

VILLAGE OF WARWICK
ZONING BOARD OF APPEALS

RESOLUTION of Variance Determination upon Application
of DAVID JONES AND CECILE JONES

Decision and Order

24 Howe Street
Tax Map SBL 210-14-13

At a meeting of the Village of Warwick Zoning Board of Appeals duly convened on November 18, 2025 at 7:00 p.m.

Present: John Graney, Chairman
Wes Burley, Member
Nikki Delille, Member
Margaret Politoski, Member
John Prego, Member

MOTION made by J. Prego, seconded by J. Graney, and the following voting in favor:

ALL members present, and the following voting in opposition: NONE, to open the public hearing in the above-referenced matter:

This is an application filed by David Jones and Cecile Jones ("Applicants") for an area variance from the Village Zoning Code with respect to the property located at 24 Howe Street, Warwick, New York, designated on the Village tax map as Section 210, Block 14, Lot 13, and located in the R (Residential) Zoning District to:

- A. reduce the rear and side yard setback from 10 feet to 3 feet requiring a variance of 7 feet.
- B. reduce the distance between the proposed structure being added and the existing residential structure from 15 feet to 14.7 feet requiring a variance of .30 feet.

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The variances are sought for the purpose of installing a prefabricated 10' x 24' shed at the Applicants' existing single-family residence.

David Jones appeared on behalf of both Applicants and presented their proposal for the installation of the prefabricated shed. The purpose of the new shed is to replace the existing shed which is insufficient for Applicants' property maintenance equipment storage needs. Mr. Jones stated that his intention is to make better use of the space which is currently significantly underutilized. The property contains an old, non-conforming wooden shed and a small plastic shed, both of which he plans to remove and replace with the new shed. A wooden fence currently encloses the property. He plans to remove the fence section on the side and along the rear to allow delivery and installation of the new shed. Mr. Jones confirmed that he will reinstall the fence section on the side afterward. He is uncertain whether he will replace the rear section, as it may depend on discussions with his neighbor, who already has a metal fence along the property line. If the neighbor prefers that the wooden fence be reinstalled for visual reasons, he is open to doing so. Mr. Jones also noted the presence of a large oak tree near the proposed work area. Preserving the tree and avoiding any damage to its root system is a priority, and that may limit how much of the fencing he is able to reinstall. The Board inquired whether removing the fence would impact the tree in any way. Mr. Jones confirmed that it would not.

The side and rear yard setbacks will be reduced from 10 feet to 3 feet to allow for the shed. The distance between the new shed and the existing house will be 14.7 feet, requiring a variance of .30 feet. Mr. Jones informed the Board that he received no objections to the proposed new shed from any of his adjoining neighbors. The Board and attendees were invited to ask further questions or share comments, and no objections or comments were made by the public. No correspondence was received by the Board in connection with the instant application.

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MOTION made by J. Graney, seconded by M. Politoski, and the following voting in favor: ALL members present, and the following voting in opposition: NONE, to close the public hearing.

MOTION made by J. Prego, seconded by J. Burley, and the following voting in favor: ALL members, and the following voting in opposition: NONE, the following resolution was adopted:

Following the conclusion of the public hearing, the Board makes the following findings:

RESOLVED, that this application has previously been designated as a Type II under the State Environmental Quality Review Act and no further environmental review is necessary; and it is further

RESOLVED, that with regard to requested area variance to i) reduce the rear and side yard setbacks from 10 feet to 3 feet requiring a variance of 7 feet; and ii) reduce the distance between the proposed structure being added and the existing residential structure from 15 feet to 14.7 feet requiring a variance of .30 feet, the following findings are hereby made:

A. Pursuant to proper notice, a public hearing was convened at the Warwick Village Hall on the 18th day of November, 2025 at 7:00 p.m. Kristin Bialosky, Secretary of the Zoning Board of Appeals, confirmed that she had received proof that the necessary notices of the public hearing had been mailed to the neighboring property owners, and that the required newspaper publications and conspicuous postings of the notice had timely occurred.

B. Following the motion to close the public hearing, the Board proceeded to deliberate in open session on the Application.

C. Based upon the oral testimony and evidence in the record, the Board renders the following conclusions with respect to the area variance sought in the instant application:

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- i. that the benefit to the Applicants cannot be achieved by other means feasible to the Applicants due to the layout of the Property;
- ii. that there will be no undesirable change in neighborhood character or detriment to nearby properties;
- iii. that the requested area variance is substantial with respect to the rear and side setbacks but not with respect to the distance of the proposed shed to the existing residential structure;
- iv. that the request does not have any adverse physical or environmental effects;
- v. that the alleged difficulty to the Applicants is self-created; and
- vi. that the benefit of the requested relief to the Applicants would outweigh the potential detriment, if any, to the health, safety, and general welfare of the community.

Based on the foregoing, it is hereby

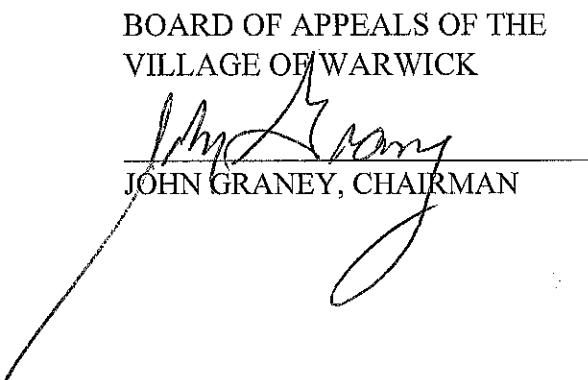
RESOLVED, that Area Variances are hereby **GRANTED**.

The foregoing is the Decision and Order of the Zoning Board of Appeals.

Dated: December 08, 2025

Resolution Approved:

BY ORDER OF THE ZONING
BOARD OF APPEALS OF THE
VILLAGE OF WARWICK


JOHN GRANEY, CHAIRMAN

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I, Raina Abramson, Village Clerk, do hereby certify that the foregoing Determination was filed in the Office of the Village Clerk on December 8, 2025, and copies provided to the Building Inspector and emailed to the Applicant.



RAINAH ABRAMSON, CLERK
VILLAGE OF WARWICK, NEW YORK