

August 15, 2015

To: Town of Zoning Board of Appeals  
1496 New York State Route 300  
Newburgh, New York 12550

Re.: **Request for Area Variances**  
**Lands of Robert and Tesha Volz**  
489 Lakeside Road (S/B/L: 28-1-13.3), Town of Newburgh, Orange County, N.Y.

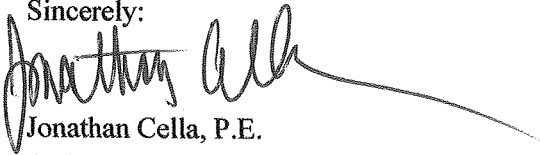
Dear Chairman and Zoning Board of Appeals Members:

Enclosed please find application fees for the initial submission of the above referenced subdivision that includes the following:

1. One (1) copy of Zoning Board of Appeals Application Package for Detached Garage.
2. Eleven (11) copies of plot plan titled "plot Plan for Detached Garage, Residential Site Plan for Robert and Teasha Volz," Sheet 1 of 1 dated 04-03-2015 and last revised 06/02/2015.

At this time we respectfully request that this application be placed on the August Town of Newburgh Zoning Board of Appeals meeting. Please do not hesitate to contact me with any questions or concerns related to this matter. Thank you.

Sincerely:

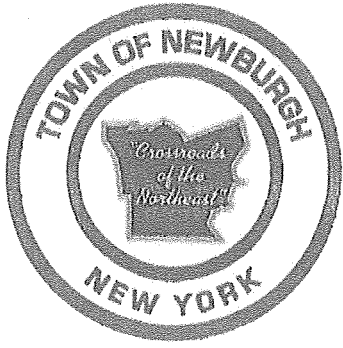


Jonathan Cella, P.E.

Project Engineer

51 Hunt Road, Wallkill, New York 12589

845-741-0363, [jonathancellahotmail.com](mailto:jonathancellahotmail.com)



# 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: JUNE 9, 2015 revised AUGUST 15, 2015

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

I (WE) ROBERT AND TEASHA VOLZ PRESENTLY

RESIDING AT NUMBER 489 LAKESIDE ROAD, NEWBURGH, NEW YORK 12550

TELEPHONE NUMBER 845-913-6312

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:

28-1-13.3 (TAX MAP DESIGNATION)

489 LAKESIDE ROAD (STREET ADDRESS)

R-1 SINGLE FAMILY RESIDENTIAL (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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: (A4)TOTAL ACCESSORY STRUCTURE AREA.

185-15 (A4): MAXIMUM HEIGHT OF ACCESSORY STRUCTURE



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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: APPILICATION NUMBER 15-0219 DATED 05/22/2015
- 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 PROPOSED ACCESSORY STRUCTURE: \_\_\_\_\_  
 TOTAL ACCESSORY STRUCTURE AREA 1,086 S.F. (756 S.F. PERMITTED)  
~~PROP. ACCESSORY STRUCTURE AREA = 900 S.F. (756 S.F. PERMITTED)~~ \_\_\_\_\_  
 15' HEIGHT PERMITTED/18' HEIGHT PROPOSED

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 DETACHED GARAGE IS NEW CONSTRUCTION AND COLORS WILL MATCH EXISTING RESIDENCE. THE PROPERTY IS ALSO OWNER OCCUPIED AND WELL MAINTAINED.

\_\_\_\_\_

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:

A SMALLER DETACHED GARAGE WILL NOT SUIT THE OWNER'S NEEDS AND CONSTRUCTION OF A SIMILAR ATTACHED GARAGE WOULD REQUIRE AREA VARIANCES FOR YARD SETBACKS AND WOULD ALSO REQUIRE ADDITIONAL SITE WORK FOR ADJUSTMENT OF DRIVEWAY AND WALKWAYS.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE: IT WILL NOT CREATE ANY ADDITIONAL BURDEN ON THE TOWN OF NEWBURGH INFRASTRUCTURE INCLUDING ROADS, EMERGENCY SERVICES, OR SCHOOLS,

\_\_\_\_\_

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

THE DETACHED GARAGE WILL BE NEW CONSTRUCTION AND THERE ARE SIMILAR ACCESSORY STRUCTURES ON NEARBY PROPERTIES THAT DO NOT APPEAR TO MEET ZONING REQUIREMENTS SUCH AS 503 LAKESIDE ROAD.

