

VILLAGE OF WARWICK
ZONING BOARD OF APPEALS

RESOLUTION of Variance Determination upon Application
of TIMOTHY SMITH AND AMY SMITH

Decision and Order

25 Park Avenue
Tax Map SBL 214-5-3

At a meeting of the Village of Warwick Zoning Board of
Appeals duly convened on October 28, 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. Graney, seconded by J. Burley, 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 Timothy Smith and Amy Smith ("Applicants") for an area
variance from the Village Zoning Code with respect to the property located at 25 Park Ave,
Warwick, New York, designated on the Village tax map as Section 214, Block 5, Lot 3, and
located in the R (Residential) Zoning District to:
reduce the side yard setback from 20 feet to 7.4 feet requiring a variance of 12.6 feet.

The variance is sought for the purpose of construction of a one-story 12' x 30' addition
onto the Applicants' existing single-family residence.

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The Applicants presented their proposal for a one-story addition to their home located on a corner lot at Park Avenue and Parkway. The purpose of the addition is to enlarge the existing family room, which is currently only about 11 to 12 feet wide, making it difficult to use effectively as a gathering space. The expansion will also include a new laundry area to eliminate the need to access the current basement laundry via a steep and narrow staircase which poses challenges for the homeowners. The Applicants' architect confirmed that the proposed design will maintain the architectural integrity and aesthetic consistency of the neighborhood. The addition will be built at ground level with a crawl space rather than a basement, and an existing fence on the property line owned by the Applicants will be removed to accommodate construction. The side yard setback will be reduced from 20 feet to 7.4 feet to allow for the addition, which will extend into an unused area of lawn without impacting any trees or shrubbery. The Applicants emphasized that the project is designed to be practical, visually appealing, and considerate of neighboring properties. The Board and attendees were invited to ask questions or share comments, and no objections or comments were made by the public. Written correspondence was received from Paul Fine who lives at 19 Park Avenue in support of the project and said correspondence was included in the record of proceedings.

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

MOTION made by M. Politoski, seconded by J. Graney, 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:

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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 reduce the side yard setback from 20 feet to 7.4 feet requiring a variance of 12.6 feet, the following findings are hereby made:

A. Pursuant to proper notice, a public hearing was convened at the Warwick Village Hall on the 28th day of October, 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 and written testimony and evidence in the record, the Board renders the following conclusions with respect to the area variance sought in the instant application:

- 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;
- 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

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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.

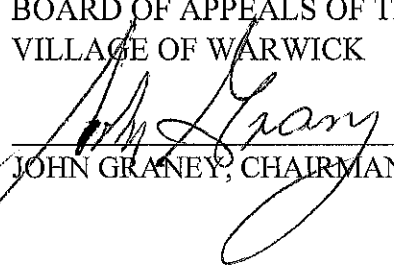
Based on the foregoing, it is hereby

RESOLVED, that Area Variance is hereby **GRANTED**.

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

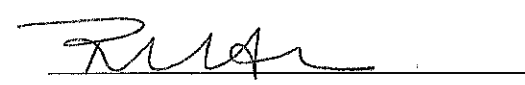
Dated: November 18, 2025
Resolution Approved:
Resolution Filed:

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



JOHN GRANEY, CHAIRMAN

I, Raina Abramson, Village Clerk, do hereby certify that the foregoing Determination was filed in the Office of the Village Clerk on Nov. 18, 2025, and copies provided to the Building Inspector and mailed to the Applicant.



RAINA ABRAMSON, CLERK
VILLAGE OF WARWICK, NEW YORK