

TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

APPLICATION TO THE ZONING BOARD OF APPEALS, TOWN OF NEWBURGH

DATED: August 7, 2013

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

I (WE) Richard & Laura Campora PRESENTLY

RESIDING AT NUMBER 1 Evans Court, Newburgh, NY 12550

TELEPHONE NUMBER (845) 567-6350

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

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

1. LOCATION OF THE PROPERTY:

(S-B-L) 91-2-13 (TAX MAP DESIGNATION)

1 Evans Court, Newburgh, NY 12550 (STREET ADDRESS)

(R1) Residential District (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW):

Town Code Chapter 185 Attachment 7, Table of Use and Bulk Regulations for the R-1 District - Schedule 3, permits a single family dwelling, not to exceed 1 dwelling unit per lot, with a maximum 10 percent lot building coverage, and

"Bulk Table Schedule 3"

Town Code § 185-19(C)(1) provides that an applicant shall not increase the degree of non-conformity:

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: July 31, 2013
 - b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: N/A
4. DESCRIPTION OF VARIANCE SOUGHT: The Petitioner is requesting to construct a 1-story addition on an existing single-family home. The adjacent residential property is owned by a relative of the Petitioner. According to the Town of Newburgh Code Compliance letter, dated July 31, 2013, the existing dwelling has an existing front yard setback of 29 feet, where 50 feet is the minimum required. The proposed 1-story addition would increase the degree of non-conformity in violation of Town Code §185-19-C-1. According to the site survey prepared by Steven P. Drabick, P.L.S., PC, dated November 6, 1997, the existing front yard setback is 27.6 feet, which is an increase in the degree of non-conformity in violation of Town Code §185-19-C-1. The Petitioner is also requesting a variance for the maximum building lot coverage. According to Town Code Chapter 185 Attachment 7, Table of Use and Bulk Regulations for the R-1 District – Schedule 3, the maximum building lot coverage permitted is 10 percent. According to the Town of Newburgh Code Compliance letter, dated July 31, 2013, the existing building coverage is 1532 square feet, and the proposed addition would increase the building coverage to 1692 square feet, which requires a variance for 276 square feet for increasing the building coverage to 19.5 percent. According to the site survey prepared by Steven P. Drabick, P.L.S., PC, dated November 6, 1997, the existing building lot coverage is 1476 square feet, and the proposed addition is 159 square feet, which would increase the total building coverage to 1635 square feet, requiring a variance for increasing the building coverage to 11.19 percent.
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:
N/A

(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:

N/A

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

N/A

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

N/A

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:

The surrounding residential homes adjacent to the Petitioner's property are located around a shared cul-de-sac on Evans Court in the Town of Newburgh, with similarly limited front yard setbacks and total building coverage. Therefore, this requested addition, would not be inconsistent with the character of the R-1 Residential District. There would be limited potential negative visual impacts to neighboring property owners, as evergreen trees and other shrubbery exist along the front and side property lines where the addition would be visible. Due to the nature of the site on a cul-de-sac and the existing evergreen tree coverage, the adjacent property owner, who is a relative of the Petitioner, will not be negatively impacted.

- 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:

The Petitioner's existing kitchen and its associated plumbing and electrical components are located along the north side of the existing dwelling. As a result of the shape of the lot, located on a cul-de-sac, the proposed 1-story addition increases the degree of non-conformity of the lot and increases the building lot coverage. Because the Petitioner needs to enlarge the kitchen area, there are no other feasible means to locate the proposed addition on the property, and this variance must be sought. The benefit sought by the applicant cannot be achieved by any other method.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The substantiality of a variance cannot be judged solely by a comparison of the percentage deviation from the mandated requirements of the zoning law. Instead, the overall effect of granting the relief is the appropriate inquiry. Here, as a result of the limited side yards for this parcel located on a cul-de-sac, the proposed addition will be visible primarily by the adjacent property owner, who is a relative of the petitioner. The proposed location of the addition would be screened in the front yard by existing shrubbery and the adjacent property is a relative of the Petitioner. Additionally, the proposed 1-story addition only slightly increases the degree of non-conformity in the front yard and the increase in the building coverage only slightly exceeds the maximum building lot coverage permitted. This is not a significant difference, and therefore, if granted, would not be substantial.

