



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: 1/02/2018

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

TIER 3 PROPERTIES LLC
I (WE) Jason A Puckett, Owner PRESENTLY

RESIDING AT NUMBER 62 Highland Ave Walden NY, 12586

TELEPHONE NUMBER 845-863-3059

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:

53-1-7.1 (TAX MAP DESIGNATION)
13 Elmhurst Ave. (STREET ADDRESS)
r-1 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1



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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: 12/22/2017
- 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 Variance for 8X24 wood porch to be centered on house facing Elmhurst Ave.

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

- 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:

Residence at 13 Elmhurst Ave has been neglected for quite some time and the addition of the proposed porch will not produce an undesirable change, rather it will enhance the property

- 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 existing porch is in disrepair and is already out of compliance in regards to the current setback rules in the municipality due to the "Two Front Yards" rule. The proposed porch will enhance the property and provide a safer alternative to the existing porch.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The proposed porch is only 192 sqft and will not protrude the existing boundaries of the structure. In fact the proposed porch will be approximately 7'10" in from edge of house closest to Charles Street

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

There are no potential environmental impacts with proposed porch

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

Existing porch is in disrepair and is currently out of compliance with set back rules in the municipality due to the "Two Front Yards" rule.



TOWN OF NEWBURGH

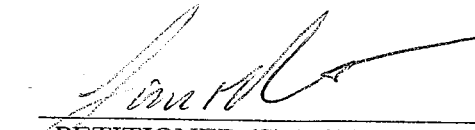
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NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

Proposed porch will add character to the current structure and make the structure more ascetically suitable for the surrounding property owners.



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3rd DAY OF January 2018

LISA R. CARVER
Notary Public, State of New York
No. 01CA6230348
Qualified in Orange County
Term Expires November 1, ~~2014~~ 2018



NOTARY PUBLIC

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)

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			
Tier 3 Properties LLC, Jason A Puckett			
Name of Action or Project: Build a 8X24 Porch at residence			
Project Location (describe, and attach a location map): 13 Elmhurst Ave Newburgh, NY			
Brief Description of Proposed Action: Build a 8X24 porch at residence. Replace existing 10X7 porch footprint. Porch is being replaced due to the fact that it is in disrepair and the proposed porch will provide safer access to residence and is a better alternative to the current porch.			
Name of Applicant or Sponsor: Jason A Puckett		Telephone: 845-863-3059 E-Mail: japuckett6274@gmail.com	
Address: 62 Highland Ave			
City/PO: Walden		State: NY	Zip Code: 12586
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 checked="" 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: Requires a Variance from Zoning Board and Building Permit			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.692 acres	
b. Total acreage to be physically disturbed?		.0048 acres 192sqft porch	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.692 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 type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): <u>None</u> <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? REQUESTING AREA VARIANCE	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<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: N/A PROPOSED PORCH IS ON THE EXTERIOR OF RESIDENCE		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input 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?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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: _____		<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 type="checkbox"/> Suburban <input type="checkbox"/> NONE			
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES		<input checked="" 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"/> NO <input type="checkbox"/> YES	

<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>Tier 3 Properties LLC Jason A. Pickett</u> Date: <u>1-2-2018</u></p> <p>Signature: <u>[Signature]</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

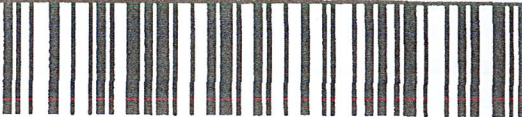
Signature of Preparer (if different from Responsible Officer)



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

Low original 9/5/18

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



BOOK/PAGE: 14308 / 69
 INSTRUMENT #: 20170075224
 Receipt#: 2397345
 Clerk: MAH
 Rec Date: 10/20/2017 03:31:06 PM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 4
 Rec'd Frm: ORAL W SMITH AGENCY INC

Party1: US BANK NATIONAL ASSN
 Party2: TIER 3 PROPERTIES LLC
 Town: NEWBURGH (TN)
 53-1-7.1

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	172.00
Sub Total:	172.00
Total:	362.00
**** NOTICE: THIS IS NOT A BILL ****	
***** Transfer Tax *****	
Transfer Tax #: 2813	
Transfer Tax	
Consideration: 42595.00	
Transfer Tax - State	172.00
Total:	172.00

Payment Type: Check
 Cash
 Charge
 No Fee

Comment: _____

Ann G. Rabbitt

Ann G. Rabbitt
 Orange County Clerk

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
 I, ANN G. RABBITT, 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 October 20, 2017 AND THE SAME IS A CORRECT
 TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
 HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
 ORANGE COUNTY January 4, 2018

