

TOWN OF NEWBURGH

Crossroads of the Northeast

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

APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: 4-23-2019

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

I (WE) SERAPIO AND JULIE ROLO PRESENTLY
RESIDING AT NUMBER 373 LAKESIDE ROAD
TELEPHONE NUMBER 845-978-0961

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

- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

S/B/L: 33-1-19 (TAX MAP DESIGNATION)
373 LAKESIDE ROAD (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

BULK TABLE SCHEDULE 3



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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: MARCH 22, 2019
- 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: AREA VARIANCES FOR DEFICIENT SIDE YARD, REAR YARD, AND COMBIINED SIDE YARD SETBACKS, AND EXCESSIVE TOTAL % LOT COVERAGE.

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:



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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:

THE PROPERTY'S EXISTING AND PROPOSED USE IS SINGLE FAMILY RESIDENTIAL AND THE REQUESTED AREA VARIANCES DO NOT DECREASE ANY OF THE SETBACKS AND/OR THE % LOT COVERAGE.

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:

BOTH THE DECK ND SUNROOM WERE EXISTING WHEN THE PROPERTY WAS PURCHASED IN 2018 BY THE CURRENT OWNERS, AND IF THE OWNERS TRIED TO INCREASE THE SQUARE FOOTAGE OF THE PRIMARY RESIDENCE ADDITIONAL VARIANCES WOULD BE REQUIRED FOR NON-CONFORMING SETBACKS.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:
THE LOT CONFIGURATION AND STRUCTURES ARE EXISTING. THE PROPOSAL DOES NOT DECREASE ANY SETBACKS OR INCREASE ANY% LOT COVERAGE IN TWO DIMENSIONS.

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

ALL BUILDINGS/DECKS ARE EXISTING AND THERE WILL BE NO INCREASE IN % IMPERVIOUS.

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

THE DECK ND SUNPORCH WERE EXISTING WHEN PURCHASED BY THE CURRENT OWENER, AND THE SECOND STORY ADDITION IS ON TOP OF THE EXISTING FOOTPRINT OF THE EXISTING BUILDING.



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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

x *Julie Rolo*
x *[Signature]*

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 13th DAY OF April 2019

[Signature]
NOTARY PUBLIC

Derek J. Rolo
Notary Public, State of New York
No. 02RO6204109
Qualified in Orange County
Commission Expires April 13, 2021

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.
(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)



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

PROXY

~~SAM~~ Serapia Rolo, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 373 LAKESIDE ROAD

IN THE COUNTY OF ORANGE AND STATE OF NEW YORK

AND THAT HE/SHE IS THE OWNER IN FEE OF _____

373 LAKESIDE ROAD, NEWBURGH, NEW YORK 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED JONATHAN CELLA, P.E.

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: _____

OWNER'S SIGNATURE

Kelley Rolo

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 13th DAY OF April 2019

NOTARY PUBLIC

Derek J. Rolo
Notary Public, State of New York
No. 02RO6204109
Qualified in Orange County
Commission Expires April 13, 2021

6124121

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
SERAPIO AND JULIE ROLO				
Name of Action or Project: PROPOSED SECOND STORY ADDITION AND LEGALIZE PREVIOUSLY CONSTRUCTED DECK AND SUNROOM				
Project Location (describe, and attach a location map): 373 LAKESIDE ROAD (S/B/L: 33-1-19)				
Brief Description of Proposed Action: 1. OBTAIN A CERTIFICATE OF OCCUPANCY FOR A SUNROOM AND DECK CONSTRUCTED BY THE PREVIOUS OWNER OF THE PROPERTY. BOTH THE SUNROOM AND DECK ARE EXISTING AND MORE THAN TEN (10) YEARS OLD. 2. REMOVAL OF EXISTING SECOND STORY ON PRIMARY RESIDENCE AND CONSTRUCTION OF A NEW SECOND STORY THAT MEETS CURRENT INTERNATIONAL RESIDENTIAL BUILDING CODE AND NEW YORK STATE SUPPLEMENTAL CODE REQUIREMENTS.				
Name of Applicant or Sponsor: SERAPIO AND JULIE ROLO		Telephone: 845-978-0961 E-Mail: sam@rolohome.com		
Address: 373 LAKESIDE ROAD				
City/PO: NEWBURGH		State: NEW YORK	Zip Code: 12550	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: APPROVAL FROM THE TOWN OF NEWBURGH ZBA FOR AREA VARIANCES AND CODE COMPLIANCE FOR BUILDING PERMIT			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.42 acres		
b. Total acreage to be physically disturbed?		0 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.42 acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):				
<input type="checkbox"/> Parkland				