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

As noted above, the surrounding residential homes that are adjacent to the petitioner's existing single-family dwelling are located around a cul-de-sac on Evans Court in the Town of Newburgh and have similarly limited front yards and total buildable area. The proposed construction of the addition is of the same material and style of the existing dwelling, and the existing dwelling extends beyond the width length of the proposed addition. Therefore, this requested addition, would not be inconsistent with the character of the R-1 District. This variance is not substantial and will have no adverse impacts on the district.

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

As noted by Terry Rice in his Practice Commentaries for Town Law §274-b, this factor is perhaps the most misunderstood factor in the balancing test. The fact that the property is purchased with knowledge of applicable zoning renders any difficulty self-created. However, just because a difficulty is self-created does not require the denial of the variances. Here it is important to note that the variances are required solely because of the limitation contained in the Town's Zoning Code, and that all other aspects of the proposed 1-story addition meets the Code's requirements.


7. ADDITIONAL REASONS (IF PERTINENT):

Please see the attached site plan, floor plan, and front and right side elevations design images.


Richard Campora
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OR ORANGE:

SWORN TO THIS 6 DAY OF August 20 13


TAYLOR PALMER
Notary Public, State of New York
Registration No. 02PA6284458
Qualified in Westchester Co.
Commission Expires June 17, 2017

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. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

Richard Campora, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 1 Evans Court, Newburgh 12550

IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF The single family residence at 1 Evans Court, Town of Newburgh 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Drake Loeb Heller Kennedy Gogerty Gaba & Rodd PLLC

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: _____




Richard Campora
OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30TH DAY OF July 2013



NOTARY PUBLIC

DOMINIC R. CORDISCO
Notary Public, State of New York
No. 02C05041831
Qualified in Orange County
My Commission Expires 5/14

TOWN OF NEWBURGH

Crossroads of the Northeast

OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

CODE COMPLIANCE DEPT.
TELEPHONE 845-564-7801
FAX LINE 845-564-7802

1 EVANS CT.

Name: RICHARD CAMPORA NEWBURGH NY 12550
Phone # 567-6350
Project: ADDITION
Contractor: J & K HOME IMPROVEMENTS
SBL: 91-2-13
Application # 13-0774
Date: 7-31-2013

1. YOUR APPLICATION HAS BEEN REFERRED TO THE ZONING BOARD OF APPEALS. 2 VARIANCES WILL BE REQUIRED. ONE WILL BE FOR INCREASING THE DEGREE OF NON-CONFORMITY. THE ENTIRE ADDITION IS LOCATED IN THE REQUIRED 50' FRONT YARD SETBACK. THE SECOND WILL BE FOR GREATER THEN 10% LOT BUILDING COVERAGE.
2. 8-21-2012 AN APPLICATION WAS SUBMITTED FOR A FRONT PORCH. THIS APPLICATION WAS ALSO DENIED FOR FRONT YARD SETBACK ISSUES. IS THIS PROJECT GOING TO BE DONE? IF SO BOTH APPLICATIONS CAN GO ON THE SAME AGENDA.
3. IF THE VARIANCES ARE GRANTED A SIGN AND SEALED SET OF PLANS WILL BE REQUIRED.
4. SUBMIT A COPY OF YOUR CONTRACTORS ELECTRICAL LICENSE. HIS NAME DOES NOT APPEAR ON THE COUNTY APPROVED LIST. THE CONTRACTOR HAS SUBMITTED WORKERS COMPENSATION EXEMPTION FORM. THIS DOES NOT ALLOW ANY ONE ELSE BUT JOHN HUSSEY TO CONDUCT ALL THE WORK.

