

PROJECT NARRATIVE

25 Ackerman Place, Nyack, NY

Planning Board Application for Site Plan Amendment

Applicants: Daniel Fenjves & Lara Winterkorn

Property: 25 Ackerman Pl. (Tax Map: Section 66.30, Block 2, Lot 5)

Date: [Insert Date]

BACKGROUND

We are the current property owners of 25 Ackerman Place, a 0.12-acre vacant lot in the TFR (Two-Family Residential) zoning district. When we purchased this property, it contained three existing accessory structures that we understood to have proper municipal approvals:

1. **A garage with attached greenhouse** - Previously approved by the Planning Board on April 1, 1996
2. **An original shed** - Shown on subdivision plans from July 2, 1990, intended to remain on this lot
3. **A second shed** - Present on the property at time of purchase

THE ISSUE

Upon review by the Building Department, it has been determined that the original 1996 Planning Board approval was filed incorrectly under 16 Fourth Avenue (66.30-2-15), which is a separate lot with a single-family dwelling, rather than under the correct address of 25 Ackerman Place (66.30-2-5), which is classified as a vacant lot.

Under current zoning regulations, accessory buildings on vacant lots require a use variance, as accessory uses must be "clearly incidental or subordinate to, and customarily in connection with, the principal building or use on the same lot."

REQUEST FOR AMENDMENT

We respectfully request that the Planning Board amend the previous site plan approval to:

1. **Permit the continued use of the garage with attached greenhouse** on 25 Ackerman Place as an accessory building on a vacant lot, correcting the original filing error from 1996.
2. **Permit the continued use of the original shed** that was designated to remain on this lot per the 1990 subdivision approval but was never relocated as originally planned.
3. **Permit the continued use of the second shed** that existed on the property when we purchased it.

GOOD FAITH PURCHASE

When we acquired this property, we conducted due diligence and understood that all existing structures had proper municipal approvals. The 1996 Planning Board approval appeared to cover the garage and greenhouse, and the sheds appeared to be grandfathered accessory structures. We purchased the property in good faith, relying on what appeared to be proper municipal approvals for all existing structures.

RECENT IMPROVEMENTS

With proper Building Department approval, we have installed roof-mounted solar panels on the garage structure. This improvement aligns with the Village's stated goals under § 360-1.4K to "encourage development that accommodates solar energy systems" and supports the community's sustainability objectives outlined in § 360-3.2E(10).

JUSTIFICATION

Minimal Impact: These structures have existed on the property for decades without adverse impact to neighboring properties or the community character.

Previous Municipal Approval: The garage and greenhouse received Planning Board approval in 1996, with the only issue being an administrative filing error regarding the correct lot number.

Established Use: All structures were present when we purchased the property and have been part of the site's established character.

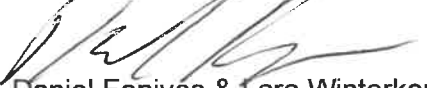
Community Benefit: The solar installation demonstrates our commitment to the Village's environmental goals and energy independence objectives.

CONCLUSION

We respectfully request that the Planning Board approve this site plan amendment to formalize the appropriate approvals for the existing accessory structures on 25 Ackerman Place. This action would correct the administrative error from 1996 while allowing us to maintain the property as we purchased it in good faith.

We are committed to working with the Board to address any conditions or modifications that may be deemed appropriate to ensure compliance with Village regulations while preserving these long-established structures.

Thank you for your consideration of this application.

A handwritten signature in black ink, appearing to be 'D. Fenjves' followed by a flourish, positioned above the printed names.

Daniel Fenjves & Lara Winterkorn
Owners