

(A) 8x20 overhang on Accessory Bldg - Built without Permit
(B) Build Accessory Building (16x16)

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: 12 March 2018

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

I (WE) Charles & Lynn Whitehouse PRESENTLY

RESIDING AT NUMBER 778 Orchard Drive Wallkill 12589

TELEPHONE NUMBER 845-895-3790

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:

1-1-42-11 (TAX MAP DESIGNATION)

778 Orchard Drive (STREET ADDRESS)

AR (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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-4



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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: 8-31-2017
- 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: 8' x 20' overhang addition + a 16' x 16' 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:

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:

N/A

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

N/A



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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:

Both requested permits are within the
setbacks of the property and will
be finished to match existing structures

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 applicant has gone over the allowed
accessory structure square
footage formula

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

it will blend in with existing
structures

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

nothing that is here will be
changing - >B. no trees being
taken down.

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

in order to stay in our
home more storage is
needed



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NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

Synn Whitehouse
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 14th DAY OF March 2018

Teresa M. Ceragioli
NOTARY PUBLIC

TERESA M. CERAGIOLI
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CE6237018
Qualified in Ulster County
My Commission Expires March 14, 2019

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			
Name of Action or Project: Lynn + Charlie Whitehouse			
Project Location (describe, and attach a location map): 778 Orchard Drive Walkkill, N.Y. 12589			
Brief Description of Proposed Action: build a 16 x 16 shed			
Name of Applicant or Sponsor: Lynn + Charlie Whitehouse		Telephone: 845-895-3790	
		E-Mail: lawlady305@gmail.com	
Address: 778 Orchard Drive			
City/PO: Walkkill		State: N.Y.	Zip Code: 12589
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		40423.56 acres	
b. Total acreage to be physically disturbed?		2.96 sq. ft. acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		40423.56 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>5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?</p>	<p>NO <input type="checkbox"/> <input type="checkbox"/></p>	<p>YES <input type="checkbox"/> <input type="checkbox"/></p>	<p>N/A <input checked="" type="checkbox"/> <input checked="" type="checkbox"/></p>
<p>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</p>	<p>NO <input type="checkbox"/></p>	<p>YES <input checked="" type="checkbox"/></p>	
<p>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?</p>	<p>NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	
<p>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: _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>N/A</u></p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>N/A</u></p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?</p>	<p>NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/> <input type="checkbox"/></p>	
<p>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: _____</p>	<p>NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/> <input type="checkbox"/></p>	
<p>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</p>			
<p>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?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>16. Is the project site located in the 100 year flood plain?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></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)? If Yes, explain purpose and size: _____ _____	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Lynn Whitehouse

Date: 12 March 2011

Signature: Lynn Whitehouse

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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" 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.

N/A

<input type="checkbox"/>	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.
<input type="checkbox"/>	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

TYPE IN BLACK INK:
NAME(S) OF PARTY(S) TO DOCUMENT

Charles P. Whitehouse
Lynn A. Loger

TO
Charles P. Whitehouse
Lynn A. Whitehouse

SECTION 1 BLOCK 1 LOT 42.11



RECORD AND RETURN TO:
(name and address)

Mr. + Mrs. Charles P. Whitehouse
778 Orchard St.
Wallkill, NY 12589

Handwritten notes:
Jaw
3/15/18
[Signature]

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- | | |
|----------------------------|---------------------------|
| 2089 BLOOMING GROVE (TN) | 4289 MONTGOMERY (TN) |
| 2001 WASHINGTONVILLE (VLG) | 4201 MAYBROOK (VLG) |
| 2289 CHESTER (TN) | 4203 MONTGOMERY (VLG) |
| 2201 CHESTER (VLG) | 4205 WALDEN (VLG) |
| 2489 CORNWALL (TN) | 4489 MOUNT HOPE (TN) |
| 2401 CORNWALL (VLG) | 4401 OTISVILLE (VLG) |
| 2600 CRAWFORD (TN) | 4600 NEWBURGH (TN) |
| 2800 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) | 5489 WARWICK (TN) |
| 3200 GREENVILLE (TN) | 5401 FLORIDA (VLG) |
| 3489 HAMPTONBURGH (TN) | 5403 GREENWOOD LAKE (VLG) |
| 3401 MAYBROOK (VLG) | 5405 WARWICK (VLG) |
| 3689 HIGHLANDS (TN) | 5600 WAWAYANDA (TN) |
| 3601 HIGHLAND FALLS (VLG) | 5889 WOODBURY (TN) |
| 3889 MINISINK (TN) | 5801 HARRIMAN (VLG) |
| 3801 UNIONVILLE (VLG) | |
| 4089 MONROE (TN) | |
| 4001 MONROE (VLG) | |
| 4003 HARRIMAN (VLG) | |
| 4005 KIRYAS JOEL (VLG) | |