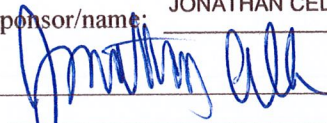
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: THE PROJECT WILL MEET/EXCEED THE CURRENT NEW YORK STATE ENERGY CODE _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ EXISTING ON SITE INDIVIDUAL WELL _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ WATERBODY = ORANGE LAKE _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

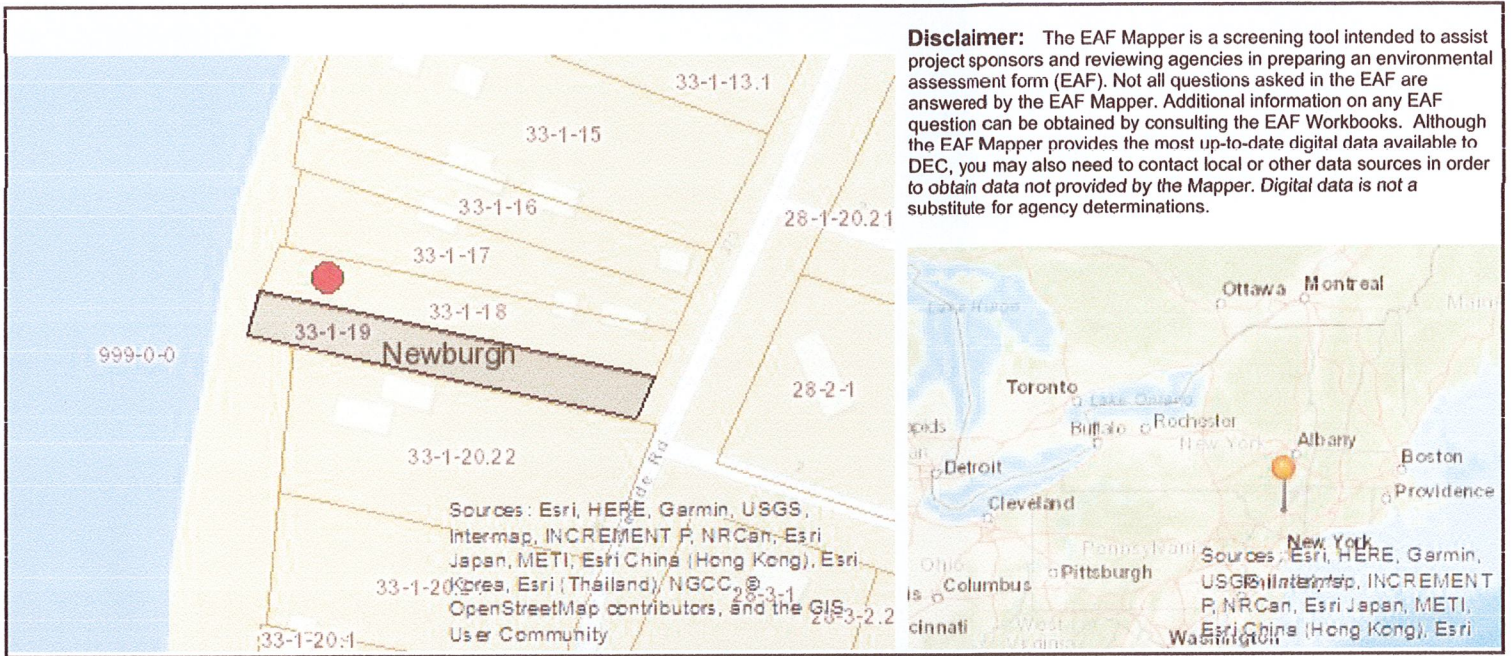
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: JONATHAN CELLA, P.E.	Date: 04/11/2019	
Signature: 	Title: PROFESSIONAL ENGINEER	