JOSEPH MATTINA
CODE COMPLIANCE



TOWN OF NEWBURGH

~Crossroads of the Northeast~

**CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550**

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

2374-13

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 07/31/2013

Application No. ~~13-0774~~

**To: Richard Campora
1 Evans Ct
Newburgh, NY 12550**

**SBL: 91-2-13
ADDRESS: 1 Evans Ct**

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 07/30/2013 for permit to construct a kitchen addition of 8' x 19'-10" on the premises located at 1 Evans Ct is returned herewith and disapproved on the following grounds:

- Town of Newburgh Municipal Codes (1) 185-19-C-1 Shall not increase the degree of non-conformity
(2) Bulk table schedule 3 allows a maximum of 10% lot building coverage.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

2374-13

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

NO

NAME: RICHARD CAMPORA

ADDRESS: 1 EVANS CT NEWBURGH NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: 8 X 19'-10" ADDITION

SBL: 91-2-13 ZONE: R-1

TOWN WATER:

TOWN SEWER:

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
LOT AREA	N/A				
LOT WIDTH	N/A				
LOT DEPTH	N/A				
FRONT YARD	50'	29'	INCREASING DEGREE OF NON CONFORMITY		
REAR YARD	OK				
SIDE YARD	OK				
MAX. BUILDING HEIGHT	N/A				
BUILDING COVERAGE	10%= 1415.7	1532 SF	1692 SF	276 SF	19.5%
SURFACE COVERAGE	OK				

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 / NO
 2 OR MORE FRONT YARDS FOR THIS PROPERTY YES / NO
 CORNER LOT - 185-17-A YES / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES / NO
 FRONT YARD - 185-15-A YES / NO
 STORAGE OF MORE THEN 4 VEHICLES YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

NOTES: **THE ENTIRE PROPOSED ADDITION WILL BE LOCATED IN THE REQUIRED 50' FRONT YARD.**

VARIANCE(S) REQUIRED:


- 1 185-19-C-1 SHALL NOT INCREASE THE DEGREE OF NON-CONFORMITY
- 2 BULK TABLE SCHEDULE 3 ALLOWS A MAXIMUM BUILDING LOT COVERAGE OF 10%
- 3
- 4

REVIEWED BY: JOSEPH MATTINA

DATE: 31-Jul-13

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 RICHARD & LAURA CAMPORA	2. PROJECT NAME PROPOSED KITCHEN ADDITION
3. PROJECT LOCATION: Municipality: TOWN OF NEWBURGH County: ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 1 EVANS COURT, TOWN OF NEWBURGH, NEW YORK 12550.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: THE APPLICANT PROPOSES TO ERECT A ONE (1)-STORY KITCHEN ADDITION TO THE APPLICANT'S EXISTING SINGLE FAMILY DWELLING.	
7. AMOUNT OF LAND AFFECTED: Initially <u>.42</u> acres (total property) Ultimately <u> </u> acres <input checked="" type="checkbox"/> Other: 159 square foot (.003 acre) addition	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly: THE APPLICANT REQUESTS TO ERECT A ONE (1)-STORY KITCHEN ADDITION TO THE APPLICANT'S EXISTING SINGLE-FAMILY DWELLING, AND A PORTION OF THE PROPOSED ADDITION INCREASES THE DEGREE OF NON-CONFORMITY OF THE BUILDING AND INCREASES THE BUILDING LOT COVERAGE, REQUIRING A VARIANCE.	
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: THE SITE IS SURROUNDED BY RESIDENTIAL USES.	
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) and permits/Approvals: N/A	
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) and permits/Approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No N/A	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/Sponsor Name: RICHARD CAMPORA	Date: AUGUST 6 , 2013
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.

PART II – ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another Involved Agency. Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important, or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e., urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a Positive Declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)

DATE :

EXISTING
SUN ROOM

8'-0"
PROPOSED ADDITION

REVISED
KITCHEN

19'-10"
PROPOSED ADDITION

EXISTING WALL
TO BE REMOVED.
(TYP)