Record and Return To:

TIER 3 PROPERTIES
 62 HIGHLAND AVE
 WALDEN NY 12586

Special Warranty Deed

THIS INDENTURE DATED October 3, 2017

between: U.S. BANK NATIONAL ASSOCIATION, not in its individual capacity but solely as TRUSTEE FOR MERRILL LYNCH MORTGAGE FIRST FRANKLIN MORTGAGE LOAN TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2007-2 by: Nationstar Mortgage, LLC, as attorney in fact, 8950 Cypress Waters Boulevard, Coppell, TX 75019, party of the first part, and

TIER 3 PROPERTIES ^{LLC} party of the second part residing at 62 HIGHLAND AVE., WALDEN, NY 12586

WITNESSETH, that the party of the first part in consideration of TEN DOLLARS and other valuable consideration paid by 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 & BEING (see attached schedule "A")

PREMISES KNOWN AS: 13 ELMHURST AVE., NEWBURGH, NY 12550

BEING & INTENDED TO BE THE SAME PREMISES CONVEYED TO PARTY OF THE FIRST PART BY DEED DATED 5/23/2017 & RECORDED ON 6/22/2017 IN INSTRUMENT#20170043613

TOGETHER with all right, title and interest, if any, of the party of the first part of, 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 second part shall quietly enjoy the said premises; AND that the party of the First part will WARRANT the title to the said premises, only from the date that party of the first part acquired title to same; 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:

U.S. BANK NATIONAL ASSOCIATION, not in its individual capacity but solely as TRUSTEE FOR MERRILL LYNCH MORTGAGE FIRST FRANKLIN MORTGAGE LOAN TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2007-2 M1 by: Nationstar Mortgage, LLC, as attorney in fact by: Tammy Slisson

Assistant Secretary



53-1-7.1

WESTCOR LAND TITLE INSURANCE COMPANY
ORAL W. SMITH AGENCY, INC.
TITLE NO.: WC-6062
SCHEDULE A

All that certain plot, piece or parcel of land, with the buildings and improvement thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being more accurately bounded and described as follows;

Beginning at a point located at the intersection of the northerly bounds of Elmhurst Avenue with the westerly bounds of Charles Street, and runs from thence along the northerly bounds of Elmhurst Avenue 5 65-48-20 W 102.06 feet to in iron rod found; thence turning and running along lands now or formerly of Ruggerio and lands now or formerly of Guertin N 35-42-50 W 291.32 feet to an iron rod found; thence running along lands now or formerly of Schoonmaker N 54-17-10 E 100.0 feet to an iron rod found; thence turning along the westerly bounds of Charles Street S 35-42-50 E 311.70 feet to the point or place of beginning.

The above description being Lot #1, as shown on a map entitled "A Subdivision of Lands of Robert E. Schoonmaker and Florence E. Schoonmaker" filed in the Orange County Clerk's Office April 21, 1989 as Map #9445.

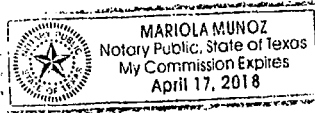
STATE OF TEXAS
COUNTY OF Denton

On the 3 day of October, 2017 before me, the undersigned, personally appeared

Tammy Sisson

known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, acknowledged to me that he executed same in his capacity, that by his signature on the said instrument, the individual or the person on which the individual acted, executed the instrument; and that such individual made such appearance before the undersigned, a notary public in the State of Texas County of Denton


NOTARY PUBLIC



SPECIAL WARRANTY DEED

U.S. BANK NATIONAL ASSOCIATION, not in its individual capacity but solely as
TRUSTEE FOR MERRILL LYNCH MORTGAGE FIRST FRANKLIN MORTGAGE
LOAN TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2007-
2
TO

TIER 3 PROPERTIES

PREMISES: 13 ELMHURST AVE., NEWBURGH, NY 12550

SECTION 53
BLOCK 1
LOT 7.1
TOWN/CITY ORANGE COUNTY

RECORD & RETURN TO:

Tier 3 Properties, LLC
62 Highland Ave.
Walden, NY 12586



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

2658 - 17

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/22/2017

Application No. 17-1187

To: Tier 3 Properties LLC
62 Highland Ave
Walden, NY 12586

SBL: 53-1-7.1
ADDRESS: 13 Elmhurst Ave

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 12/11/2017 for permit to construct an 8' x 24' front deck on the premises located at 13 Elmhurst Ave 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-comformity. (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: Tier 3 Properties LLC Building Application # 17-1187

ADDRESS: 62 Highland Ave Walden NY 12586

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 8' x 24' front deck @ 13 Elmhurst Ave

