

ZB# 03-27

Robert McKnight

40-1-1

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

APPROVED

6/23/03

ZBA #03-27 ROBERT MCKNIGHT
AREA - 51 BIRCHWOOD DR. (40-1-1)

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

FILE # 03-27 TYPE: AREA USE _____

APPLICANT: Robert McBright
51 Birchwood Dr.
N.W.

TELE: 565-2988

*RESIDENTIAL: \$ 50.00 CHECK # 315
**COMMERCIAL: \$150.00 CHECK # _____
*INTERPRETATION: \$150.00 CHECK # _____

ESCROW: \$300.00 / \$500.00 CHECK # 314

DISBURSEMENTS:

	MINUTES	ATTORNEY FEES
	\$4.50 PER PAGE	\$35.00 / MEETING
PRELIM..... <u>6/9/03</u>	\$ <u>13.50</u>	\$ <u>35.00</u>
2 ND PRELIM.....	_____	_____
3 RD PRELIM.....	_____	_____
PUB HEARING..... <u>6/23/03</u>	\$ <u>9.00</u>	\$ <u>35.00</u>
PUB HEARING (CONT)...	_____	_____
TOTAL	\$ <u><u>22.50</u></u>	\$ <u><u>70.00</u></u>

OTHER CHARGES:..... \$ _____

• • • • •

ESCROW POSTED: \$ 300.00
 AMOUNT DUE: \$ _____
 REFUND DUE: \$ 207.50

L.R.
8/11/03

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

ROBERT MCKNIGHT

AREA

CASE #03-27

WHEREAS, Robert McKnight, owners of 51 Birchwood Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 7 ft. Required Rear Yard Setback for proposed rear deck ; and

WHEREAS, a public hearing was held on the 23rd of June 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The deck is necessary for safety purposes, since it is immediately adjacent to an entranceway to the house and without the deck a person exiting from the house would probably sustain serious injury.
 - (c) In constructing the proposed deck no trees or substantial vegetation will be removed.
 - (d) The deck, if constructed, will be similar in size and appearance to other decks in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but nevertheless are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are appropriate and are the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a _____ as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated:


Chairman

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4615 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: April 29, 2003

**APPLICANT: Robert McKnight
51 Birchwood Dr
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: April 22, 2003

FOR : Proposed 14 x 20 deck

LOCATED AT: 51 Birchwood Dr

ZONE: R-4 Sec/Blk/ Lot: 40-1-1

DESCRIPTION OF EXISTING SITE: SBL 40 -1-1

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed rear deck will not meet minimum 40' rear yard set-back**


BUILDING INSPECTOR

PERMITTED 40'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: G-8

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

33'

7'

REQ'D FRONTAGE:

MAX BLDG HT:

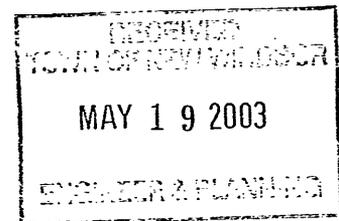
FLOOR AREA RATIO:

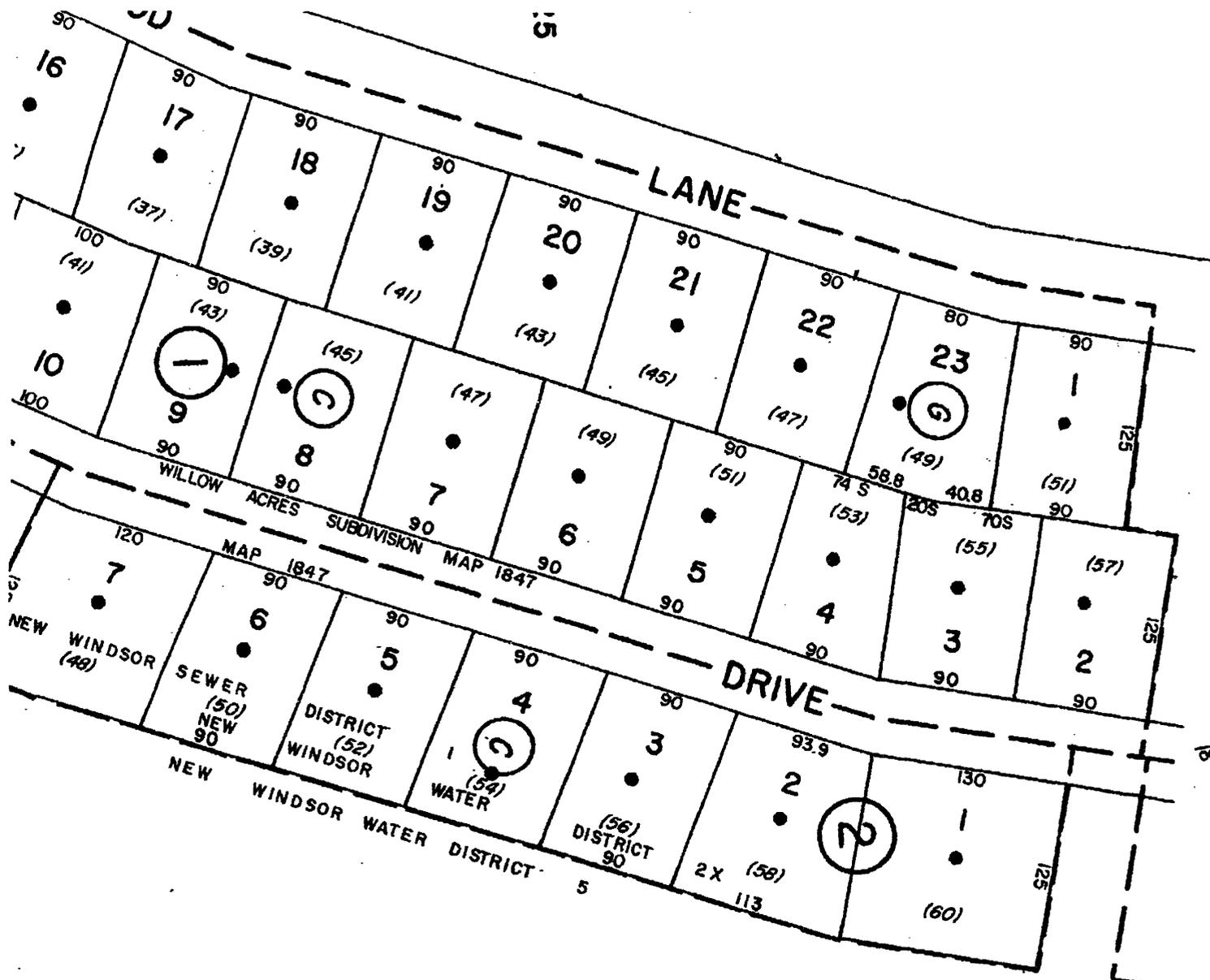
MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

