_\_\_ **in the year 20** \_\_\_\_\_ **, before me, the undersigned, a Notary Public in and for said State, personally appeared** \_\_\_\_\_ **, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their/ capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.**

Notary Public, State of New York

*\* NOTE: If applicant is not the property owner, please attach a power of attorney letter, signed by the owner and notarized, authorizing the applicant to make this application.*

**Staff Use Only**

Date Submitted: \_\_\_\_\_ Fee Paid: \_\_\_\_\_

File No.: \_\_\_\_\_ Date of Public Hearing \_\_\_\_\_

Pre-filing Staff Reviewer & Date \_\_\_\_\_ ZBA Action: \_\_\_\_\_

Pre-Filing Review: \_\_\_\_\_ Staff Reviewer & Date: \_\_\_\_\_

**AFFIDAVIT OF OWNERSHIP**

See: Original application dated 2-11-22.

State of New York )ss.  
County of Westchester)

\_\_\_\_\_ being duly sworn, deposes and says that (s)he resides at  
\_\_\_\_\_ in the Town of \_\_\_\_\_ in the County  
of \_\_\_\_\_ in the State of \_\_\_\_\_ that (s)he is the  
owner in fee of all that piece or parcel of land situated and lying in the Town of Greenburgh  
aforesaid and known and designated Parcel ID: \_\_\_\_\_ and that  
(s)he hereby authorizes \_\_\_\_\_ to make  
application in his/her (its) behalf and that the statement of facts contained in said application is true.

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\_\_\_\_\_  
Signature of Owner

Sworn to me before this \_\_\_\_\_  
Day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public