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No



ORANGE COUNTY – STATE OF NEW YORK
 ANN G. RABBITT, COUNTY CLERK
 255 MAIN STREET
 GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
 THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



Recording:

Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 190.00

Transfer Tax	
Transfer Tax - State	1560.00

Sub Total: 1560.00

Total: 1750.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
 Transfer Tax #: 4505
 Transfer Tax
 Consideration: 390000.00

Transfer Tax - State	1560.00
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Total: 1560.00

BOOK/PAGE: 14501 / 868
 INSTRUMENT #: 20180087877

Receipt#: 2588495
 Clerk: JM
 Rec Date: 12/14/2018 10:49:21 AM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 4
 Rec'd Frm: ASSURANCE ABSTRACT & TITLE SERVICES LLC

Party1: SANTORO ARLENE B BY EX
 Party2: ROLO SERAPIO
 Town: NEWBURGH (TN)
 33-1-19

Payment Type: Check
 Cash
 Charge
 No Fee

Comment: _____

Ann G. Rabbitt
 Orange County Clerk

Record and Return To:

DEREK J ROLO ESQ
 31 KNOELL ROAD
 GOSHEN NY 10924

Record & Return To:

Derek J. Rolo, Esq.
31 Knoell Road
Goshen NY 10924

Tax Map #33-1-19, Town of Newburgh
373 Lakeside Road


EXECUTOR'S DEED

THIS INDENTURE made the 7th of December, 2018,

BETWEEN MICHAEL L. CORP., residing at 100 Madison Street, 1500 Axa, Tower 1,
Syracuse NY 11302

as **Executor of the Last Will and Testament of ARLENE B. SANTORO**, late of Orange
County, New York, who died on December 28, 2017, party of the first part, and **SERAPIO
ROLO and JULIE A. ROLO, husband and wife**, residing at 188 Farmingdale Road, Chester
NY 10918, party of the second part;

WITNESSETH, that the party of the first part, to whom Letters Testamentary were issued by the
Surrogate's Court, Orange County, New York on April 26, 2018 and by virtue of the power and
authority given in and by said last will and testament , and/or by Article 11 of the Estates,
Powers and Trusts Law, and in consideration of Three Hundred Ninety Thousand, and No/100
(\$390,000.00) Dollars, paid by the party of the second part, does hereby grant and release unto
the party of the second part, the distributees or successors and assigns of the party of the second
part forever,

ALL that certain plot, piece or parcel of land with the improvements thereon erected,
situate, lying and being in the Town of ~~Crawford~~, County of Orange, State of New York, and
more particularly described as follows: *Newburgh* 

SEE SCHEDULE "A" DESCRIPTION ATTACHED HERETO AND MADE PART HEREOF.

Subject to covenants, easements and restrictions of record.

BEING and intended to the same premises conveyed to Arlene B. Santoro by deed from
Warren F. Santoro and Arlene B. Santoro dated February 9, 1979 and recorded on April 27, 1979
in the Office of the Orange County Clerk in Liber 2129 of Deeds at Page 996.

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,

33-1-19

SCHEDULE A

Section 33 Block 1 Lot 19

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, Orange County, State of New York, more particularly bounded and described as follows:

BEGINNING at the corner of a retaining wall which is the northwest corner of the lands described in deed made by May 6, 1953, by the Young Women's Christian Association of Jersey City to Elizabeth L. Lease, recorded May 21, 1953 in Liber 1268 of Deeds at Page 208, Orange County Clerk's Office, and running from said point of beginning in a southwesterly direction along the shore of Orange Lake for 45 feet; running thence South 65 degrees 44' East on a line intended to be parallel with the northerly boundary of grantor's lands above described and 45 feet therefrom for a distance of 400 feet more or less to the center of the highway known as Lakeside Road; running thence North 35 degrees 51' East along the center of said Lakeside Road for 45 feet more or less to the northeasterly corner of said grantor's lands; running thence along the said northerly line of grantor North 65 degrees 44' Wes for 407.3 feet more or less to the point or place of BEGINNING.