\_\_\_\_\_

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

THE OWNERS' FAMILY HAS GROWN SINCE PURCHASING PROPERTY AND IS IN A HOME THEY CAN AFFORD FINANCIALLY. MOVING TO A LARGER PROPERTY WOULD NOT BE ECONMICALLY FEASABLE FOR THEM.

\_\_\_\_\_

Full Size Site Plans

are available for viewing at the

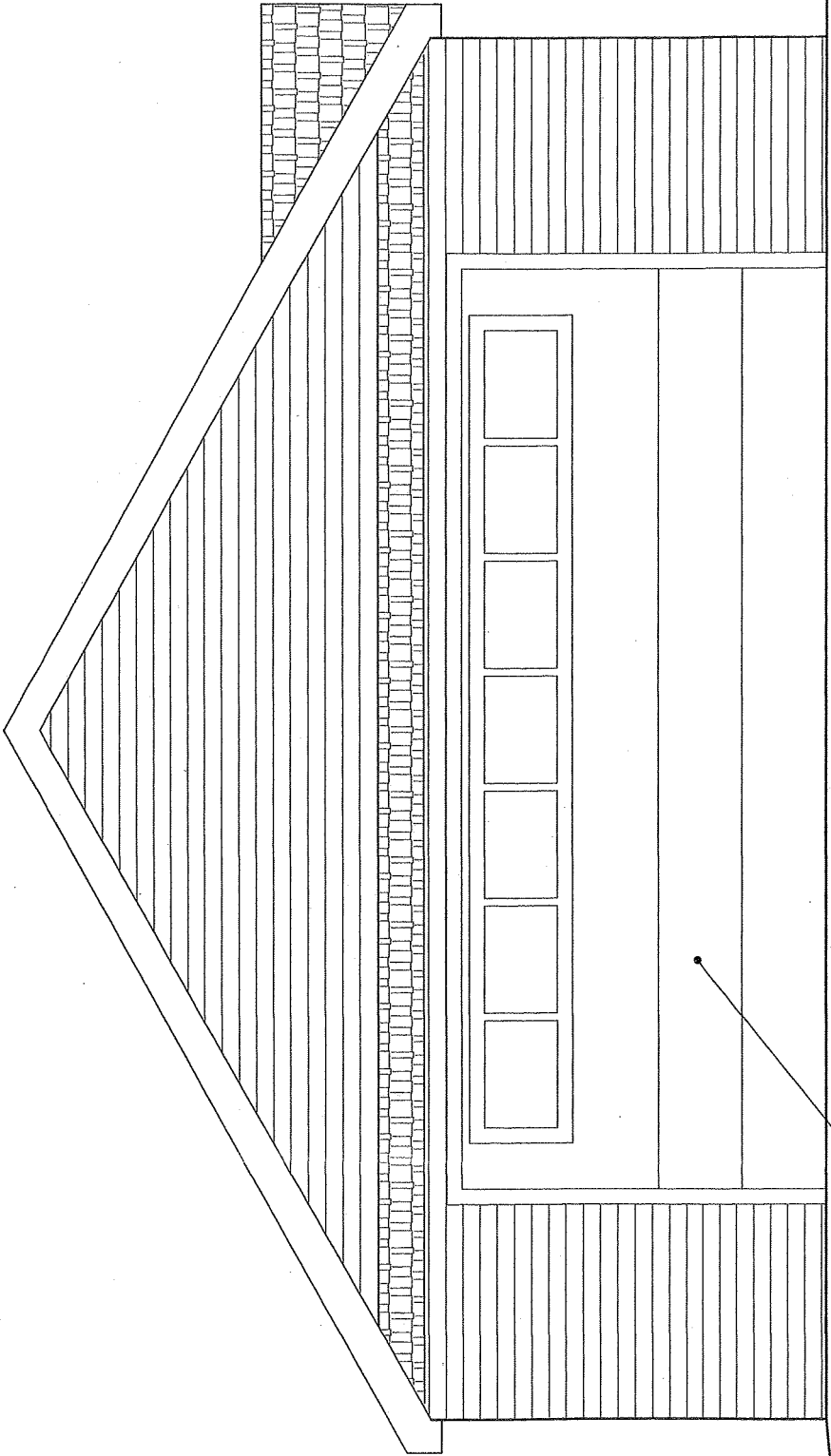
**Zoning Board of Appeals**

Office located at

