

ZB# 03-57

Clara Zgrodek

49-6-8

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

Granted 12-8-03

ZBA 03-5 / CLARA ZGRODEK (AREA)
13 ROCKY LANE (49-6-8)

562-5628

Stanley Zgroddek



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

March 15, 2004

Clara Zgrodek
13 Rocky Lane
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-57 (49-6-8)

Dear Ms. Zgrodek:

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
Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

-----x
In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

CLARA ZGRODEK

AREA

CASE #03-57
-----x

WHEREAS, Clara Zgrodek & Ms. Jeanne Zgrodek, owner(s) of 13 Rocky Lane, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 14 ft. Rear Yard Setback for proposed sun room (Use: 8-G) at 13 Rocky Lane in an R-4 Zone and;

WHEREAS, a public hearing was held on December 8, 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 applicants will not be cutting down any trees or removing any substantial vegetation to build the addition.
 - (c) The proposed addition/deck is similar in size and appearance to other decks in the neighborhood.

- (d) The addition/deck, if permitted, would not create any water hazards or runoff, divert the flow of water drainage or cause the ponding or collection of water.
- (e) The addition/deck, if permitted, would not be constructed on top of any easements, including but, not limited to, water, sewer and utility easements.
- (f) The proposed addition/deck will be adjacent to an exit from the house and without the deck/addition, a person exiting the house would be likely to sustain serious physical injury.

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 that 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/is appropriate and are/is 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).

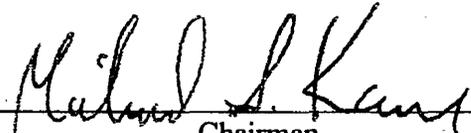
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 14 ft. Rear Yard Setback for proposed sun room (Use: 8-G) at 13 Rocky Lane in an **R-4 Zone** 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/or Building Inspector and Applicant.

Dated: December 8, 2003


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) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: **October 21, 2003**

APPLICANT: **Clara Zgrodek
13 Rocky Lane
New Windsor, NY 12553**

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: **October 17, 2003**

FOR : **12' x 16' sun room**

LOCATED AT: **13 Rocky Lane**

ZONE: **R-4 Sec/Blk/ Lot: 49-6-8**

DESCRIPTION OF EXISTING SITE: **Section 49 Block 6 Lot 8**

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

Proposed sun room will not meet minimum 40' rear yard set back.


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 8-G

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD: 40'

26'

14'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

03-57

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.

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 underslab 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 bond 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.

OCT 11 2003

FOR OFFICE USE ONLY:
Building Permit #: _____

**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

Owner of Premises STANLEY ZERODER

Address 13 Rocky Lane New Windsor NY Phone # 845-562-5628

Mailing Address SAME Fax # _____

Name of Architect Sincov Associates

Address Po Box 2694 Westfield NJ 07091 Phone 908-233-8188

Name of Contractor Patio Enclosures Inc

Address 40 Adams Dr Totowa NJ 07512 Phone 973-256-7722

State whether applicant is owner, lessee, agent, architect, engineer or builder Contractor/Builder

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

1. On what street is property located? On the EAST side of Rocky Ln
(N,S,E or W)
and 400 ft feet from the intersection of RT 94

2. Zone or use district in which premises are situated NEW WINDSOR R. Is property a flood zone? Y N ✓

3. Tax Map Description: Section 49 Block 6 Lot 8

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy PRIVATE HOME b. Intended use and occupancy SAME

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

6. Is this a corner lot? YES sunroom on wood deck

7. Dimensions of entire new construction. Front 12' Rear 12' Depth _____ Height _____ No. of stories 1

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 \$13,081 Fee \$50

CH# 6389

PAID

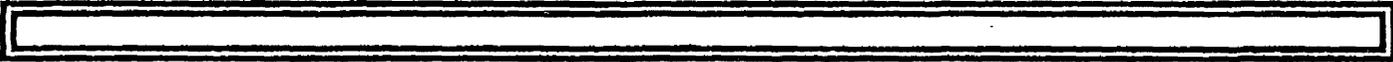
10/13/03

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 Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4695 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.

