



Colony of the Arts

E-mail: zba@woodstockny.gov

Website: woodstockny.gov

ZONING BOARD OF APPEALS

DECISION & ORDER

ZBA # 26-04

APPLICANT:

Name: Patricia Hurst

Address: 25 Pine Grove St.

Woodstock, NY 12498

SUBJECT PROPERTY

Location: 25 Pine Grove St.
Section/Block/Lot: 27.55 – 7 - 14.100
Date Acquired: 5/6/2019
Zoning District: HR
Req. Min. Lot Size: 10,000 sf
Property Size: 0.21

DATES AND PLACES

Application: 02/18/26
Legal Notice: 03/08/26
Public Hearing: 03/26/2026 via ZOOM
Public Vote: 04/23/2026 via ZOOM

DISPOSITION

UCPB: N/A

ZBA Determination: DENIED

NYSEQRA DETERMINATION:

Pursuant to 6 NYCRR Section 617.5 of the SEQR regulations and Section 65-13 of the TWEQR regulations, it is hereby determined that the action proposed in the subject application constitutes a Type II action as defined under said regulations and does not require an environmental review.

RESOLUTION:

Based upon the Standards for Consideration of Area Variances set forth in Section 260-103B of the Zoning Law of the Town of Woodstock, an area variance from the Zoning Law of the Town of Woodstock, Article IV, Area and Bulk Regulations, Parking and Loading Standards, Section 260-30, A(1)(b) to allow one parking space per dwelling unit instead of two required parking spaces per dwelling unit in order to convert to a two-family home said variance is hereby DENIED subject to all requirements of the Zoning Law of the Town of Woodstock, the New York State Real Property Law and all other applicable laws, codes and regulations.

The vote was announced as follows: Judith Sillato:(), Joseph Belluck (), Martin Mills (), Gregg Goodbrod (), Howard Harris ().

THE RESOLUTION WAS (ADOPTED) by a vote of () in favor, () opposed, () absent, and () abstaining.

NATURE OF REQUEST

The applicant requests an area variance from the Zoning Law of the Town of Woodstock, Article IV, Area and Bulk Regulations, Parking and Loading Standards, Section 260-30, A(1)(b) to allow one parking space per dwelling unit instead of two required parking spaces per dwelling unit. The property was converted in 2018 to a one-family home from a two-family home prior to the applicant’s purchase of the property in 2019. The applicant wants to convert to a two-family home in order to rent as a duplex, but is asking to not be required provide the required off-street parking spots.

SUMMARY OF STATEMENTS/EVIDENCE PRESENTED BY APPLICANT:

Patricia Hurst and her daughter Josie Baucom were present. Ms. Baucom stated the house had been bought in 2019. Previously the house was a duplex, it was a two family home. The owner before Mrs. Hurst turned it into a single family and removed one driveway. There were two single entry driveways on either side. Mrs. Hurst now wants to move closer to her daughters and not live alone, she wishes to rent out the house and turn it back into a duplex. She was advised she needed a variance first for the parking area in order to continue the process with the building department. Now, she has one parking area that can fit 4 cars. It is understood that if you have two dwellings you need space for two cars per dwelling. It’s two cars wide and two cars deep, with the 9 by 20 space per car that’s stipulated. If she rents the duplex her intention is to allow one car per dwelling. There is legal street parking.

ADDITIONAL COMMENTS and claims regarding this application are summarized in the minutes of the Public Hearing of this case and are available along with any pertinent documents for inspection in the office of the Zoning Board of Appeals.

STANDARDS FOR CONSIDERATION OF AREA VARIANCES

New York State Town Law, Section 267-B(3)(b) establishes a statutory process for the consideration of requests for area variances which requires that the Zoning Board of Appeals balance two elements: the benefit to the Applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the community or neighborhood that would occur if the variance were granted. The provision sets forth five factors which this Board must consider in balancing these interests. These factors and their application to the present case are as follows:

1. Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties created by granting the area variance.

This Board can foresee both an undesirable change in the character of the neighborhood and a detriment to nearby properties if the required parking is not provided. The house is located directly on a bend on a narrow lane with tightly spaced houses where on-street parking would create a safety concern and neighborhood nuisance.

2. Whether the benefit sought by the Applicant could be achieved by some feasible method other than an area variance.

When the applicant purchased the residence, it had been converted from a two-family residence to a one-family residence. Any non-conforming features were extinguished when the property was converted to a one-family residence. The applicant stated she intends to rent the property and is seeking to have two tenants by converting to a two-family residence. The applicant and any future owners can continue to have the benefit of using the property for rental income or as a residence as a one-family residence.

3. Whether the requested area variance is substantial.

This Board has determined that the requested area variance to reduce the required parking from four spaces to two spaces (50%) is substantial.

4. Whether the proposed area variance would have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

This Board finds that the proposed variance would have an adverse effect on the physical safety conditions and environmental conditions in the neighborhood by creating the need for consistent on-street parking on a bend on a narrow lane with tightly spaced houses. Winter conditions would be especially hazardous.

5. Whether the alleged difficulty was self-created.

A hardship is self-created where the Applicant for a variance knows, or should have known, of the restrictions from which relief is sought at the time of the application. This Board finds that in the instant case, with respect to the variance sought, the difficulty is self-created in that the Applicant is deemed to have constructive knowledge of the Zoning Law.

CONCLUSION

In measuring this Application for area variances against the criteria for determining whether the relief sought should be granted, the Zoning Board of Appeals has exercised its discretion in giving weight to those factors listed above which indicate a denial of granting relief to this application.

The DECISION OF THE ZONING ENFORCEMENT OFFICER is hereby UPHELD.

ZONING BOARD OF APPEALS, FILED WITH THE TOWN CLERK

BY: _____ Date: _____
Judith Sillato, Chairperson

BY: _____ Date: _____

THE APPLICANT IS HEREBY ADVISED:

1. Unless substantial work has been done in the execution of the area variances, if granted, within twelve (12) months from the date of filing in the office of the Town Clerk, this area variance shall become null and void.
2. The Applicant or any aggrieved party has the right to appeal this Decision by application to the Supreme Court of the State of New York through a proceeding under the provisions of Article 78 of the Civil Practice Law and Rules (CPLR) of the State of New York, provided that such appeal is initiated within thirty (30) calendar days of the filing of this Decision in the Office of the Woodstock Town Clerk, as indicated above.