**308 Gardnertown Road**

Newburgh, NY

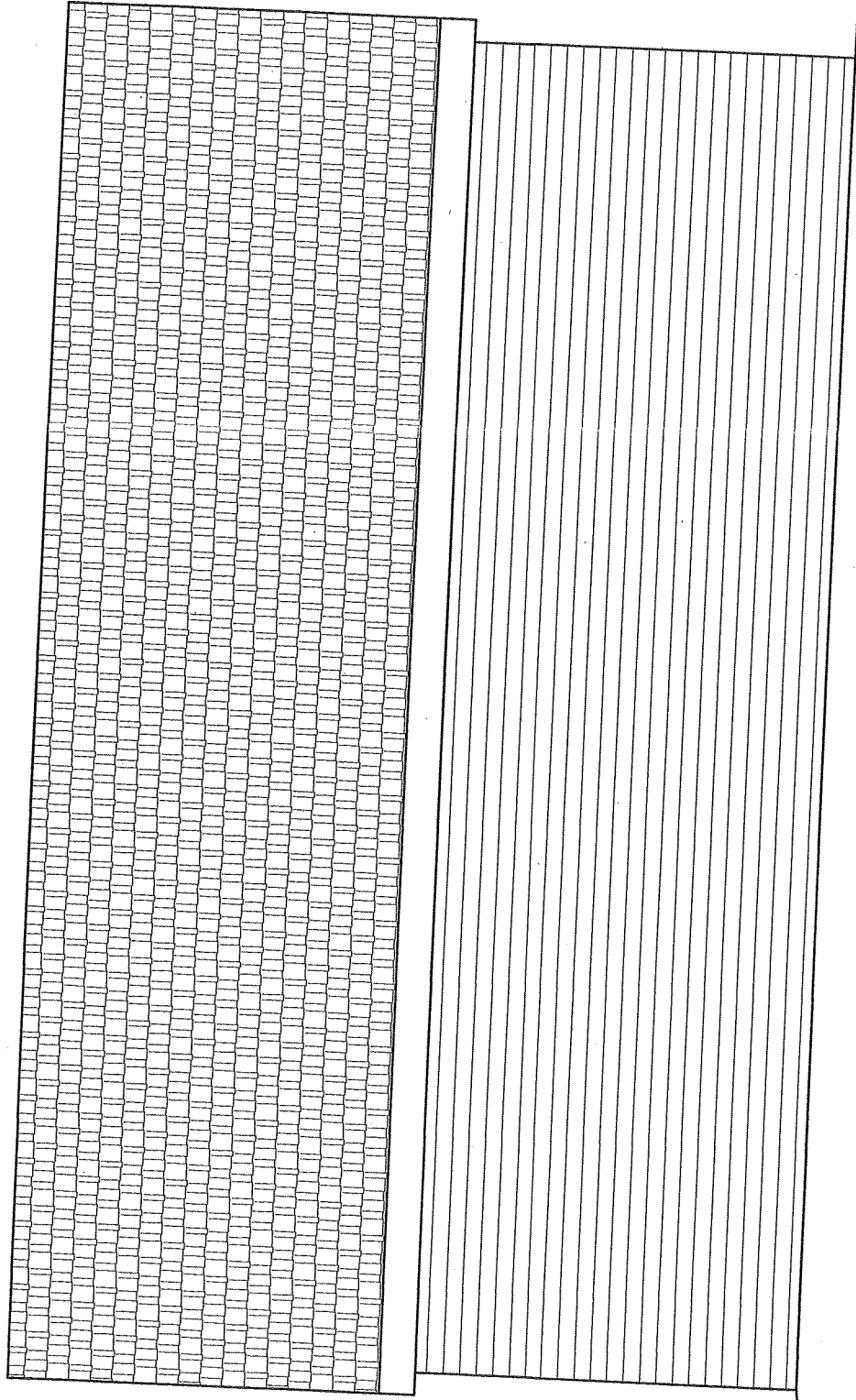
845-566-4901



20' X 8' GARAGE  
DOORS  
BY OWNER

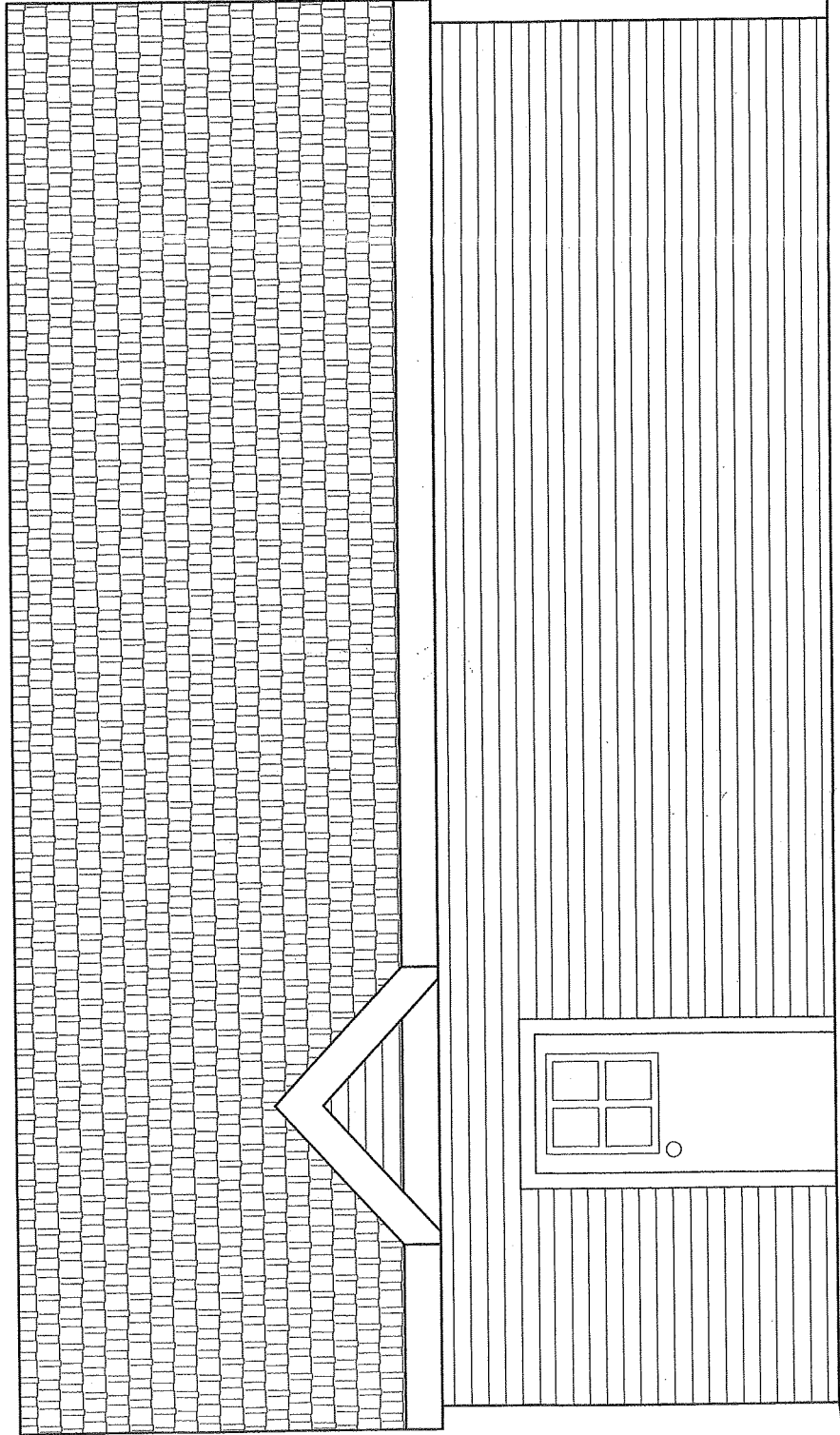
# FRONT ELEVATION

Scale: 1/4" = 1'-0"