Alexander [Signature]
(Signature of Applicant)

PATIO ENCLOSURE 104 40 ADAMS DR TOTOWA NJ 07514
(Address of Applicant)

13 Beck-L LN NEW WINDSOR N.Y.

(Owner's Signature)

(Owner's Address)

PLOT PLAN

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

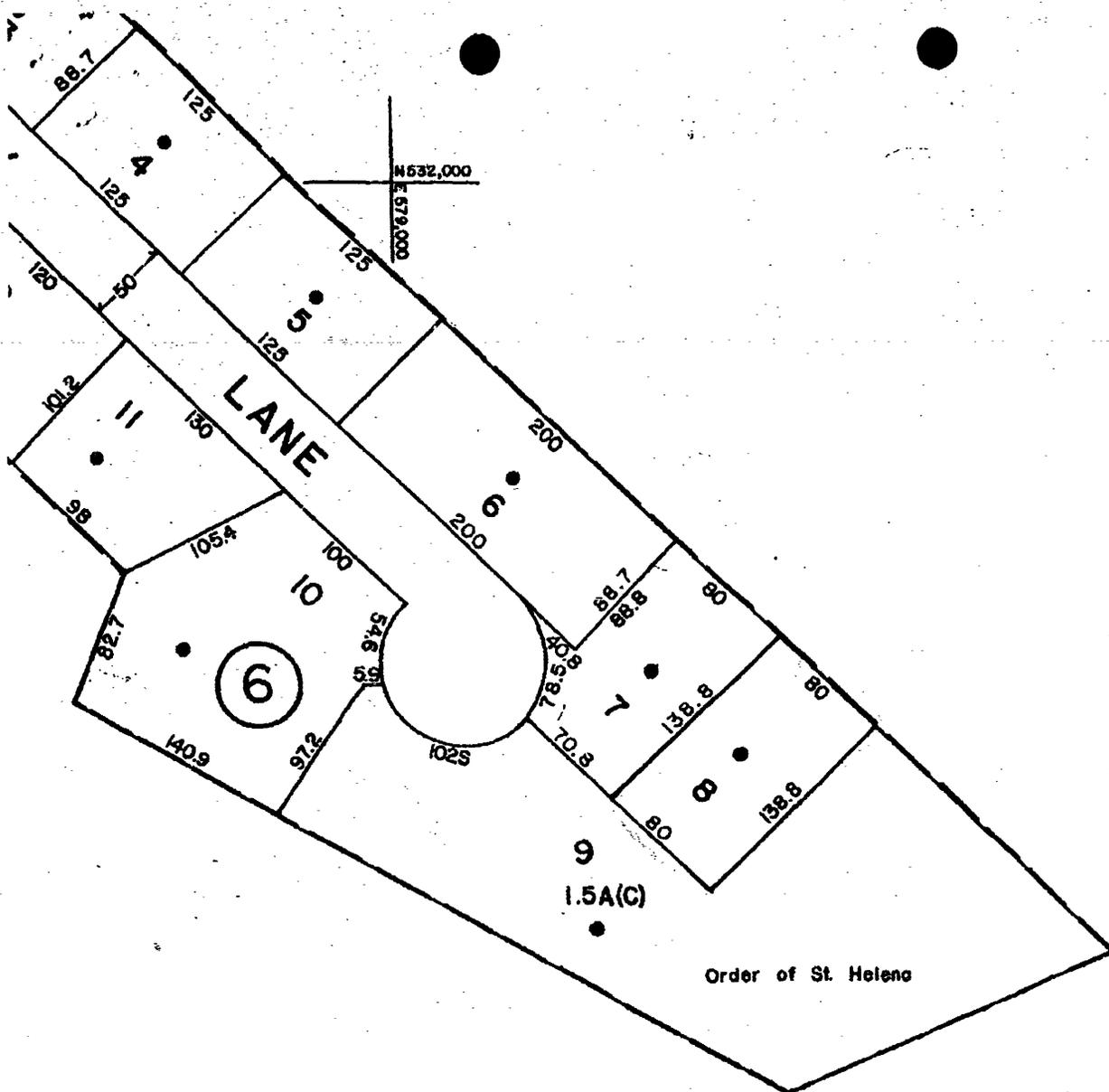
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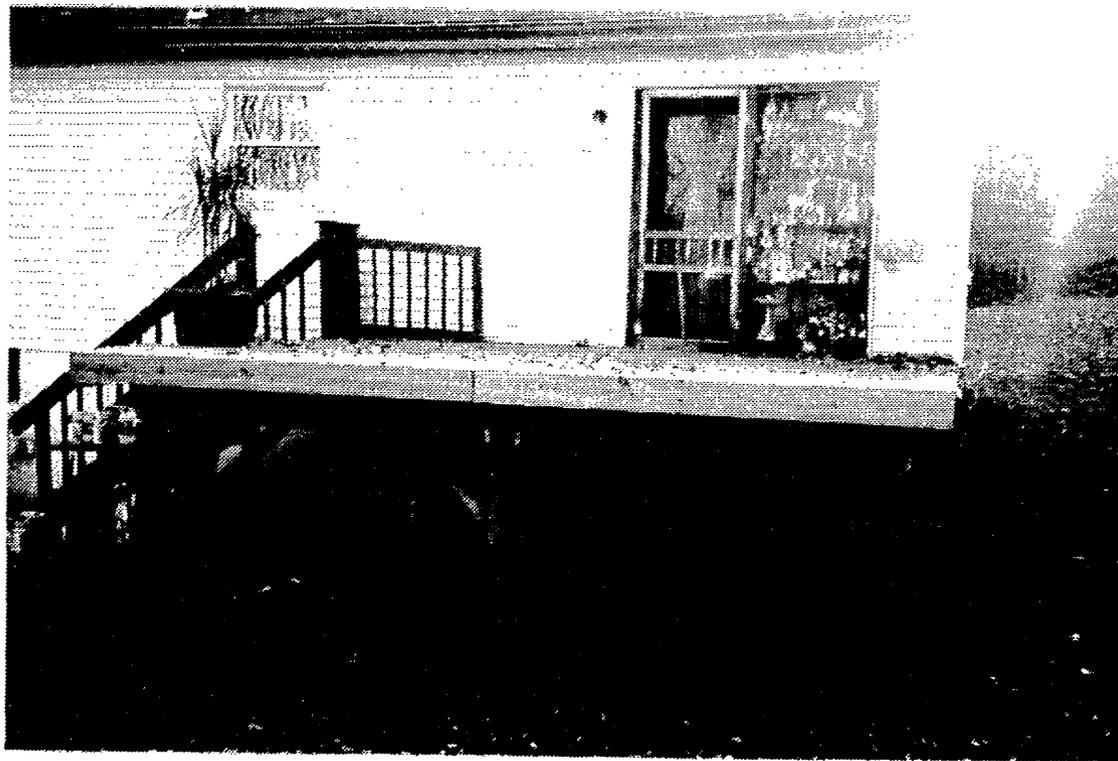
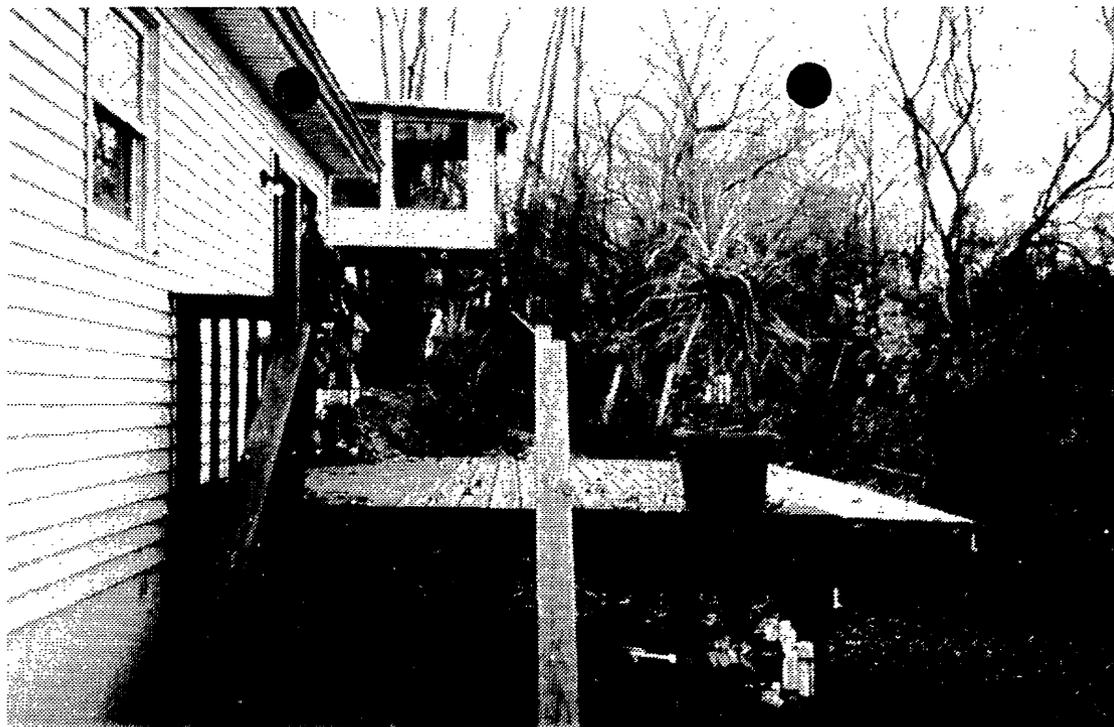
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E