Premises known as 373 Lakeside Road, Newburgh NY 12550

TOGETHER with the appurtenances and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the distributees or successors and assigns of the party of the second part forever.

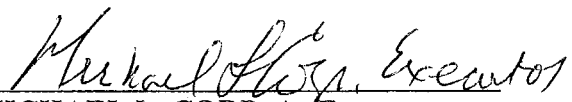
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as aforesaid.

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" wherever the sense of this indenture so requires.

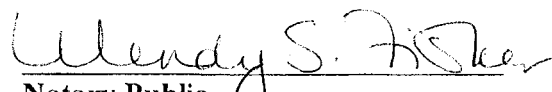
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


MICHAEL L. CORP, As Executor
of the Estate of ARLENE B. SANTORO

STATE OF New York)
): ss.:
COUNTY OF Chandaga)

On the 5 day of December 2018, before me, the undersigned, personally appeared MICHAEL L. CORP, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose names(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), that by his/her/their signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

WENDY S. FISHER
Notary Public in The State Of New York
Qualified in Madison County
No. 4774474
My Commission Expires 2/25/22



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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 03/22/2019

Application No. 19-0187

To: Serapio & Julie Rolo
373 Lakeside Road
Newburgh, NY 12550

SBL: 33-1-19
ADDRESS: 373 Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 03/08/2019 for permit to enlarge the second floor of a non-conforming dwelling unit and keep the rear deck and side sunroom that where built without permits on the premises located at 373 Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) Bulk table schedule # 3: Requires a 40' minimum rear yard setback
- 2) Bulk table schedule # 3: Requires a 30' minimum side yard setback.
- 3) Bulk table schedule # 3: Requires a 80' combined side yard setback.
- 4) Bulk table schedule # 3: Allows a maximum lot surface coverage of 20%


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Serapio & Julie Rolo Building Application # 19-0187

ADDRESS: 373 Lakeside Rd. Newburgh NY 12550

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: 2nd floor addition, rear deck, side sunroom

SBL: 33-1-19 ZONE: R-1 ZBA Application # _____

TOWN WATER: **YES** / NO

TOWN SEWER: **YES** / NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
REAR YARD	40'		1.6'	38.4'	96.00%
ONE SIDE YARD	30'		1.3'	28.7'	95.60%
COMBINED SIDE YARD	80'		11.9'	68.1'	85.12%
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE	20.0%		42%	22%	110%

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:

Second floor addition, Sunroom and rear deck built without permits.

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule #3: Requires a 40' minimum rear yard setback _____
- 2 Bulk table schedule #3: Requires a 30' minimum side yard setback _____
- 3 Bulk table schedule #3: Requires a 80' combined side yard setback. _____
- 4 Bulk table schedule #3: Allows a maximum surface lot coverage of 20% _____

REVIEWED BY: Joseph Mattina

DATE: 22-Mar-19



PICTURE # 1
PROPERTY FRONTAGE ALONG
LAKESIDE ROAD



PICTURE # 2
PARTIAL FRONT
FROM SUBJECT DRIVEWAY

AREA VARIANCES
SERAPIO AND JULIE ROLO
373 LAKESIDE ROAD (S/B/L: 33-1-19)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-10-2019

WALLKILL, NEW YORK 12589
(845) 741-0363
jonathancell@hotmail.com

SHEET NO.:
1 OF 5



PICTURE # 3
EAST SIDE OF PROPERTY
FROM SUBJECT DRIVEWAY



PICTURE # 4
SOUTHEAST SIDE OF PROPERTY
FROM SUBJECT DRIVEWAY

AREA VARIANCES
SERAPIO AND JULIE ROLO
373 LAKESIDE ROAD (S/B/L: 33-1-19)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-10-2019