EXISTING
LIVING
ROOM

G
EXISTING
GAS
METER TO
REMAIN

4'-4"
EXISTING

EXISTING HOUSE

8'-0"
PROPOSED ADDITION

PROPOSED KITCHEN ADDITION

FOR

RICHARD & LAURA CAMPORA

1 EVANS COURT

TOWN OF NEWBURGH, NY

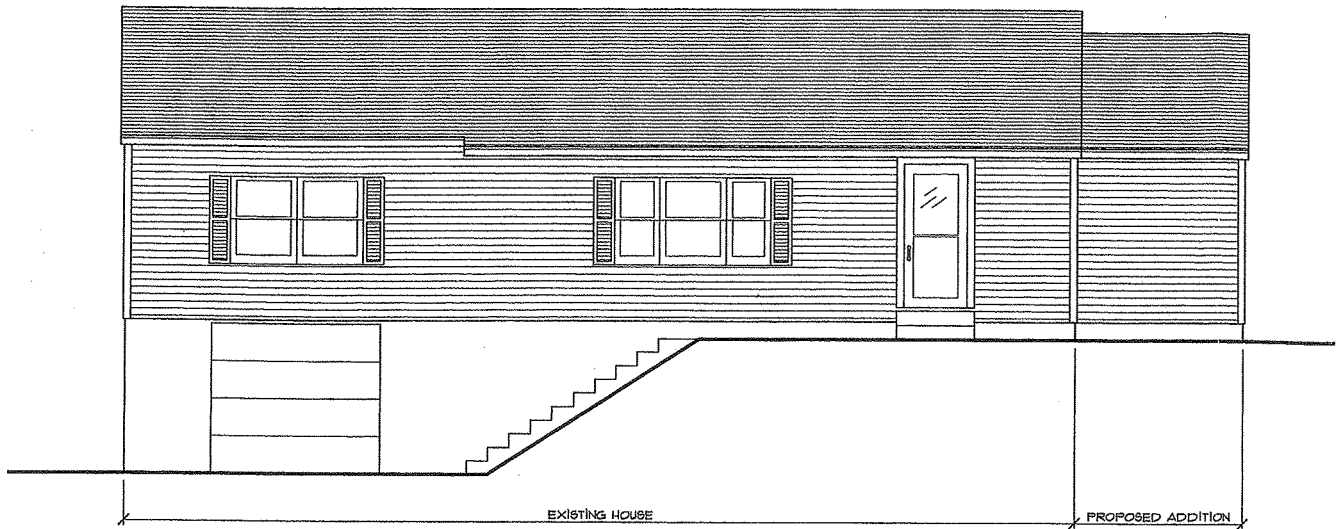
No:	REVISION DESCRIPTION	DATE

SITE PLAN, FLOOR PLAN & ELEVATIONS

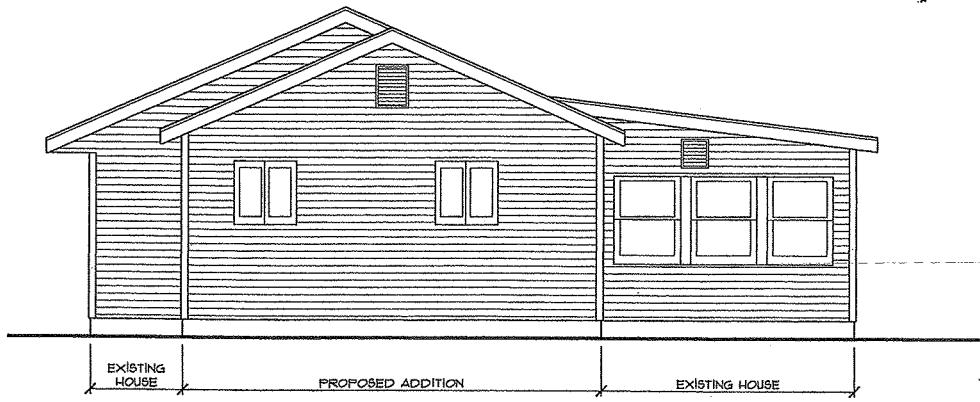
DATE: 8-5-15 SCALE: AS NOTED PROJECT NO: **13045**

DRAWN BY: T.J.F. CHECKED BY:

3
A-1 FLOOR PLAN
1/4"=1'0"



1 FRONT ELEVATION
A-1 1/4"=1'-0"



2 RIGHT SIDE ELEVATION
A-1 1/4"=1'-0"

ZONING VARIANCES REQUIRED

AS PER BUILDING DEPARTMENT DENIAL LETTER DATED 1-31-13

R-1 DISTRICT - SCHEDULE

SEC-91 BLK-2 LOT-2

LOT AREA = 14,157 SF

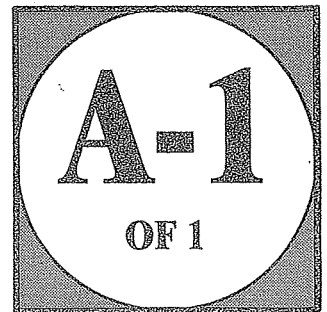
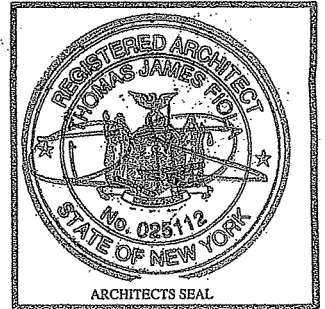
REQUIRED	PROVIDED	COMMENTS
50'	29'	125-19-C-1 INCREASING DEGREE OF NON-CONFORMITY
10%	19.5%	GREATER THEN 10% LOT BLDG. COVERAGE.

ZONING VARIANCES REQUIRED - NOTES

AS PER SITE SURVEY PREPARED BY STEVEN P. DRABICK DATED NOVEMBER 6, 1997

- EXISTING LOT AREA = 14,600 SF
- EXISTING FRONT YARD SET BACK = 27.6'
- EXISTING LOT BUILDING COVERAGE = 1476 SF
- PROPOSED ADDITION OF 8' X 19'10" = 159 SF OF ADDITIONAL LOT BUILDING COVERAGE
- TOTAL LOT BUILDING COVERAGE INCLUDING ADDITION = 1635 SF
- PROPOSED LOT BUILDING COVERAGE = 1635 SF / 14,600 SF = 11.19%

DRAWINGS ARE NOT FINISHED
CONSTRUCTION DRAWINGS AND
ARE FOR ZONING BOARD OF
APPEALS SUBMITTAL ONLY.



THOMAS J. FIOLA
- ARCHITECT -
PLLC

99 SUMMIT AVENUE - CENTRAL VALLEY, NY 10917
PHONE: (845) 928-9367
EMAIL: TJFARCHITECT@YAHOO.COM

James R. Loeb
Richard J. Drake
Glen L. Heller*
Marianna R. Kennedy
Gary J. Gogerty
Stephen J. Gaba
Adam L. Rodd
Dominic Cordisco
Timothy P. McElduff, Jr.
Ralph L. Puglielle, Jr.

Nicholas A. Pascale
Benjamin M. Wilkinson
Sebastian Lemos
Hunter D. Raines
Taylor M. Palmer

*LL.M. in Taxation

August 6, 2013

BY HAND DELIVERY

Zoning Board of Appeals
1496 New York 300
Town of Newburgh, New York 12550
Attn: Board Members

Re: Richard & Laura Campora – Proposed One-Story Kitchen Addition
Our File No.: 14042 - 65633

Dear Board Members:

The applicants, Richard and Laura Campora, owners of a certain parcel of property located at 1 Evans Court, Town of Newburgh New York, respectfully submit a variance application to construct a one-story addition to their single-family home. The proposal is to convert the galley kitchen to an eat-in kitchen on the existing single-family dwelling on the existing tax lot (S-B-L 91-2-13). The lot has frontage on Evans Court. The site is located in the R1 – Residence District. The adjacent home is owned and occupied by Sharon Zeltmann, the mother of petitioner Laura Campora.

The applicants are requesting to construct a one-story kitchen addition on the north side of the existing dwelling, which will increase the degree non-conformity of the front yard in violation of Town Code 185-19-C-1. The proposed addition will also increase the total building lot coverage, exceeding the 10 percent building lot coverage permitted in the R-1 – Residence District as provided in Town Code Chapter 185 Attachment 7, Table of Use and Bulk Regulations for the R-1 District – Schedule 3.

The Building Inspector provided a disapproval letter, dated July 31, 2013, and we request to be placed on the next available Zoning Board of Appeals agenda. If you have any questions or comments, please feel free to contact me.

