

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:

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:
04-25-24

4. DESCRIPTION OF VARIANCE SOUGHT: HOUSE; 27.8' Side setback
house; 73.9' combined side yard setback
Garage; 0.1' side yard set back

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:

lot size is very non conforming, creating the need to
obtain a variance the minimum set backs
are larger than the width of the property.

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

No change to the overall characteristic
Many of the houses in this area have
already added a second floor on similar sized lots.

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:
The existing lot is non conforming.

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:

No undesirable change will be created by this project, nor will any reduction of the character of the neighborhood.

- 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:

Other schemes were studied and deemed not feasible for the site. It would be impossible to build with out a variance on the existing lot with the current zoning requirements.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:
of the highly narrow site. while we are increasing the non-conformity, there is no reduction in encroachment of the structures footprint.

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

No adverse effects to the physical or environmental conditions will occur.

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

The lot is very non conforming for the district.

7. ADDITIONAL REASONS (IF PERTINENT):

this level of variance granting is consistent with
others previously granted.

Laurence Sumner

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8 DAY OF May 20 24

Steven Secon

NOTARY PUBLIC

STEVEN SECON
Notary Public, State of New York
No 01SE6216355
Qualified in Westchester County
Commission Expires January 11 2025

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 13 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)

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

Larry Simmons, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 329 Lakeside rd
IN THE COUNTY OF Newburgh AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF _____
329 lakeside rd, Newburgh NY (50-1-6)

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED Steven Secon Architct P.C
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 5/3/24 Luciana Simmons

OWNER'S SIGNATURE

Kristian Reynolds

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8 DAY OF May 20 24

Steven Secon
NOTARY PUBLIC

STEVEN SECON
Notary Public, State of New York
No. 015E6216355
Qualified in Westchester County
Commission Expires January 11, 2025

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			
Name of Action or Project: Simmons Residence - Additions & Alterations			
Project Location (describe, and attach a location map): 329 lakeside rd, Newburgh NY 10970			
Brief Description of Proposed Action: Enlarge bedroom add new Bathroom and closet addition on 2nd floor. New partially raised roof on 2nd floor. Raise garage roof height 2 feet, replace garage door add front door.			
Name of Applicant or Sponsor: Larry Simmons		Telephone: (914) 220 2299 E-Mail: larry.g.simmons@gmail.com	
Address: 329 lakeside rd			
City/PO: Newburgh		State: ny	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"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: ZBA- variance Building department approval			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.1783 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?		0.1783 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <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			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Larry Simmons</u></p>		<p>Date: <u>05 02 24</u></p>
<p>Signature: <u><i>Larry Simmons</i></u></p>		

Agency Use Only [If applicable]

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:
Date:

***Short Environmental Assessment Form
Part 3 Determination of Significance***

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- 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.

Name of Lead Agency

Date

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)

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

R-8786



PE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

LAWRENCE G. SIMMONS and
JAMES H. SIMMONS, As Joint Tenants with
Right of Survivorship
LAWRENCE G. SIMMONS
ANNE MARIE SIMMONS, as Tenants by The
Entirety

SECTION 50 BLOCK 1 LOT 6

RECORD AND RETURN TO:
(Name and Address)