WALLKILL, NEW YORK 12589
(845) 741-0363
jonathancell@hotmial.com

SHEET NO.:
2 OF 5



PICTURE # 4
NORTH SIDE OF PROPERTY
FROM SUBJECT DRIVEWAY



PICTURE # 5
FRONT (EAST) SIDE OF
EXISTING RESIDENCE

AREA VARIANCES
SERAPIO AND JULIE ROLO
373 LAKESIDE ROAD (S/B/L: 33-1-19)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-10-2019

WALLKILL, NEW YORK 12589
(845) 741-0363
jonathancellla@hotmail.com

SHEET NO.:
3 OF 5



PICTURE # 7
EXISTING LEFT SIDE (SOUTH) OF RESIDENCE



PICTURE # 8
EXISTING RIGHT SIDE
(NORTH) OF RESIDENCE

AREA VARIANCES
SERAPIO AND JULIE ROLO
373 LAKESIDE ROAD (S/B/L: 33-1-19)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-10-2019

WALKKILL, NEW YORK 12589
(845) 741-0363
jonathancell@hotmail.com

SHEET NO.:
4 OF 5



PICTURE # 9
EXISTING REAR SIDE
(WEST) OF RESIDENCE

AREA VARIANCES
SERAPIO AND JULIE ROLO
373 LAKESIDE ROAD (S/B/L: 33-1-19)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

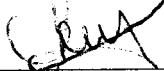
DATE:
04-10-2019

WALLKILL, NEW YORK 12589
(845) 741-0363
jonathancella@hotmail.com

SHEET NO.:
5 OF 5

**AFFIDAVIT OF POSTING(S) OF
NOTICE OF PUBLIC HEARING
AT THE PROPERTY**

STATE OF NEW YORK: COUNTY OF ORANGE:

I  Serafio Rolo, being duly sworn, depose and say that I did on or before

May 9, 2019, post and will thereafter maintain at

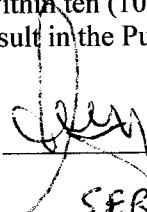
373 Lakeside Rd in the Town of Newburgh, New York, at or near the front

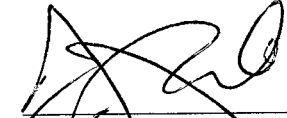
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the Public Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for additional time.

Sworn to before me this 27

day of April, 2019.

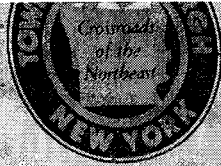

SERAFIO Rolo


Notary Public

Derek J. Rolo
Notary Public, State of New York
No. 02RO6204109
Qualified in Orange County
Commission Expires ~~April 13, 20~~

6/24/21

[Photograph(s) of the posted Public Hearing Notice(s) must be submitted by the applicant with this affidavit.]



OFFICE OF ZONING BOARD
(845) 566-4901

TOWN OF NEWBURGH
Crossroads of the Northeast
ZONING BOARD OF APPEALS
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 267-a (1) of the Town Law, State of New York and Section 185-55A (1) of the Zoning Ordinances of the Town of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 23rd day of May, 2019 at 7:00 P.M. in the Town Hall, 1496 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of Serapio and Julie Rolo to enlarge the second floor of a non-conforming dwelling unit and keep the rear deck and side sunroom built without permits with a rear yard setback of 1.6' where 40' is required, one side yard setback of 1.3' where 30' is required, combined side yard of 11.9' where 80' is required and 42% proposed surface lot coverage where 20% is the minimum.

PREMISES LOCATED at

373 Lakeside Rd 33-1-19 R-1 Zone in the Town of Newburgh, New York.

TAKE NOTICE that the applicant should appear at the hearing and all persons interested in any way may appear and be heard by the Board.