Very truly yours,



DOMINIC CORDISCO

DRC/TMP/312659
cc: Richard & Laura Campora
(By E-Mail only)

Writer's Direct
Phone: 845-458-7316
Fax: 845-458-7317
dcordisco@drakeloeb.com

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:
NAME(S) OF PARTY(S) TO DOCUMENT

RICHARD J. CAMPORA

TO
RICHARD J. CAMPORA &
LAURA A. CAMPORA

SECTION 91 BLOCK 2 LOT 13

RECORD AND RETURN TO:
(name and address)

LEVINSON, REINEKE & ORNSTEIN, P.C.
P.O. BOX 244
CENTRAL VALLEY, NEW YORK 10917



THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

2089 BLOOMING GROVE (TN)	4289 MONTGOMERY (TN)
2001 WASHINGTONVILLE (VLG)	4201 MAYBROOK (VLG)
2289 CHESTER (TN)	4203 MONTGOMERY (VLG)
2201 CHESTER (VLG)	4205 WALDEN (VLG)
2489 CORNWALL (TN)	4489 MOUNT HOPE (TN)
2401 CORNWALL (VLG)	4401 OTISVILLE (VLG)
2600 CRAWFORD (TN)	4600 NEWBURGH (TN)
2800 DEERPARK (TN)	4800 NEW WINDSOR (TN)
3089 GOSHEN (TN)	5089 TUXEDO (TN)
3001 GOSHEN (VLG)	5001 TUXEDO PARK (VLG)
3003 FLORIDA (VLG)	5200 WALKILL (TN)
3005 CHESTER (VLG)	5489 WARWICK (TN)
3200 GREENVILLE (TN)	5401 FLORIDA (VLG)
3489 HAMPTONBURGH (TN)	5403 GREENWOOD LAKE (VLG)
3401 MAYBROOK (VLG)	5405 WARWICK (VLG)
3689 HIGHLANDS (TN)	5600 WAWAYANDA (TN)
3601 HIGHLAND FALLS (VLG)	5889 WOODBURY (TN)
3889 MINISINK (TN)	5801 HARRIMAN (VLG)
3801 UNIONVILLE (VLG)	
4089 MONROE (TN)	
4001 MONROE (VLG)	
4003 HARRIMAN (VLG)	
4005 KIRYAS JOEL (VLG)	

NO PAGES 4 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

Taxable
CONSIDERATION \$ 0
TAX EXEMPT _____

Taxable
MORTGAGE AMT. \$ _____
DATE _____

MORTGAGE TAX TYPE:
 (A) COMMERCIAL/FULL 1%
 (B) 1 OR 2 FAMILY
 (C) UNDER \$10,000
 (E) EXEMPT
 (F) 3 TO 6 UNITS
 (I) NAT.PERSON/CR. UNION
 (J) NAT.PER-CR.UN/1 OR 2
 (K) CONDO

CITIES
 0900 MIDDLETOWN
 1100 NEWBURGH
 1300 PORT JERVIS
 9999 HOLD

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM: *Levinson*

RECORDED/FILED
03/21/2007 11:00:49
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20070029901
DEED R / BK 12393 PG 0858
RECORDING FEES 117.00
TTX# 006796 T TAX 0.00
Receipt#708484 joanned

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, DONNA L. BENSON, COUNTY CLERK AND CLERK OF THE
SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO
HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH
THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE
ON 03/21/07 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Donna L. Benson
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY 31, 2013



CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT — THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made on the 12th day of February, Two thousand and seven
BETWEEN RICHARD J. CAMPORA, residing at 1 Evans Court, Newburgh,
New York 12550

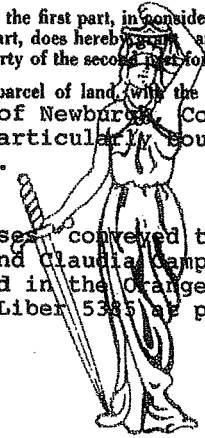
party of the first part, and RICHARD J. CAMPORA and LAURA A. CAMPORA, husband
and wife, both residing at 1 Evans Court, Newburgh,
New York 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration
paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs
or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Town of Newburgh, County of Orange and State of
New York, and more particularly bounded and described on the
annexed Schedule "A".