**LEFT ELEVATION**

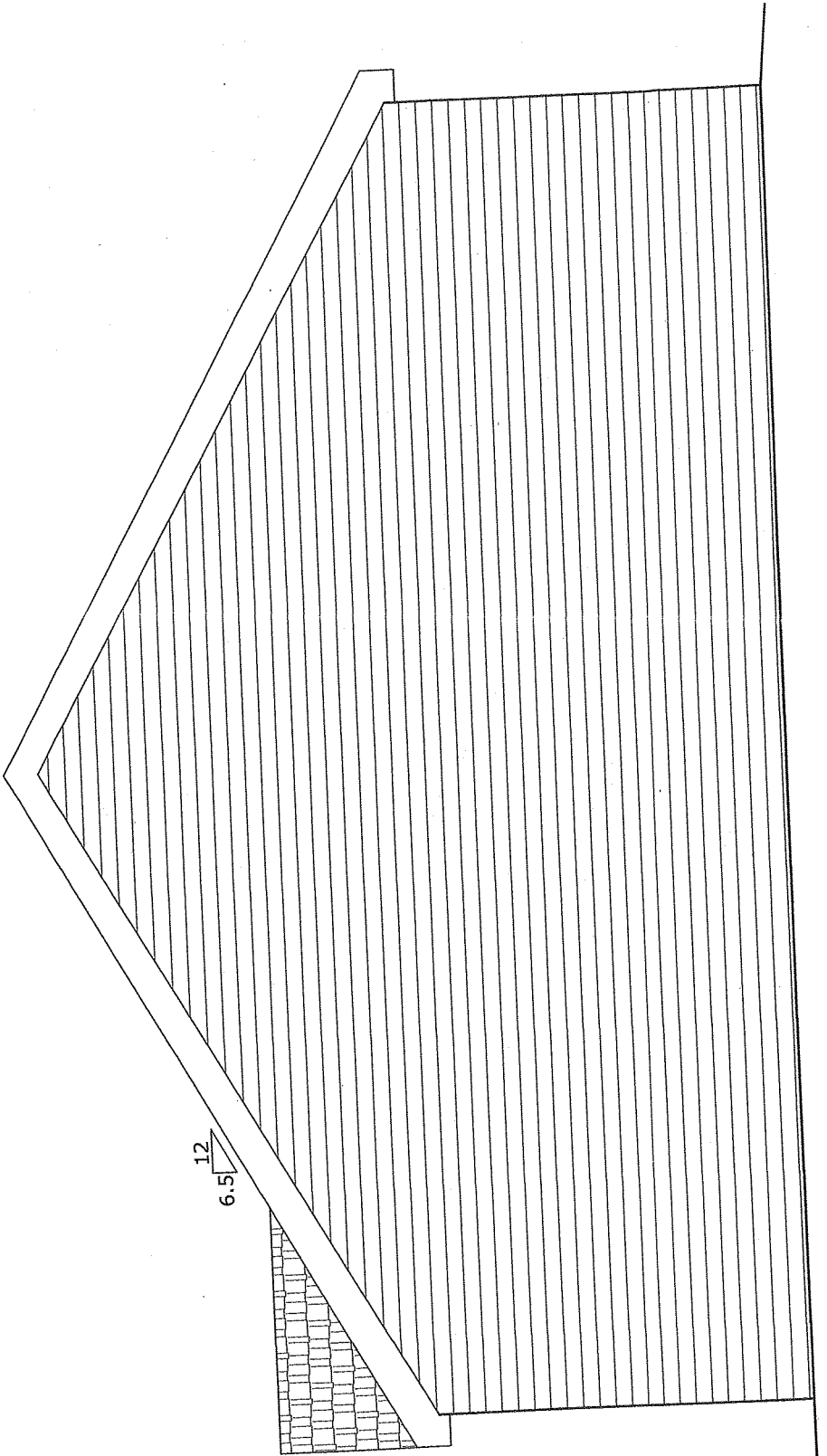
Scale: 1/4" = 1'-0"