03-27





PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

APR 22 2003

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underlab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: PA2003-0361

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

ROBERT MCKNIGHT JR.
Owner of Premises _____
Address *51 BIRCHWOOD DR.* Phone # *565-2988*
Mailing Address *NEW WINDSOR* Fax # _____
Name of Architect _____
Address _____ Phone _____
Name of Contractor *George Boyer*

Address: 17 Vinelock Ave C-0-11 11510 Phone 534-4250

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. (Name and title of corporate officer)

1. On what street is property located? On the EAST side of BIRCHWOOD and 1/4 MILE feet from the intersection of ERIE (N/E or W)

2. Zone or use district in which premises are situated is property a flood zone? Y N V

3. Tax Map Description: Section 40 Block 1 Lot 1

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy b. Intended use and occupancy 14x20

5. Nature of work (check if applicable) [] New Bldg. [X] Addition [] Alteration [] Repair [] Removal [] Demolition [] Other DECK

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front Rear Depth Height No. of stories

8. If dwelling, number of dwelling units: Number of dwelling units on each floor

Number of bedrooms Baths Toilets Heating Plant: Gas Oil Electric/Hot Air Hot Water If Garage, number of cars

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use

10. Estimated cost \$9,000.00 Fee \$50.00 CR# 13645 dtc 4/21/83

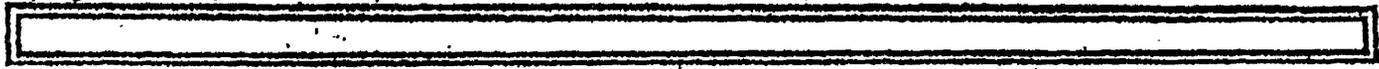
PAID

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Krychev
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4885 FAX

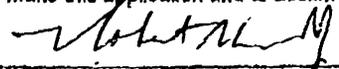
Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____



INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.



(Signature of Applicant)


(Owner's Signature)

51 Birchwood Dr.

(Address of Applicant)

(Owner's Address)