S

START









**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: JANUARY 14, 2004
SUBJECT: ESCROW REFUND - 03-57

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 198.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #03-57

NAME & ADDRESS:

**Clara Zgrodek
13 Rocky Lane
New Windsor, NY**

THANK YOU,

MYRA

L.R. 1-14-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #03-57 TYPE: AREA

APPLICANT:
CLARA ZGRODEK

TELEPHONE: 562-5628

RESIDENTIAL:	\$ 50.00	CHECK #	<u>CASH 50.00</u>
COMMERCIAL	\$ 150.00	CHECK #	_____
INTERPRETATION	\$ 150.00	CHECK #	_____

ESCROW: RESIDENTIAL \$300.00 CHECK # CASH 300.00

* * * * * * * * * * * * *

<u>DISBURSEMENTS:</u>		<u>MINUTES</u> \$4.50 / PAGE	<u>ATTORNEY</u> <u>FEE</u>	
PRELIMINARY:	<u>3</u>	PAGES	<u>\$ 13.50</u>	<u>\$ 35.00</u>
2 ND PRELIMINARY:	_	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	<u>\$ 18.00</u>	<u>\$ 35.00</u>
PUBLIC HEARING:	_	PAGES	\$ _____	\$ _____
	TOTAL:		<u>\$ 31.50</u>	<u>\$ 70.00</u>

* * * * * * * * * * * * *

ESCROW POSTED:	\$ CASH 300.00
LESS: DISBURSEMENTS:	<u>\$101.50</u>
AMOUNT DUE:	\$ _____
REFUND DUE:	<u>\$198.50</u>

L.R. 1-14-04

CLARA ZGRODEK (03-57)

MR. KANE: Request for 14 ft. rear yard setback for proposed sun room (Use: 8-G) at 13 Rocky Lane in an R-4 zone.

Ms. Jeanne Zgrodek and Ms. Clara Zgrodek appeared before the board for this proposal.

MR. KANE: Tell us what you want to do.

MS. J. ZGRODEK: We want to make a sun room in our deck.

MR. KANE: How big is the sun room going to be?

MS. J. ZGRODEK: It's right here.

MR. BABCOCK: 12 by 16.

MR. KANE: And that specific size is similar to other deck sizes that are in the area?

MS. J. ZGRODEK: Yes.

MR. KANE: Going to be cutting down any trees or substantial vegetation in the building of this sun room?

MS. J. ZGRODEK: No.

MR. KANE: Create any water hazards or runoffs?

MS. J. ZGRODEK: No.

MR. KANE: Is there any easements in that particular area?

MS. J. ZGRODEK: No.

MR. REIS: Jeanne, the sun room, is it the same size as the existing deck?

MS. J. ZGRODEK: No.

MR. REIS: Larger?

MS. J. ZGRODEK: Yeah, I'm not sure how big the deck is.

MR. KANE: But a 12 by 16 that's not overly big for decks in that particular area?

MR. REIS: Very similar to what?

MR. KANE: And I can attest because I live right behind.

MS. J. ZGRODEK: We have one neighbor that can really see it cause the convent is on one side and McQuade is on the other side, it's all woods.

MR. KANE: And it's very difficult to see from my house, the deck was existing though. The deck that's currently there is existing.

MR. BABCOCK: Well, I'm not, I don't think legally it was there when the house was built, they have a real, real small deck, to maintain the 40 foot setback, I don't know whether you're the original owner of the house or not.

MS. J. ZGRODEK: Yes.

MR. BABCOCK: On the original survey the deck is very small.

MS. J. ZGRODEK: Yes.

MR. BABCOCK: And the purpose was to maintain the 40

foot.