NO PAGES 4 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

Taxable CONSIDERATION \$ 0
TAX EXEMPT _____
Taxable MORTGAGE AMT. \$ _____
DATE _____

- MORTGAGE TAX TYPE:
- (A) COMMERCIAL/FULL 1%
 - (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/1 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: First American

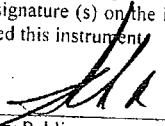
STATE OF NEW YORK COUNTY OF ORANGE) SS:
I, ANN B. RABBITT, COUNTY CLERK AND CLERK OF THE
SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO
HEREBY CERTIFY THAT THE ABOVE INSTRUMENT HAS BEEN
THE ORIGINALITY OF THE INSTRUMENT FILED IN MY OFFICE
ON 2/19/03 IS TRUE AND CORRECT
TO THE BEST OF MY KNOWLEDGE AND BELIEF
I HAVE AFFIXED MY OFFICIAL SEAL.
1/16/18
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY

LIBER 6196 PG 279

LIBER 6196 PAGE 279
ORANGE COUNTY CLERKS OFFICE 11425 DAB
RECORDED/FILED 02/19/2003 08:28:14 AM
FEES 47.00 EDUCATION FUND 20.00
SERIAL NUMBER: 006774
DEED CNTL NO 52521 RE TAX .00

STATE OF NEW YORK)
)SS:
COUNTY OF DUTCHESS)

On the 3rd day of January in the year 2003 before me, the undersigned, a Notary Public in and for said state, personally appeared CHARLES P. WHITEHOUSE and LYNN A. LOGER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that his/her/they executed the same in his/her/their capacity(ies), and that by his/her/their signature (s) on the instrument, the individual (s) or the person upon behalf of which the individual (s) acted, executed this instrument.



Notary Public

* N/A LYNN A. Whitehouse

Thomas R. Clark
Notary Public
State of New York
County of Dutchess
#5010137 EXP. 3/29/03

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. 231-O-23020

SECTION 1
BLOCK 1
LOT 42.11
COUNTY ORANGE

CHARLES P. WHITEHOUSE and LYNN A. LOGER

-to-

CHARLES P. WHITEHOUSE and LYNN A. WHITEHOUSE, f/k/a LYNN A. LOGER

First American Title Ins. Co. of New York
188 East Post Road
White Plains, New York 10601
(914) 428-3433 (800) 942-1893

RETURN BY MAIL TO

Mr. and Mrs. Charles P. Whitehouse
778 Orchard Drive
Wallkill, New York 12589

FIRST AMERICAN TITLE INSURANCE COMPANY
of New York, Hudson Valley Region

Title No. 231-O-23020

SCHEDULE A

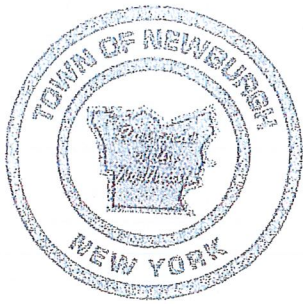
ALL that certain tract of land lying and being in the Town of Newburgh, County of Orange and State of New York, being more particularly described as follows:

BEING shown and designated as Lot No. 81 on map entitled, "Oakwood Estates" dated 10/18/89 and filed in the Orange County Clerk's Office on 12/13/92 as Map No. 254-93.

**FOR
CONVEYANCING
ONLY**

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises.