SBL: 53-1-7.1 ZONE: R-1 ZBA Application # 2658-17

TOWN WATER: YES / NO TOWN SEWER: YES / NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'	4.5'	Increasing the degree of non-conformity		
REAR YARD					
SIDE YARD					
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:

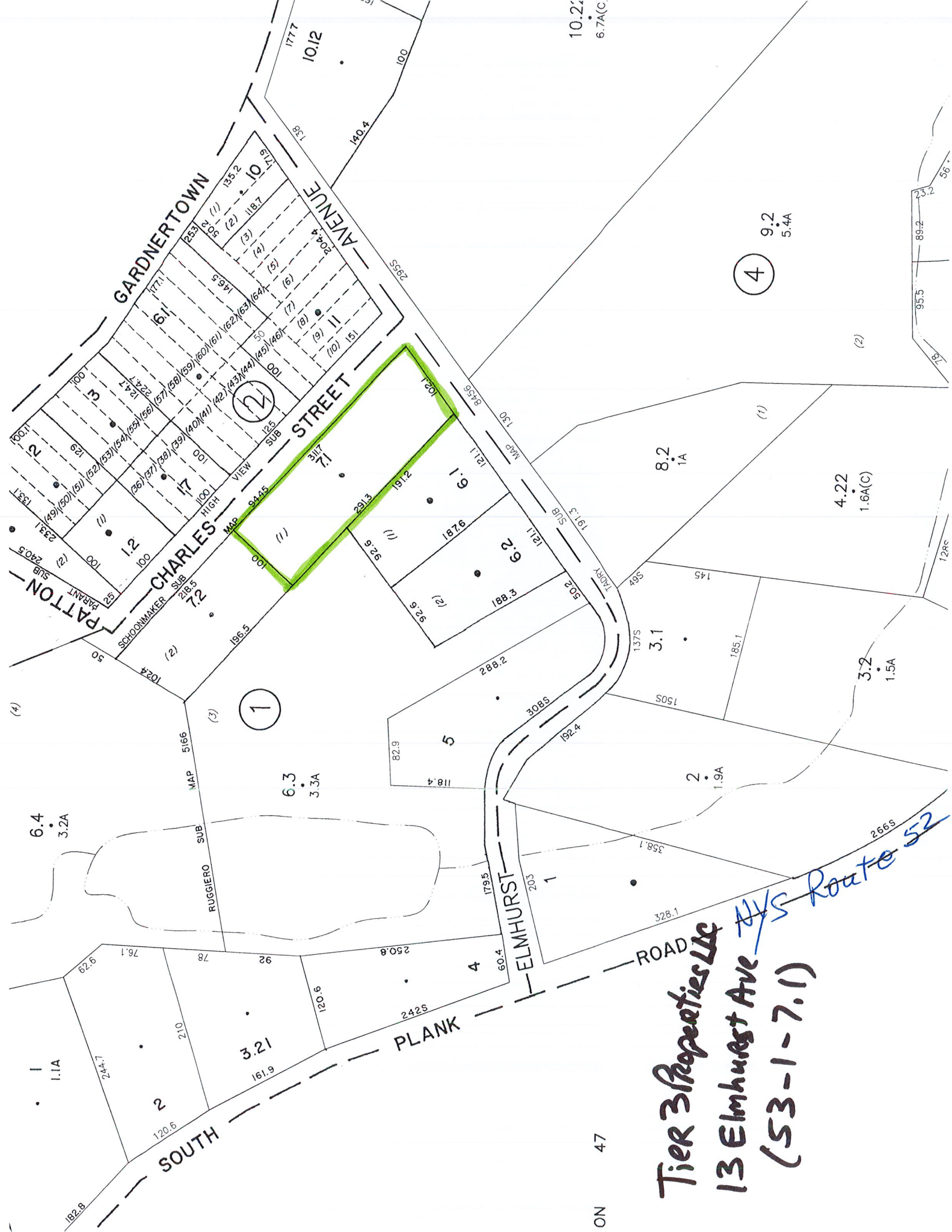
GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES / NO
 FRONT YARD - 185-15-A YES / NO
 STORAGE OF MORE THEN 4 VEHICLES YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

NOTES:
Dwelling setback 4.5' / deck will setback 13' from the property / street line
Corner lot Elmhurst Ave & Charles Street

VARIANCE(S) REQUIRED:

- 1 185-19-C-1 Shall not increase the degree of non-conformity. (Front yard setback)
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina DATE: December 22, 2017



10.2;
6.7A(C).

4
9.2
5.4A

Tier 3 Properties LLC
13 Elmhurst Ave
(53-1-7.1)
H/S Route 52

ON 47