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

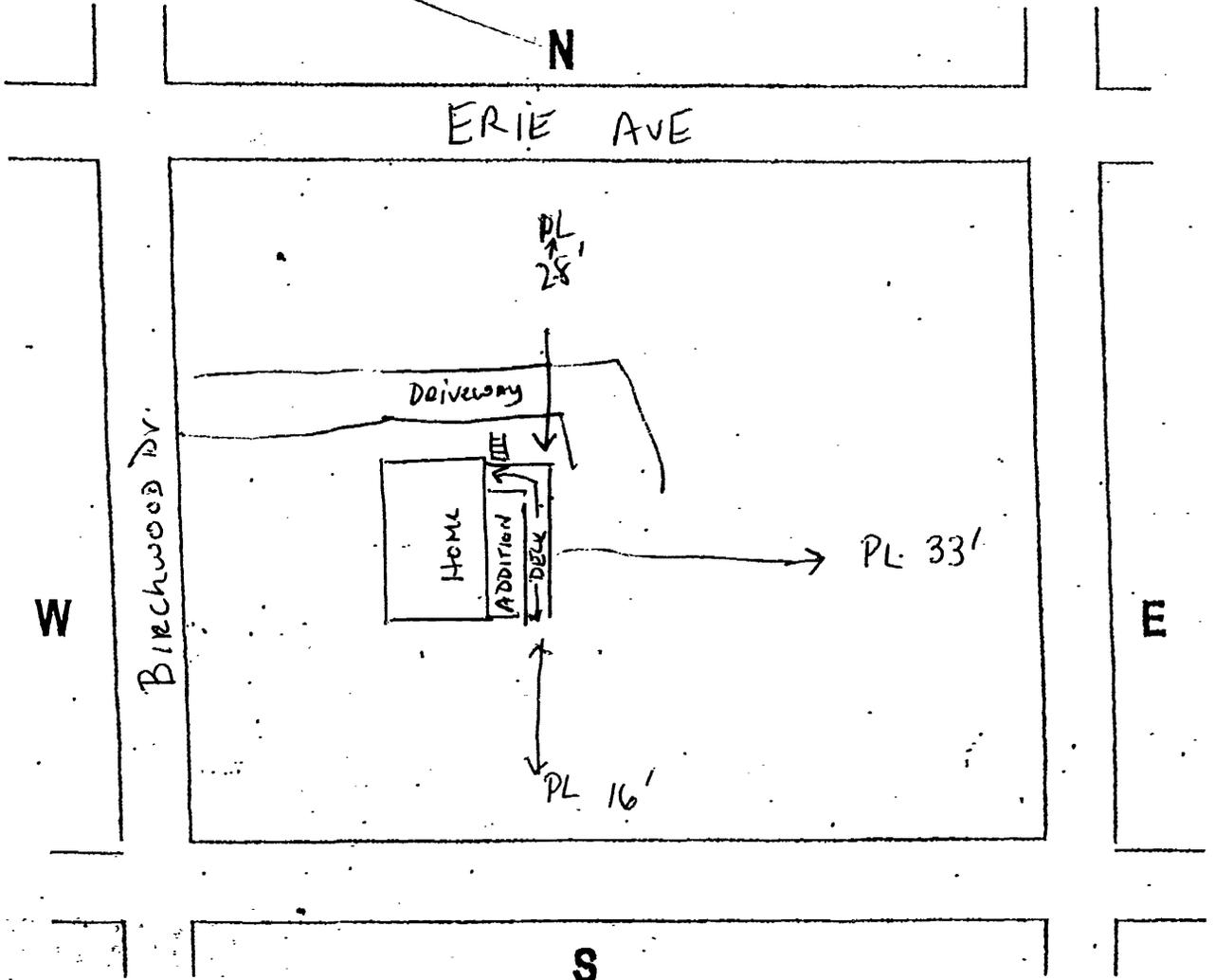
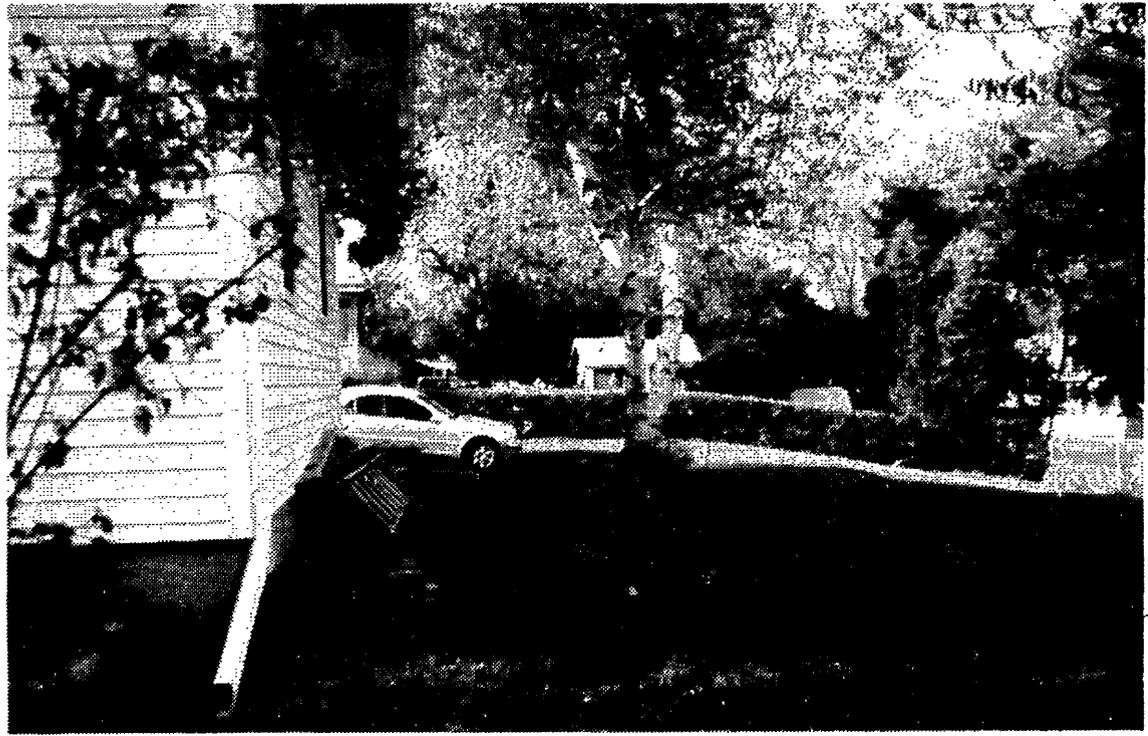