# **RIGHT ELEVATION**

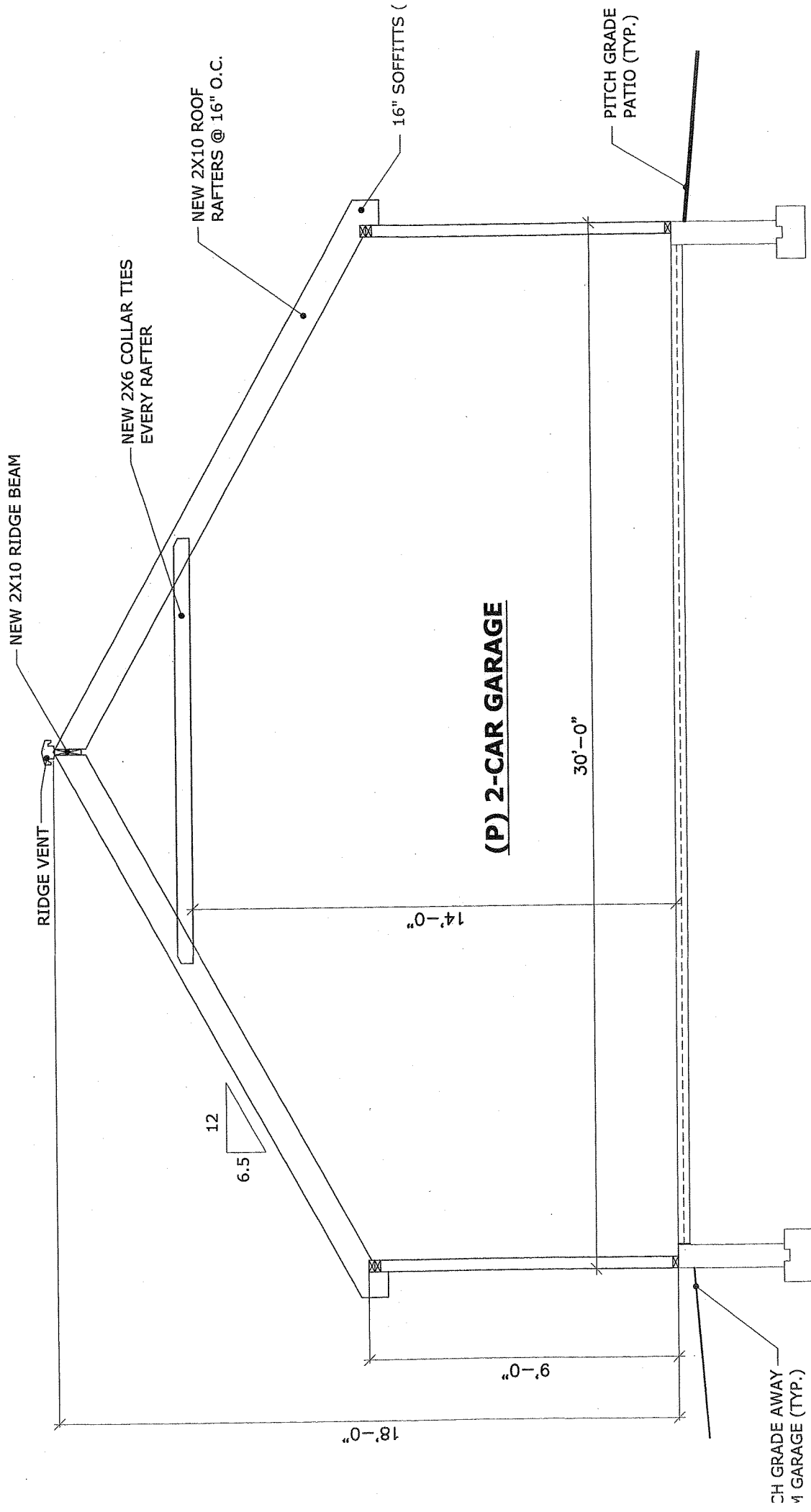
Scale: 1/4" = 1'-0"





**REAR ELEVATION**

Scale: 1/4" = 1'-0"



**(P) 2-CAR GARAGE**

**SECTION THRU GARAGE**

Scale: 1/4" = 1'-0"

Roof

NEW  
6.5:12 PITCH  
2 X 10 RAFTERS  
AT 16" O.C.

NEW  
6.5:12 PITCH  
2 X 10 RAFTERS  
AT 16" O.C.

NEW 2 X 10 RIDGE WITH VENT

NEW  
6:12 PITCH  
2 X 10 RAFTERS  
AT 16" O.C.

NEW 2 X 10 RIDGE

NEW  
6:12 PITCH  
2 X 10 RAFTERS  
AT 16" O.C.

