

APPLICATION TO THE ZONING BOARD OF APPEALS, TOWN OF NEWBURGH

DATED: 4.24.12

TO: THE ZONING BOARD OF APPEALS
THE TOWN OF NEWBURGH, NEW YORK 12550

I (WE) Ryan + Stacey Boast PRESENTLY
RESIDING AT NUMBER 208 Lakeside Rd
TELEPHONE NUMBER 914 755 9041

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR
THE FOLLOWING:

- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- ACCESSORY APARTMENT

1. LOCATION OF THE PROPERTY:

52-11-14 (TAX MAP DESIGNATION)

208 Lakeside Rd (STREET ADDRESS)

R-1 (ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A-4

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED :

a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: 2.3.2012

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: 1.12.2012

4. DESCRIPTION OF VARIANCE SOUGHT: 20 X 11 Shed

Existing Shed over 21 years old

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

6. IF AN AREA VARIANCE IS REQUESTED:

a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

Existing Shed that has been
here for 21 years 20x11

b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

~~It is already built~~
It's already built

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Existing Shed of 21 years

d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

It's a Small Shed

e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

Shed was here when I
bought the house in 1991

7. ADDITIONAL REASONS (IF PERTINENT) :



PETITIONER(S) SIGNATURE

STATE OF NEW YORK : COUNTY OR ORANGE :

SWORN TO THIS 24th DAY OF April 2012



NOTARY PUBLIC

DEBRAH A. SHIER
Notary Public, State of New York
Qualified in Orange County
Reg. # 01SH5042316
Commission Expires April 17, 1917
7/30/2013

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision.

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Ryan Boast	2. PROJECT NAME
3. PROJECT LOCATION: Municipality Town of Newburg County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 208 Lakeside Rd Newburg NY 12550 S-52 B-11 L-14	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Existing Shed of 21 years	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: _____	Date: _____
Signature: [Signature]	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment



TOWN OF NEWBURGH

Crossroads of the Northeast
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550
(845)564-7801

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. 2271-12

Date: February 3, 2012

To: RYAN BOAST

SBL 52-11-14

208 LAKESIDE ROAD

ADD: 208 LAKESIDE ROAD

NEWBURGH, NY 12550

ZONE R-1

PLEASE TAKE NOTICE that your application dated January 30,

PRIOR Built
20 12 for permit to build an accessory building (20' x ~~20'~~ 20x25)

At the premises located at 208 LAKESIDE ROAD

Is returned herewith and disapproved on the following grounds:

185 - 15 - A - 4 -
ALLOWS A MAXIMUM OF 1000 SQ. FT. OF ACCESSORY STRUCTURES.


JOSEPH MATTINA

Cc: Town Clerk & Assessor (300')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES

NAME: RYAN BOAST

ADDRESS: 208 LAKESIDE RD NEWBURGH NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: 20' X 25' ACCESSORY BUILDING

SBL: 52-11-14 ZONE: R / 1

TOWN WATER: YES

TOWN SEWER: NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
MAXIMUM ALLOWED SF	1000 SF	1560 SF		560 SF	56.0%
LOT WIDTH	16 X 10 POOL ACCESSORY STRUCTURE ADDED IN TO THIS FORMULA				
LOT DEPTH	SEE SEPARATE PERMIT APPLICATION				
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 _____
 2 OR MORE FRONT YARDS FOR THIS PROPERTY _____
 CORNER LOT - 185-17-A _____

ACCESSORY STRUCTURE:


GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES

FRONT YARD - 185-15-A _____

STORAGE OF MORE THEN 4 VEHICLES _____

HEIGHT MAX. 15 FEET - 185-15-A-1 _____

10% MAXIMUM YARD COVERAGE - 185-15-A-3 _____

NOTES:  **TOTAL FOOTPRINT IS 20 X 25 (20 X 11 ENCLOSED 20 X 14 OVERHANG)**

VARIANCE(S) REQUIRED:

- 1 185-15-A-4 ALLOWS A MAXIMUM OF 1000 SF ACCESSORY STRUCTURES.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: JOSEPH MATTINA

DATE: 1-Feb-12

ACCESSORY STRUCTURE SQUARE FOOTAGE BY FORMULA

PER THE TOWN OF NEWBURGH MUNICIPAL CODE
SECTION 185-15(4) - ACCESSORY BUILDINGS

(4) An accessory use to a principal residential use, as listed in Article IV, Schedules of District Regulations, Use Table, Column A, that is housed within an accessory building shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:

FORMULA:

$$\frac{A+(B \times C)}{100} = D$$

- A - GROSS AREA OF LOT IN SQUARE FEET
- B - LIVABLE FLOOR AREA OF RESIDENCE IN SQUARE FEET
- C - MINIMUM REQUIREMENT IN THE ZONING DISTRICT FOR ONE SIDE YARD, IN FEET
- D - TOTAL SQUARE FOOTAGE PERMITTED FOR ALL ACCESSORY BUILDINGS

A= 57,100.00 SF
 B= 2,135.00 SF
 C= 30.00 FEET
 D= 1,211.50 SF OR 1,000 SF WHICHEVER IS LESS IS PERMITTED.