BLOOM & BLOOM, P.C.
Post Office Bx 4323
New Windsor, New York 12553

RE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

DOCUMENT TYPE: DEED xx MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

PROPERTY LOCATION

- | | | | |
|----------------------------|-------|--|-------|
| 2089 BLOOMING GROVE (TN) | _____ | 4209 MONTGOMERY (TN) | _____ |
| 2001 WASHINGTONVILLE (VLG) | _____ | 4201 MAYBROOK (VLG) | _____ |
| 2209 CHESTER (TN) | _____ | 4203 MONTGOMERY (VLG) | _____ |
| 2201 CHESTER (VLG) | _____ | 4205 WALDEN (VLG) | _____ |
| 2409 CORNWALL (TN) | _____ | 4409 MOUNT HOPE (TN) | _____ |
| 2401 CORNWALL (VLG) | _____ | 4401 OTISVILLE (VLG) | _____ |
| 2600 CRAWFORD (TN) | _____ | <input checked="" type="checkbox"/> 4600 NEWBURGH (TN) | _____ |
| 2000 DEERPARK (TN) | _____ | 4800 NEW WINDSOR (TN) | _____ |
| 3089 GOSHEN (TN) | _____ | 5089 TUXEDO (TN) | _____ |
| 3001 GOSHEN (VLG) | _____ | 5001 TUXEDO PARK (VLG) | _____ |
| 3003 FLORIDA (VLG) | _____ | 5200 WALLKILL (TN) | _____ |
| 3005 CHESTER (VLG) | _____ | 5409 WARWICK (TN) | _____ |
| 3200 GREENVILLE (TN) | _____ | 5401 FLORIDA (VLG) | _____ |
| 3489 HAMPTONBURGH (TN) | _____ | 5403 GREENWOOD LAKE (VLG) | _____ |
| 3401 MAYBROOK (VLG) | _____ | 5405 WARWICK (VLG) | _____ |
| 3609 HIGHLANDS (TN) | _____ | 5600 WAWAYANDA (TN) | _____ |
| 3601 HIGHLAND FALLS (VLG) | _____ | 5889 WOODBURY (TN) | _____ |
| 3809 MINISINK (TN) | _____ | 5801 HARRIMAN (VLG) | _____ |
| 3801 UNIONVILLE (VLG) | _____ | | |
| 4089 MONROE (TN) | _____ | | |
| 4001 MONROE (VLG) | _____ | | |
| 4003 HARRIMAN (VLG) | _____ | | |
| 4005 KIRYAS JOEL (VLG) | _____ | | |

NO. PAGES 3 CROSS REF _____
CERT. COPY _____ AFFT. _____

PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

CONSIDERATION \$ 0
TAX EXEMPT _____

MORTGAGE AMT \$ _____
DATE _____

- MORTGAGE TYPE:
- _____ (A) COMMERCIAL
 - _____ (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/ 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:

R. Simmons

LIBER 5110 PG 65

LIBER 5110 PAGE 65

ORANGE COUNTY CLERKS OFFICE 41805 BRL
RECORDED/FILED 07/23/1999 12:42:53 PM

FEES 44.00 EDUCATION FUND 5.00
SERIAL NUMBER: 010819
DEED CNTL NO 60187 REL TAX .00

P 1691 - Bargain & Sale Deed with Covenant against Grantor. JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS
Stat. Form. Ind. or Corp.: 1 Side Recording.

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY.

THIS INDENTURE, made the 22 day of July 1999.

BETWEEN LAWRENCE G. SIMMONS, presently residing at 5 Castle Hill Close, Dobbs Ferry, NY 10522 and JAMES H. SIMMONS, presently residing at 502 Pinewood Drive, Apex, NC 27502, as Joint Tenants with Right of Survivorship.
grantor

LAWRENCE G. SIMMONS and ANNE MARIE SIMMONS, presently residing at 5 Castle Hill Close, Dobbs Ferry, NY 10522, as Tenants By The Entirety.
grantee

WITNESSETH, that the grantor, in consideration of _____

TEN AND 00/100 (\$10.00) Dollars, paid by the grantee hereby grants and releases unto the grantee, the heirs or successor and assigns of the grantee 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 bounded and described as follows:

BEGINNING at a point in the center of the Lakeside Road at the northeast corner of lands of William E. Tibbs and running thence westerly along the northerly line of said Tibbs' lands 273 feet more or less to the easterly shore of Orange Lake; thence northerly along the easterly shore of Orange Lake 30 feet to lands of John F. O'Neil; thence easterly along the southerly side of said O'Neil's lands to the center of the Lakeside Road, and thence southerly along the center of the Lakeside Road 30 feet to the point or place of beginning.

SUBJECT HOWEVER, to the following conditions and restrictions which are covenanted to run with the title of the lands above conveyed, that no building shall be erected upon the above described premises which shall be within 30 feet of the west side of the Lakeside Road, nor shall any animals be kept upon the same premises nor shall any spirituous or alcoholic liquors or beverages be sold, manufactured, brewed, distilled, or stored upon said premises or any portion thereof.

BEING the same premises described in a Deed dated June 25, 1931, made by Anna Whitehead to Nellie B. Simmons and recorded in Orange County Clerk's Office July 2, 1931 in Liber 719 of Deeds at page 393.

ALSO being the same premises described in an Executor's Deed dated March 22, 1996 made by Lawrence G. Simmons as Executor of the Estate of Charles W. Simmons to Lawrence G. Simmons and James H. Simmons, which deed was recorded in the Orange County Clerk's Office on March 25, 1996 in Liber 4359 at Page 63.