# FOUNDATION

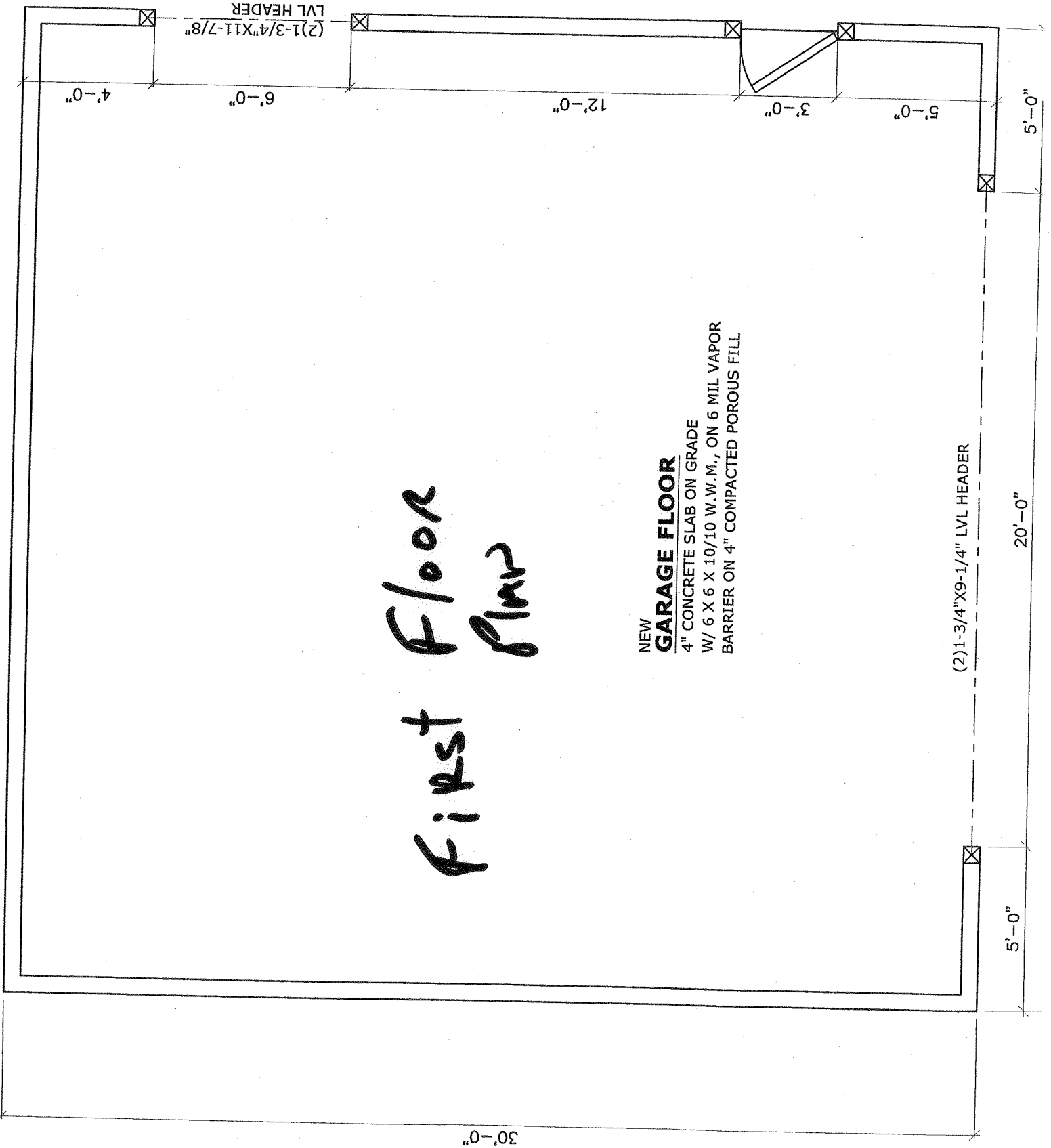
NEW  
**GARAGE FLOOR**  
4" CONCRETE SLAB ON GRADE  
W/ 6 X 6 X 10/10 W.W.M., ON 6 MIL VAPOR  
BARRIER ON 4" COMPACTED POROUS FILL

30'-0"

## FOUNDATION PLAN

First Floor  
Plan

NEW  
**GARAGE FLOOR**  
4" CONCRETE SLAB ON GRADE  
W/ 6 X 6 X 10/10 W.W.M., ON 6 MIL VAPOR  
BARRIER ON 4" COMPACTED POROUS FILL



(2) 1-3/4" X 11-7/8"  
LVL HEADER

(2) 1-3/4" X 9-1/4" LVL HEADER

30'-0"

5'-0"

20'-0"

5'-0"

5'-0"

3'-0"

12'-0"

6'-0"

4'-0"