PHOTO #1



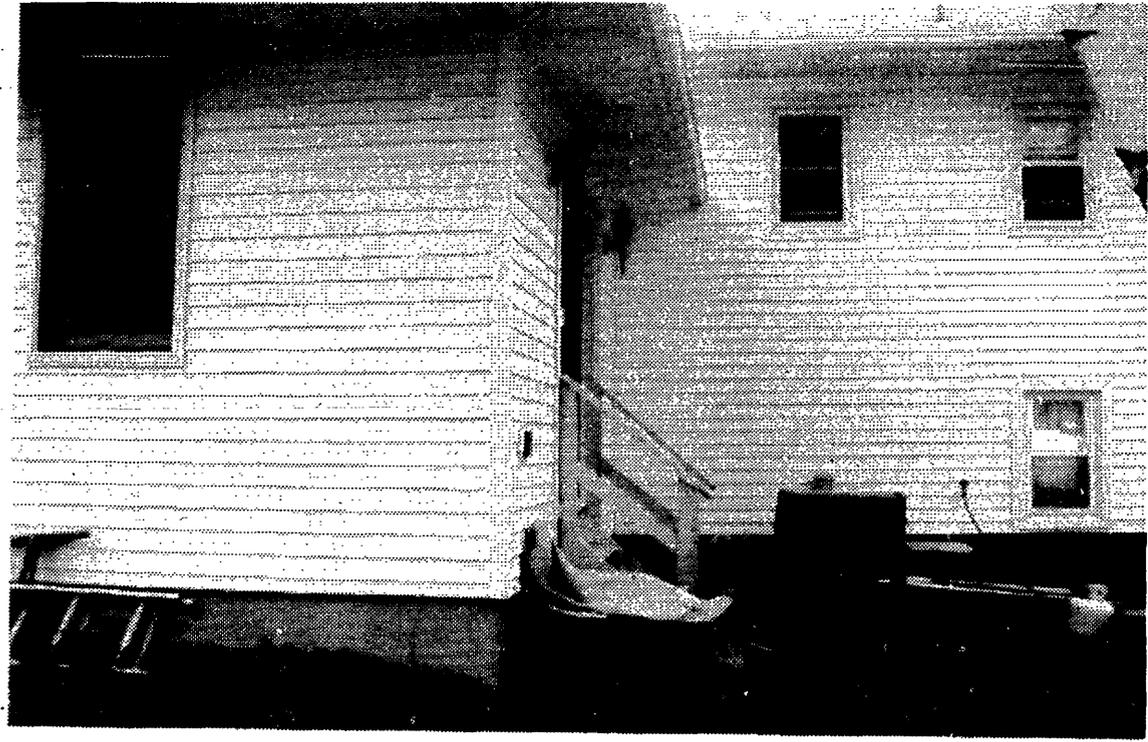
SHOWS THE BACK OF THE EXTENSION ,WHERE THE DECK WILL EXTEND OUT 12 FEET.



