

2272-12
Pier Built Shed
(10x16)

12-11 (B)

APPLICATION TO THE ZONING BOARD OF APPEALS, TOWN OF NEWBURGH

DATED: March 1, 2012

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

I (WE) DOROTHY ESTES PRESENTLY
RESIDING AT NUMBER 43 FLETCHER DR., NBG, N.Y.
TELEPHONE NUMBER 728-3952

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:

93-1-2-21 (TAX MAP DESIGNATION)

43 Fletcher Dr NBG N (STREET ADDRESS)

R1 (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NUMBER; DO NOT QUOTE THE LAW).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-2

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: 2/3/12
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: _____

4. DESCRIPTION OF VARIANCE SOUGHT: 10'x16' storage shed

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:
It is close to property line.

(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:
It looks nice on the property and is kept nice. It is a shed on the corner of my back lot, 30 years ago.
- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:
It looks nice and kept neat.

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:

It is a new structure and in the
back lot with trees and bushes on the
side & back.

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 was the only flat spot to be put
and looks good there.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

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 does not block any view or looks
out of place.

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

It has been there for 30 years and I
need it for storage.

7. ADDITIONAL REASONS (IF PERTINENT) :



PETITIONER(S) SIGNATURE

STATE OF NEW YORK : COUNTY ^{OF} ~~OR~~ ORANGE :

SWORN TO THIS 12th DAY OF MARCH 2012



NOTARY PUBLIC

ANDREW J. ZARUTSKIE
Notary Public, State of New York
No. 01ZA4502524
Qualified in Orange County
Commission Expires Nov. 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)

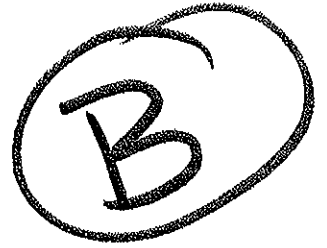
1. APPLICANT/SPONSOR <i>Dorothy Ester</i>	2. PROJECT NAME
3. PROJECT LOCATION: Municipality <i>43 Fletcher Dr. NBGH County Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>Behind meadow Hill, 055 17K onto Fletcher Dr. Straight down Fletcher Dr. onto Dead End, 2nd house on left. gray + Blue trim</i>	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>10'x16' shed - matches color w/ house</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>100 x 150</i> acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <i>too close to property line</i>	
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 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: _____	Date: <i>3/12/12</i>
Signature: <i>Dorothy Ester</i>	

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. 2272-12

Date: February 3, 2012

To: DOROTHY ESTES

SBL 93-1-2.21

43 FLETCHER DRIVE

ADD: 43 FLETCHER DRIVE

NEWBURGH, NY 12550

ZONE R-1

PLEASE TAKE NOTICE that your application dated January 23,
20 12 for permit to keep a Prior Built shed (10' x 16')

At the premises located at 43 Fletcher Drive

Is returned herewith and disapproved on the following grounds:

185 - 15 - A - 2 - ACCESSORY BUILDINGS -
SUCH BUILDING SHALL BE SET BACK AT LEAST FIVE FEET FROM ANY SIDE
LOT LINE.


JOSEPH MATTINA

Cc: Town Clerk & Assessor (300')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT YES

B

NAME: DOROTHY ESTES

ADDRESS: 43 FLETCHER DR NEWBURGH NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: PRIOR BUILT 10 X 16 SHED

SBL: 93-1-2.21 ZONE: R/1

TOWN WATER: YES NO

TOWN SEWER: YES NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
MINIMUM SETBACK	5'		4'-6"	6"	10.0%

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES / 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: **10 X 16 PRIOR BUILT SHED.**

VARIANCE(S) REQUIRED:

- 1 185-15-A-2 SHALL SET BACK 5' FROM SIDE LOT LINE.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: JOSEPH MATTINA

DATE: 23-Jan-12