1000 MAX

PERMIT # 19571	30	X	33	900 S.F.
APPLICATION 12-57	20	X	25	500 SF
POOL HOUSE	16	X	10	160 SF
EXISTING TOTAL SF				1560 SF
MAXIMUM ALLOWED				1000 SF
AMOUNT OVER				560 SF

Washington Associates
 14-52 Route 9W
 New Windsor, N.Y.

"Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to other individuals or subsequent owners."

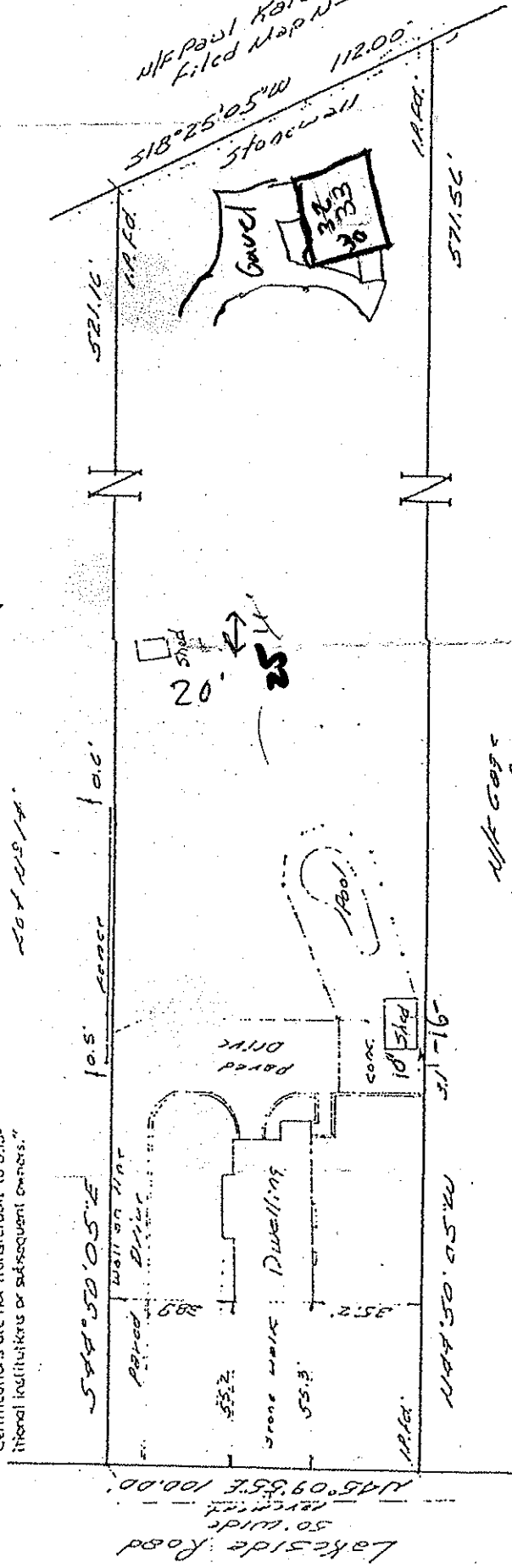
Zoning Board of Appeals
 MAY 01 2012
 Town of Newburgh

Town of Newburgh 7e
 Section 52 Block 11.
 Map Reference.
 "Orange Lake Land"
 T. 100 W. 100 x 8, 1933
 Map No 973

Area = 54,636
 1.254 A

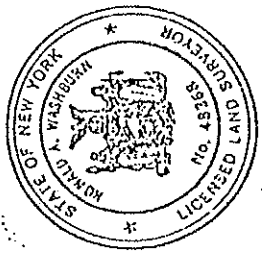
NK Coleman
 Liber 2119 Page 1093
 Lot 151A

NK Paul Karassik
 Filed Map No 2173



Jeffrey A. Furman
 Karen S. Furman
 Elwood D. Petty
 Pamela R. Petty
 Atlantic Home Mortgage Corp.
 Its successors and/or assigns.
 Title USA Insurance Corp.
 Carried this and connect
 to Suburban Newburgh.

Ernest A. Wilson
 212 N. 9th St
 Newburgh, NY 12553



"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7207, sub-division 2, of the New York State Education Law."

"Only copies from the original of this survey marked with an original of the land surveyor's inked seal or his embossed seal shall be considered to be valid true copies."

Survey Map For
 Jeffrey A. Furman
 Karen S. Furman
 SCALE: 1"=40'
 DATE: July 14, 1987
 APPROVED BY:
 Town of Newburgh Plans