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises. TO HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the grantee forever. AND the said grantor covenants that the grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires. IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

In presence of:

Lawrence G. Simmons L. S.
Lawrence G. Simmons
James H. Simmons L. S.
James H. Simmons

North Carolina
STATE OF NEW YORK, COUNTY OF Wake ss.:
On the 25th day of June 1999, before me personally came James H. Simmons to me known, who, being by me duly sworn, did depose and say that deponent resides at No. _____ deponent is _____ of _____ the corporation described in and which executed, the foregoing instrument; deponent knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; deponent signed deponent's name thereto by like order.

STATE OF NEW YORK, COUNTY OF Westchester ss.:
On the 22^d day of July 1999, before me personally came
Lawrence G. Simmons
to me known to be the individual described in, and who executed the foregoing instrument, and acknowledged that he executed the same.

Wendy M. Lane
Wendy M. Lane
Notary Public, State of New York
No. 407015
Qualified in Westchester County
Commission Expires Aug 31, 1999

Sec. 50 - Block 1 - Lot 6



House- Front (East Elevation)



House - Left (South Elevation)



House- Rear (West Elevation)



House- Right (North Elevation)



Garage- Rear (West Elevation)



Garage – Right (North elevation)



Garage- Left (South Elevation)



Garage- Front (East elevation)



Aerial photograph



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

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

2024-26 (b)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 04/22/2024

Application No. 24-0364

To: Lawrence Simmons
5 Castle Hill Close
Dobbs Ferry, NY 10522

SBL: 50-1-6
ADDRESS: 329 Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 04/18/2024 for permit to add a second floor to a non-conforming dwelling on the premises located at 329 Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-19-C-1: Shall not increase the degree of non-conformity: (One side yard)
- 2) 185-19-C-1: Shall not increase the degree of non-conformity: (Combined side yards)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION ***BUILT WITH OUT A PERMIT*** **YES / NO**

NAME: LARRY SIMMONS **Application #** 24-0364

ADDRESS: 329 LAKESIDE RD NEWBURGH NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: SECOND FLOOR ADDITION

SBL: 50-1-6 **ZONE:** R-1 **ZBA Application #** 2024-26(b)

TOWN WATER: **YES** / NO **TOWN SEWER:** **YES** / NO N/A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
ONESIDE YARD	30'	2.2'	INCREASING DEGREE NON-CONFORMITY		
COMBINED SIDE YARD	80'	6.1'	INCREASING DEGREE NON-CONFORMITY		
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

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: **EXISTING NON-CONFORMING / ADDING A SECOND FLOOR ADDITION OVER THE FRONT PORTION OF THE DWELLING.**

REVIEWED BY: Joseph Mattina **DATE:** 22-Apr-24





TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

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

2024-26(a)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 04/25/2024

Application No. 24-0376

To: Lawrence Simmons
5 Castle Hill Close
Dobbs Ferry, NY 10522


SBL: 50-1-6
ADDRESS: 329 Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 04/23/2024 for permit to raising the roof 2' on an existing non-conforming accessory building. (front yard & setback) on the premises located at 329 Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-19-C-1: Shall not increase the degree of non-conformity. (setback)
- 2) 185-19-C-1: Shall not increase the degree of non-conformity. (height / front yard)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION ***BUILT WITH OUT A PERMIT*** **YES / NO**

NAME: LAWRENCE SIMMONS **Application #** 24-0376

ADDRESS: 329 LAKESIDE RD NEWBURGH NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: GARAGE

SBL: 50-1-6 **ZONE:** R-1 **ZBA Application #** 2024-22(a)

TOWN WATER: **YES** / NO **TOWN SEWER:** **YES** / NO N/A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
FRONT YARD	NOT PERMITTED				
SET BACK	5'	4.90	INCREASING DEGREE OF NON-CONFORMITY		
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
BUILDING HEIGHT			INCREASING DEGREE OF NON-CONFORMITY		
BUILDING COVERAGE					
SURFACE COVERAGE					

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: Raising the height of the non-conforming building from 13' to 15'

REVIEWED BY: Joseph Mattina **DATE:** 25-Apr-24

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Lawrence Simmons, being duly sworn, depose and say that I did on or before

June 11, 2024, post and will thereafter maintain at

329 Lakeside Rd 50-1-6 R1 Zone 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.

Lawrence Simmons

Sworn to before me this 10th

day of June, 2024.

[Signature]