08-27

2

PHOTO #2



SHOWS THE L SHAPE WHERE THE DECK WILL WRAP AROUND THE NORTH SIDE OF THE HOUSE

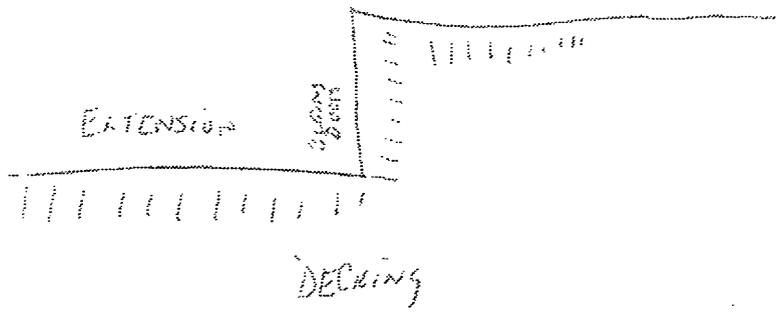


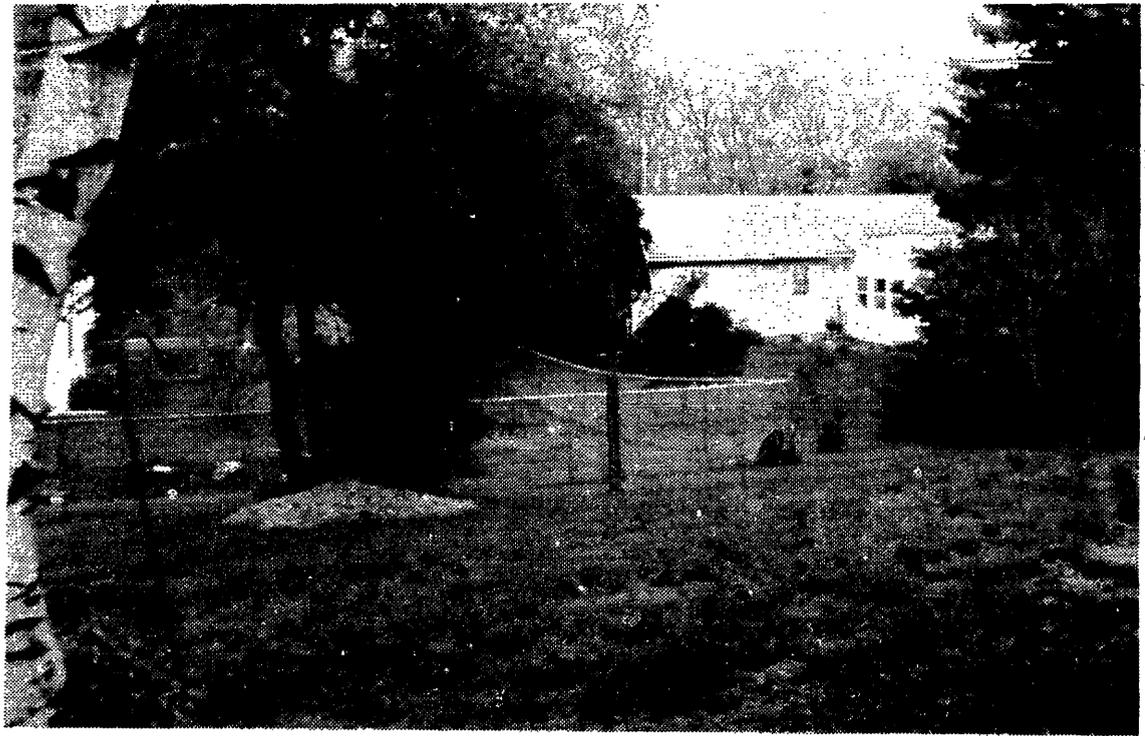
PHOTO #3



VIEW FROM THE BACK PROPERTY LINE

03-27

PHOTO#4



VIEW FROM BACK OF EXTENSION

08-27



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

September 11, 2003

Mr. Robert McKnight
51 Birchwood Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-27 (40-1-1)

Dear Mr. McKnight:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,



Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

ROBERT MCKNIGHT (#03-27)

MR. TORLEY: Request for 7 ft. required rear yard setback for proposed rear deck at 51 Birchwood Drive in an R-4 zone.

Mr. Robert McKnight appeared before the board for this proposal.

MR. MCKNIGHT: Again, I'm adding to the extension we had put on last year with a deck and to meet that 40 foot clearance, I need to have that 7 foot variance.

MR. KANE: In the building of the deck, you're not going to create water hazards or runoffs?

MR. MCKNIGHT: No.

MR. KANE: Cutting down any trees?

MR. MCKNIGHT: No.

MR. KANE: Similar size to other decks in the neighborhood so you won't be changing the character of the neighborhood?

MR. MCKNIGHT: No.

MR. TORLEY: As the deck wraps around the house, you'll provide in your opinion a better and safer entrance?

MR. MCKNIGHT: Yes, than what it is now.

MR. KRIEGER: Without the deck, someone exiting the house will be likely to sustain serious injury?

MR. MCKNIGHT: I'm not comfortable doing it.

MR. TORLEY: It's a narrow, steep staircase?

MR. MCKNIGHT: Exactly.

MR. TORLEY: At this point, I'll open it up to the members of the public. Anyone in the audience wishing to speak on this application? Let the record show

there is none. May I have the letters, please?

MS. MASON: On the 10th day of June, I mailed out 69 envelopes containing the notice of public hearing and I've had no responses.

MR. TORLEY: You have spoken I assume with your neighbors about this?

MR. MCKNIGHT: Yes.

MR. TORLEY: And no one is here. You realize that were you granted this variance for the setbacks, this does not relieve you from any other building code requirements?

MR. MCKNIGHT: Yes.

MR. KANE: Accept a motion?

MR. TORLEY: If there are no other questions.

MR. KANE: I move we approve the application by Robert McKnight for his requested variance at 51 Birchwood Drive.

MR. REIS: Second it.

ROLL CALL

MR. REIS	AYE
MR. MC DONALD	AYE
MR. KANE	AYE
MR. RIVERA	AYE
MR. TORLEY	AYE

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: AUGUST 11, 2003
SUBJECT: ESCROW REFUND - 03-27 - MC KNIGHT

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 207.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #03-27

NAME: ROBERT MC KNIGHT

ADDRESS: 51 BIRCHWOOD DRIVE

NEW WINDSOR, NY 12553

THANK YOU,

MYRA

L.R. 8/11/03

ROBERT MC KNIGHT (#03-27)

Mr. Robert McKnight appeared before the board for this proposal.

MR. TORLEY: Request for 7 ft. required rear yard setback for proposed rear deck at 51 Birchwood Drive in an R-4 zone.

MR. TORLEY: So what's the difficulty?

MR. MC KNIGHT: I need a variance, I need to increase the back because I don't have enough setback, I have 33 feet and I believe you require 40.

MR. TORLEY: So you're asking for a 7 foot variance?

MR. MC KNIGHT: Right.

MR. KANE: You have a proposed 14 x 20 deck, the 14 is the width going out to the back?

MR. MC KNIGHT: The depth will be 12 feet, the width is 14, yeah.

MR. KANE: The depth is going to be 20?

MR. MC KNIGHT: No, 12.

MR. KANE: We have a 14 x 20 proposed deck.

MR. MC KNIGHT: In other words, it will be 12 feet out from the back line.

MR. TORLEY: So if you were to stay within the zoning code, you could only put a five foot wide deck which is not economically feasible.

MR. MC KNIGHT: Not really, it's not economically feasible.

MR. KANE: You're not creating any water hazards or runoffs in the building of the deck?

MR. MC KNIGHT: No.

MR. KANE: Deck going to be similar in size to other decks in your neighborhood?

MR. MC KNIGHT: I would say there's not many decks in my close vicinity but yeah from what I've seen.