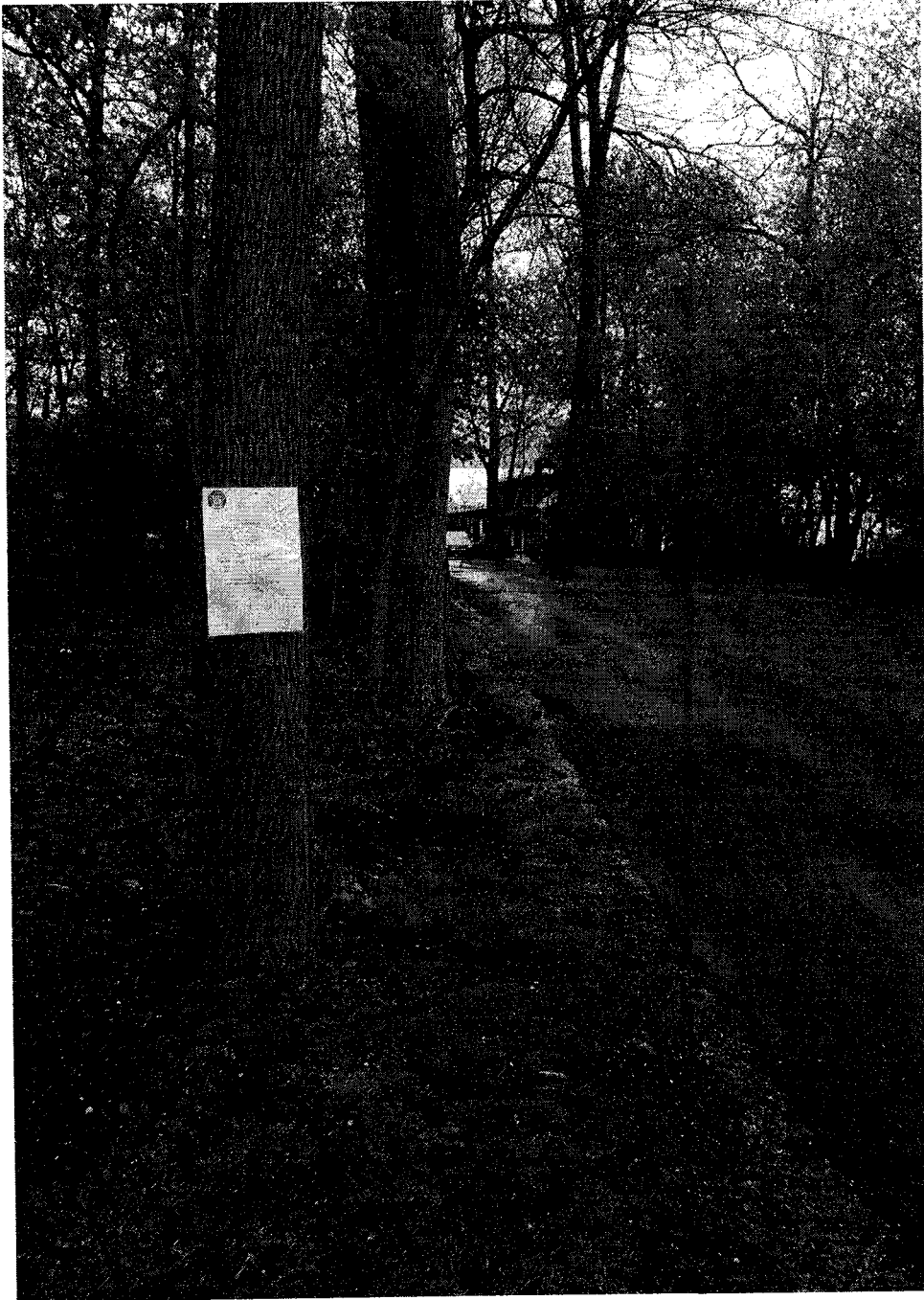
BY ORDER of the Zoning Board of Appeals dated the 9th day of May, 2019.

[Signature]
(APPLICANT)

[Signature]
SERAPIO Rolo

Shown to before me this 27th day of April 2019

[Signature]
Derek J. Rolo
Notary Public, State of New York
No. 02RO6204109
Qualified in Orange County
Commission Expires April 19, 20



[Handwritten signature]
Serapid Rolo

*Sworn to before me
this 27th day of April
2019*

[Handwritten signature]

Derek J. Rolo
Notary Public, State of New York
No. 02RO6204109
Qualified in Orange County
Commission Expires April 12, 2021 *012421*