BEING the same premises conveyed to the grantor herein from
Richard J. Campora and Claudia Campora by deed dated September
29, 2000 and recorded in the Orange County Clerk's Office on
October 12, 2000 in Liber 5385 at page 87.



TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and
roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances
and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD
the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of
the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby
the said premises have been encumbered in any way whatever, except as aforesaid.
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first
part will receive the consideration for this conveyance and will hold the right to receive such consideration as a
trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to
the payment of the cost of the improvement before using any part of the total of the same for any other purpose.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above
written.

IN PRESENCE OF:


Richard J. Campora

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of ORANGE ss.:

On Feb. 12, 2007 before me, the undersigned, personally appeared, Richard J. Campora

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Lisa M. Amanti (signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)

State of County of ss.:

On before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

RICHARD J. CAMPORA

TO

RICHARD J. CAMPORA & LAURA A. CAMPORA

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of County of ss.:

On before me, the undersigned, personally appeared

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof);

LISA M. AMANTI Notary Public, State of N.Y. No. 01AM6086364 Resident of Orange County Commission Expires 12/23/10 that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(if taken outside New York State insert city or political subdivision and state or county or other place acknowledgment taken. And that said subscribing witness(es) made such appearance before the undersigned in

(signature and office of individual taking acknowledgment)

SECTION BLOCK LOT COUNTY OR TOWN

RETURN BY MAIL TO:

Zip No.

Reserve this space for use of Recording Office.

SCHEDULE "A"

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being more particularly bounded and described as follows:

BEGINNING at a point on the northerly line of lands conveyed by Schoonmaker to Podlecki, by deed dated November 3, 1958, recorded November 5, 1958 in Liber 1481 of Deeds at page 586, Orange County Clerk's Office (Lot No. 71 Westwood Drive), and at the northwest corner of Lot No. 73 Westwood Drive, said point being North 38 Degrees 30' West 117 feet from the northeast corner of said Lands of Podlecki and from said point of beginning running;

THENCE North 65 Degrees 10' East along the northerly line of Lot No. 73 Westwood Drive 132 feet to the southerly side of Evans Court;

THENCE North 24 Degrees 50' West along the southerly side of Evans Court 60 feet to a point;

THENCE on a curve to the right with a radius of 50 feet, a distance of 46.2 feet to a point;

THENCE South 77 Degrees 30' West 140 feet, more or less, to the northwest corner of Lot No. 71 Westwood Drive;

THENCE South 38 Degrees 30' East along the easterly line of Lot No. 71 Westwood Drive 125 feet to the place of beginning.

TOGETHER with a right in common with all others heretofore given or who hereafter may be given by the grantors or their assigns a right of ingress and egress over and upon the hereinabove mentioned proposed street lying in front of the northeasterly side of the premises herein conveyed, as well as a similar right-of-way over and upon any continuation of said street or any connecting street or streets to afford and enable passage and re-passage from the conveyed premises to and from Newburgh-Cochecton Turnpike.

SAID Premises being further described in accordance with a survey prepared by Steven P. Drabick, dated November 6, 1997, as follows:

BEGINNING at a point on the westerly side of Evans Court, lying North 24 Degrees 50' 00" West 105.00 feet from the northerly end of a curve which connects said westerly side of Evans Court with the northerly side of Westwood Drive, said point of beginning also being where the northerly line of lands now or formerly of Krawiec (Liber 4329 page 22) intersects the said westerly side of Evans Court;

RUNNING THENCE along said line of Krawiec South 65 Degrees 10' 00" West 132.00 feet to the easterly line of lands now or formerly of Polce (Liber 1812 page 1110);

THENCE along said line of Polce North 38 Degrees 30' 00" West 125.00 feet to a point in the southerly line of lands now or formerly of Zeltmann (Liber 2070 page 443);

THENCE along said line of Zeltmann North 77 Degrees 30' 00" East 143.32 feet to the westerly side of Evans Court;