MR. KANE: It's not an overly large deck in your opinion?

MR. MC KNIGHT: Not in my opinion.

MR. TORLEY: 12 x 14 you said?

MR. MC KNIGHT: It goes around an L shape around the side.

MR. MC DONALD: Not going over any sewer lines, water lines?

MR. MC KNIGHT: No, ground level.

MR. RIVERA: Cutting down any trees?

MR. MC KNIGHT: No, probably a branch or two.

MR. KANE: Is the deck itself going to handle the side door coming out of the house?

MR. MC KNIGHT: Yes.

MR. KANE: So you consider the deck there a safety feature for that particular door?

MR. MC KNIGHT: Absolutely. We put the extension on last year, this is just to finish it.

MR. TORLEY: You asked about the drainage?

MR. KANE: Yes.

MR. TORLEY: Gentlemen, do you have any other questions at this time?

MR. KANE: Accept a motion?

MR. TORLEY: Yes, sir.

MR. KANE: I move we set up Robert McKnight for a public hearing on his requested variance at 51 Birchwood Drive.

MR. RIVERA: Second it.

ROLL CALL

MR. KANE	AYE
MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. TORLEY	AYE

TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

DATE: MAY 21, 2003 PROJECT NUMBER: ZBA# 03-27 P.B. # _____

APPLICANT NAME: ROBERT MC KNIGHT

PERSON TO NOTIFY TO PICK UP LIST:

ROBERT MC KNIGHT
51 BIRCHWOOD DRIVE
NEW WINDSOR, NY 12553

TELEPHONE: 565-2988

TAX MAP NUMBER: SEC. 40 BLOCK 1 LOT 1
SEC. _____ BLOCK _____ LOT _____
SEC. _____ BLOCK _____ LOT _____

PROPERTY LOCATION: 51 BIRCHWOOD DRIVE
NEW WINDSOR, NY 12553

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____



NEW WINDSOR ZONING BOARD XX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XX



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 316

TOTAL CHARGES: _____

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#488-2003**

05/21/2003

**ZBA² 03-77
McKnight Jr., Robert**

Received \$ 25.00 for Zoning Board Fees, on 05/21/2003. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessor's Office

May 22, 2003

Robert McKnight
51 Birchwood Drive
New Windsor, NY 12553

Re: 40-1-1 ZBA#03-27

Dear Mr. McKnight:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

A handwritten signature in cursive that reads "J. Todd Wiley, IAO". The signature is written in black ink and is enclosed within a hand-drawn circle.

J. Todd Wiley, IAO
Sole Assessor

JTW/lrd
Attachments

CC: Myra Mason, ZBA

25-1-8
Robert VanVoorhis
60 Birchwood Drive
New Windsor, NY 12553

25-1-9
Mark Grammer
Barbara Booth Grammer
58 Birchwood Drive
New Windsor, NY 12553

25-1-10
Dulce & Dennis Kelly
56 Birchwood Drive
New Windsor, NY 12553

25-1-12
Robert & Eleanor Spreer
54 Birchwood Drive
New Windsor, NY 12553

25-1-13
Joan Souppa
52 Birchwood Drive
New Windsor, NY 12553

25-1-14
Edward & Patricia Callahan
50 Birchwood Drive
New Windsor, NY 12553

25-1-15
Frank & Ruth Iessi
48 Birchwood Drive
New Windsor, NY 12553

25-1-16
John Beltempo
Roxanne Lopez
46 Birchwood Drive
New Windsor, NY 12553

25-1-17
Charlene Romaine
44 Birchwood Drive
New Windsor, NY 12553

25-1-18
Edward & Catherine Brodow
40 Birchwood Drive
New Windsor, NY 12553

25-1-19
Dana & Liliann Putnam
38 Birchwood Drive
New Windsor, NY 12553

25-2-8
John & Marjorie Panzetta
69 Hudson Drive
New Windsor, NY 12553

25-2-9
Bruce & Marie Nott
67 Hudson Drive
New Windsor, NY 12553

25-2-10
Joseph Jr. & Catherine Hughes
65 Hudson Drive
New Windsor, NY 12553

25-2-11
Theodore & Kathryn Annan
63 Hudson Drive
New Windsor, NY 12553

25-2-12
Robert & Carol Griffin
61 Hudson Drive
New Windsor, NY 12553

25-2-13
Thomasina Blair
59 Hudson Drive
New Windsor, NY 12553

25-2-14
Peter & Adriana Rappa
53 Birchwood Drive
New Windsor, NY 12553

25-2-15
Robert & Virginia & Helen Basile
55 Birchwood Drive
New Windsor, NY 12553