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

Z 644-17 (A)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/31/2017

Application No. 17-0819

LYNN
To: Charles Whitehouse
778 Orchard Dr
Wallkill, NY 12589

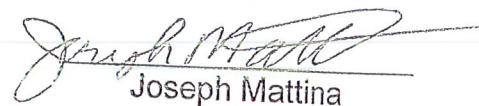
SBL: 1-1-42.11
ADDRESS: 778 Orchard Dr

ZONE: AR

PLEASE TAKE NOTICE that your application dated 08/29/2017 for permit to keep a 8' x 20' overhang built on the side of an accessory building that was built without a permit on the premises located at 778 Orchard Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-15-A-4 Exceeds the maximum allowed square footage based on the formula


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

2644-07(A)

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Charles Whitehouse Building Application # 17-0819

ADDRESS: 778 Orchard Dr. Wallkill NY 12589

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: 8' x 20' Overhang built without a permit

SBL: 1-1-42.11 ZONE: AR ZBA Application # _____

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
SQUARE FOOTAGE	929.83 sf		1144 sf	214.17	23.03%
LOT WIDTH					
LOT DEPTH	Also see application #17-0788				
FRONT YARD	For a proposed 16 x 16 building				
REAR YARD	included in these calculations				
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: 8 x 20 overhang built without a permit. The 10 x 20 & 22 x 24 accessory building do have co's.

VARIANCE(S) REQUIRED:

- 1 185-15-A-4 Exceeds the maximum allowed square footage based on the formula.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina

DATE: 31-Aug-17

ACCESSORY STRUCTURE SQUARE FOOTAGE BY FORMULA

PER THE TOWN OF NEWBURGH MUNICIPAL CODE
SECTION 185-15(4) - ACCESSORY BUILDINGS

(4) An accessory use to a principal residential use, as listed in Article IV, Schedules of District Regulations, Use Table, Column A, that is housed within an accessory building shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:

FORMULA:

$$\frac{A+(B \times C)}{100} = D$$

A - GROSS AREA OF LOT IN SQUARE FEET

B - LIVABLE FLOOR AREA OF RESIDENCE IN SQUARE FEET

C - MINIMUM REQUIREMENT IN THE ZONING DISTRICT FOR ONE SIDE YARD, IN FEET

D - TOTAL SQUARE FOOTAGE PERMITTED FOR ALL ACCESSORY BUILDINGS

A= 40,423.00 SF

B= 1,752.00 SF

C= 30.00 FEET

D= 929.83 SF OR 1,000 SF WHICHEVER IS LESS IS PERMITTED.



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

2644-17 (B)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/31/2017

Application No. 17-0788

& LYNN
To: Charles Whitehouse
778 Orchard Dr
Wallkill, NY 12589

SBL: 1-1-42.11

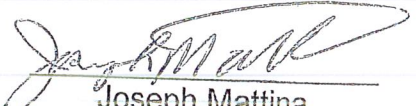
ADDRESS: 778 Orchard Dr

ZONE: AR

PLEASE TAKE NOTICE that your application dated 08/21/2017 for permit to build a 16 x 16 accessory building on the premises located at 778 Orchard Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-15-A-4 Maximum allowed square footage based on the formula.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

2644-17 (B)

Town of Newburgh Code Compliance

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

NAME: Charles Whitehouse Building Application # 17-0788

ADDRESS: 778 Orchard Dr. Walkill NY 12589

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 16' x 16' accessory building

SBL: 1-1-42.11 ZONE: AR ZBA Application # _____

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
SQUARE FOOTAGE	929.83 sf		1144 sf	214.17	23.03%
LOT WIDTH					
LOT DEPTH	Also see application #17-0819				
FRONT YARD		For a 8' x 20' Overhang built			
REAR YARD		without a permit			
SIDE YARD		calculation for both included within			
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: Requesting a 16' x 16' accessory building. The 10 x 20 & 22 x 24 accessory buildings do have co's.

VARIANCE(S) REQUIRED:

- 1 185-15-A-4 Exceeds the maximum allowed square footage based on the formula.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina DATE: 31-Aug-17