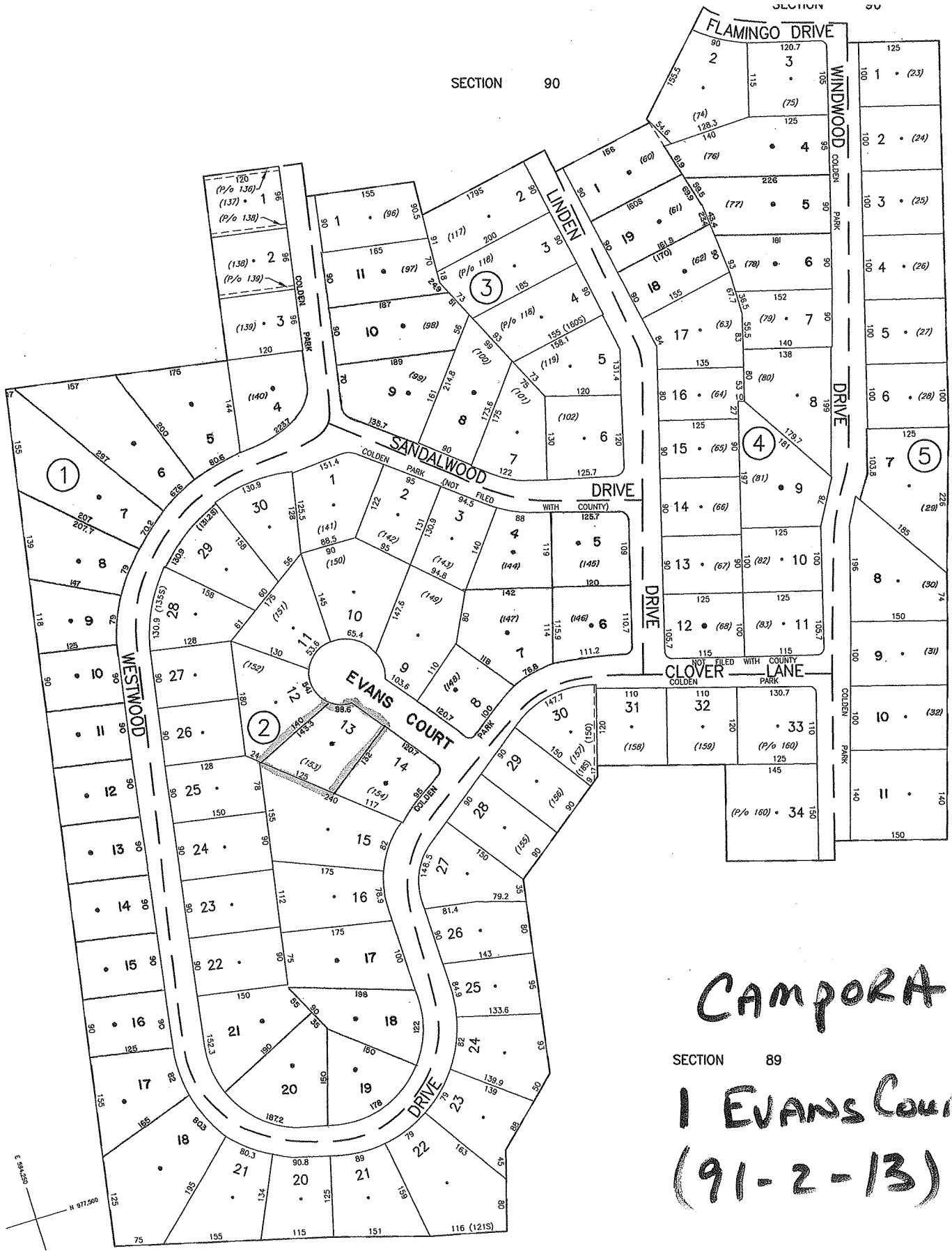
THENCE along said westerly side of Evans Court the following two (2) courses and distances;

(1) southeasterly, along an arc of a curve bearing to the left, with a radius of 50.00 feet for an arc length of 38.57 feet; and

(2) South 24 Degrees 50' 00" East 60.00 feet to the point or place of **BEGINNING**.

SECTION 90

SECTION 89



CAMPORA

SECTION 89

1 EVANS COURT (91-2-13)