25-2-16
Robert Hurley
57 Birchwood Drive
New Windsor, NY 12553

25-2-17
Melvin & Rose Marie Hedlund
59 Birchwood Drive
New Windsor, NY 12553

25-2-18
John & Kahtleen Workman
61 Birchwood Drive
New Windsor, NY 12553

25-2-19
Wayne & Joan Smith
63 Birchwood Drive
New Windsor, NY 12553

25-3-7
Fernando & Maria Ferreira
70 Hudson Drive
New Windsor, NY 12553

25-3-8
Gregory Gaetano
Muriel Gaetano
68 Hudson Drive
New Windsor, NY 12553

25-3-9
James Smith
Mary Wilcox
66 Hudson Drive
New Windsor, NY 12553

25-3-10
Estelle & Jeffrey Bousche'
64 Hudson Drive
New Windsor, NY 12553

25-4-8
David & Phyllis Chapman
114 Glendale Drive
New Windsor, NY 12553

25-4-10
Levio & Rose Young
116 Glendale Drive
New Windsor, NY 12553

25-4-11
Frank & Diann Puccio
118 Glendale Drive
New Windsor, NY 12553

25-4-12
Howard & Estelle Brown
120 Glendale Drive
New Windsor, NY 12553

25-4-13
Stephen & Katharine Costello
122 Glendale Drive
New Windsor, NY 12553

25-4-14
Joseph & Arlene Mathews
124 Glendale Drive
New Windsor, NY 12553

25-4-15
Richard & Donna Hamel
126 Glendale Drive
New Windsor, NY 12553

25-4-16
Mitchell Kolpan
128 Glendale Drive
New Windsor, NY 12553

25-5-19
Mahmood & Meher Ahmed
113 Glendale Drive
New Windsor, NY 12553

25-5-20
Glenn & Diane Trapp
115 Glendale Drive
New Windsor, NY 12553

25-5-21
Community Church of the Nazarene
Of New Windsor
59 Blooming Grove Turnpike
New Windsor, NY 12553

25-5-22
Robert & Ronnie Silver
404 Carlton Circle
New Windsor, NY 12553

25-5-23
Gary & Karen Cooper
406 Carlton Circle
New Windsor, NY 12553

25-5-29
Richard & Sandra Sollas
405 Carlton Circle
New Windsor, NY 12553

25-5-30
Manuel Chambers
403 Carlton Circle
New Windsor, NY 12553

25-5-31
Anthony & Carol Elias
502 Balmoral Circle
New Windsor, NY 12553

25-5-32
John & Randee O'Connor
504 Balmoral Circle
New Windsor, NY 12553

25-5-46
Elizabeth Shewring
Louis Haines
532 Balmoral Circle
New Windsor, NY 12553

25-5-47
Arnold & JoEllen Sabino
501 Balmoral Circle
New Windsor, NY 12553

25-5-48
Jose & Carmen Aldebot
125 Glendale Drive
New Windsor, NY 12553

25-5-49
Jeffrey Stringer
Anastasia Howard
127 Glendale Drive
New Windsor, NY 12553

26-1-1.1 & 26-1-1.2
Balco Equities, LTD.
PO Box 4633
New Windsor, NY 12553

40-1-2
Jeffrey Coelho
Suzannah Jones
57 Hudson Drive
New Windsor, NY 12553

40-1-3
Clarence & Ruth Starsiak
55 Hudson Drive
New Windsor, NY 12553

40-1-4
John & Alberta Ponessa
53 Hudson Drive
New Windsor, NY 12553

40-1-5
Wilson Jr. & Joanne Smith
51 Hudson Drive
New Windsor, NY 12553

40-1-6
Sally Scheiner
9130 Taverna Way
Boyton Beach, FL 33437

40-1-7
Michele Starkey
47 Hudson Drive
New Windsor, NY 12553

40-1-8
Jeffrey Barrett
45 Hudson Drive
New Windsor, NY 12553

40-1-9
Walter & Electra Orzechowski
43 Hudson Drive
New Windsor, NY 12553

40-1-18
Josephine Dewingaerde
39 Birchwood Drive
New Windsor, NY 12553

40-1-19
Jean Davis
48 Scottchtown Drive
Middletown, NY 10941

40-1-20
Melvina Totaan
43 Birchwood Drive
New Windsor, NY 12553

40-1-21
William & Kelly Thompson
#174 Wilbur Boulevard
Poughkeepsie, NY 12603

40-1-22
Sharon & Gus Palentino
47 Birchwood Drive
New Windsor, NY 12553

40-1-23
John & Kathleen McParland
49 Birchwood Drive
New Windsor, NY 12553

40-2-1
Lawrence & Mary McGrath
60 Hudson Drive
New Windsor, NY 12553

40-2-2
Richard Julian
58 Hudson Drive
New Windsor, NY 12553

40-2-3
Michael & Linda Robinson
56 Hudson Drive
New Windsor, NY 12553

40-2-4
Donald Fagan
54 Hudson Drive
New Windsor, NY 12553

40-2-5
Dennis & Penelope Franciosi
52 Hudson Drive
New Windsor, NY 12553

40-2-6
Lisabeth Riach-Stelz
Gerard & Shirley Stelz
50 Hudson Drive
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

June 10, 2003

Mr. Robert McKnight
51 Birchwood Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-27

Dear Mr. McKnight:

This is just a reminder that your Public Hearing before the Zoning Board of Appeals for your requested variance at:

51 Birchwood Drive
New Windsor, NY

is scheduled for the June 23rd, 2003 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 03-27

Request of ROBERT MC KNIGHT

for a VARIANCE of the Zoning Local Law to Permit:

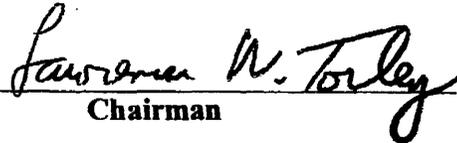
Variance request for 7 feet rear yard setback for proposed deck.

being a VARIANCE of Section 48-12 bulk tables use G-8

for property located at: 51 Birchwood Drive - New Windsor, NY

known and designated as tax map Section 40 Block 1 Lot 1

PUBLIC HEARING will take place on JUNE 23RD, 2003
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.


Chairman



RESULTS OF Z.B.A. MEETING OF: June 9, 2003

PROJECT: Robert Mc Knight ZBA # 03-27
P.B.# _____

USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) K S) R VOTE: A 4 N 0
RIVERA A
MCDONALD A
~~REIS~~ _____
KANE A
TORLEY A
CARRIED: Y N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____.

RIVERA _____
MC DONALD _____ CARRIED: Y _____ N _____.
REIS _____
KANE _____
TORLEY _____

Large empty rectangular box for notes or additional information.

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#478-2003

05/21/2003

Mcknight, Roibert & Jacqueline [#] 03-27

Received \$ 50.00 for Zoning Board Fees, on 05/21/2003. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 5/19/2003

FOR: 03-27 ESCROW

FROM: ROBERT MC KNIGHT, JR.

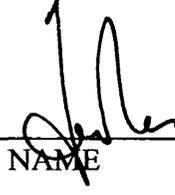
51 BIRCHWOOD DRIVE

NEW WINDSOR, NY 12553

CHECK NUMBER: 314

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:


NAME

5 / 21 / 03
DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA # 03-27 application



ROBERT T. MCKNIGHT, JR.
JACQUELINE C. MCKNIGHT
51 BIRCHWOOD DRIVE 565-2988
NEW WINDSOR, NY 12553

29-1/213
938869043

315

~~DATE~~ 5/13/03

Pay to the order of Town of New Windsor \$ 50.00
fifty & 00/100



27520 Newburgh
Newburgh, New York 12550

Jacqueline McKnight

⑆02⑆3000⑆9⑆ 93886 9043⑆ 0315

ZBA # 03-27 Escrow



ROBERT T. MCKNIGHT, JR.
JACQUELINE C. MCKNIGHT
51 BIRCHWOOD DRIVE 565-2988
NEW WINDSOR, NY 12553

29-1/213
9388690431

314

~~DATE~~ May 13, 2003

Pay to the order of Town of New Windsor \$ 300.⁰⁰/₁₀₀
Three hundred & 00/100



27520 Newburgh
Newburgh, New York 12550

Jacqueline McKnight

⑆02⑆3000⑆9⑆ 93886 9043⑆ 0314



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

May 19, 2003

Robert McKnight
51 Birchwood Drive
New Windsor, Ny 12553

SUBJECT: REQUEST FOR VARIANCE #03-27

Dear Mr. McKnight:

This letter is to inform you that you have been placed on the JUNE 9TH, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

51 Birchwood Drive
New Windsor, Ny 12553

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

5/12/03 Application Type: Use Variance Area Variance
Date Sign Variance Interpretation

I. Owner Information: Phone Number: (845) 565 2988
ROBERT MCKNIGHT JR Fax Number: (845) 562 1404
(Name)
51 BIRCHWOOD DR
(Address)

II. Purchaser or Lessee: Phone Number: ()
Fax Number: ()
(Name)
(Address)

III. Attorney: Phone Number: ()
Fax Number: ()
(Name)
(Address)

IV. Contractor/Engineer/Architect/Surveyor/: Phone Number ()
Fax Number: ()
(Name)
(Address)

V. Property Information:
Zone: R-4 Property Address in Question: 51 BIRCHWOOD DR.
Lot Size: _____ Tax Map Number: Section 40 Block 1 Lot 1
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? 1985
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:*****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

TOWN OF NEW WINDSOR
MAY 19 2003
ENGINEERING PLANNING

03-27

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

Section _____, Table of _____ Regs., Col. _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	40'	33'	7'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

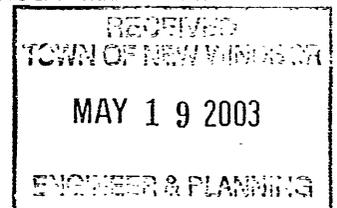
*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

03-27



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

This deck would only add to the yard area,
and complete an approved addition that was added last year.
This will be made of a cedar color, professionally built, and
would in no way take away from other neighboring homes.

PLEASE NOTE:
THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE
OF SUBMITTAL.

05-27

RECEIVED
TOWN OF NEW WINDSOR
MAY 19 2003
ENGINEER & PLANNING

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

XIII. ATTACHMENTS REQUIRED:

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copies of signs with dimensions and location.
- Three checks: (each payable to the TOWN OF NEW WINDSOR)
 - One in the amount of \$ 300.00 or 500.00 (escrow)
 - One in the amount of \$ 50.00 or 150.00 (application fee)
 - One in the amount of \$ 25.00 (Public Hearing List Deposit)
- Photographs of existing premises from several angles.

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

13 day of MAY 2003,

[Signature]
JOHN C. LEOWITH III
 NOTARY PUBLIC, State of New York
 No. 4504631
 Qualified in Orange County
 Commission Expires 12/31/06
 Signature and Stamp of Notary

[Signature]
 Owner's Signature (Notarized)

ROBERT MCKENSLER JR.
 Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

03-27