MS. J. ZGRODEK: Really wasn't a deck, just--

MR. KANE: Just a landing.

MR. BABCOCK: I don't think you can even put a chair on it.

MR. KANE: Without anything there, it would be a safety hazard coming out the back door?

MS. J. ZGRODEK: Oh, yeah.

MR. KANE: Do you have any other questions right now?

MR. REIS: No, sir.

MR. BABCOCK: This would make the existing deck which he's saying existing plus the sun room all legal.

MR. KANE: Correct. Myra, how many mailings?

MS. MASON: On the 24th of November, I mailed out 13 envelopes and I have had no response.

MR. KANE: At this point, I'll ask John if he has any interest in this hearing? So I'll open and close the public portion of this hearing and come back to the board.

MR. RIVERA: Accept a motion?

MR. KANE: Let me just make sure we covered every base here. Yes, I will accept a motion.

MR. RIVERA: Make a motion we move to grant Clara Zgrodek the requested rear yard setback for proposed sun room request for the 14 foot rear at 13 Rocky Lane.

December 8, 2003

31

MR. MINUTA: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE

CLARA ZGRODEK (03-57)

Stanley and Jeanne Zgrodek appeared before the board for this proposal.

MR. KANE: Request for 14 ft. rear yard setback for proposed sun room (Use: 8-G) at 13 Rocky Lane in an R-4 zone. We have Clara down, probably part owner and it has owner as Stanley?

MR. ZGRODEK: Yes, that's my mom and that was her lot.

MR. KANE: Okay. This is your mom?

MR. ZGRODEK: Yes.

MS. MASON: She's here.

MR. KANE: Tell us what you want to do.

MR. ZGRODEK: We'd like to add a 12 x 16 foot sun room on an existing deck and we need a 14 foot area variance for that.

MR. KANE: How long was the existing deck there for?

MR. ZGRODEK: Excuse me?

MR. KANE: How long was the existing deck there?

MR. ZGRODEK: 16 x 10.

MR. KANE: How long was it there?

MR. ZGRODEK: Since 1989.

MR. KANE: Mike, was there a C.O. for the deck that was existing or permanent?

MR. BABCOCK: I don't see one, Mr. Chairman.

MR. ZGRODEK: We had, the Town was there.

MR. REIS: Sun room is going to be the same dimensions as the existing deck?

MR. ZGRODEK: Yes.

MR. REIS: Same exact dimensions?

MR. ZGRODEK: Yes.

MR. MINUTA: Proposed sun room will meet the height requirement?

MR. ZGRODEK: Yes.

MR. KANE: Did you build the deck in '89?

MR. ZGRODEK: Yes.

MR. KANE: Create any water hazards or runoffs with the building of the deck?

MR. ZGRODEK: No.

MR. KANE: Cut down any trees or substantial vegetation?

MR. ZGRODEK: No.

MR. KANE: Any complaints formally or informally about the deck?

MR. ZGRODEK: No.

MR. KANE: With the adding of the sun room to it, do you feel that this would change the nature of the neighborhood?

MR. ZGRODEK: No, I don't.

MR. KANE: Obviously, without the deck or room there, when you walk out the sliders, it would be a safety hazard?

MR. ZGRODEK: Yes.

MR. KANE: Any other questions guys?

MR. REIS: Steve?

MR. RIVERA: Accept a motion?

MR. KANE: Yes, I will.

MR. RIVERA: That we set up Clara Zgrodek for her requested 14 foot rear yard setback for the proposed sun room at 13 Rocky Lane.

MR. REIS: Second it.

ROLL CALL

MR. REIS	AYE
MR. MINUTA	AYE
MR. RIVERA	AYE
MR. KANE	AYE



RESULTS OF Z.B. MEETING OF: December 2003

PROJECT: Clara Zgradak ZBA # 03-57
P.B.# _____

USE VARIANCE: NEED: EAF _____ PROXY _____

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

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

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

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

ALL VARIANCES - PRELIMINARY APPEARANCE:

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

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M) RV S) MN VOTE: A 4 N _____.

RIVERA A
~~MCDONALD~~ _____
REIS A
MINUTA A
KANE A

CARRIED: Y _____ N _____.

Jan Zgradak + Clara
Similar in size
No Trees - Water Hag - Easements

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. 03-57

Request of CLARA ZGRODEK

for a VARIANCE of the Zoning Local Law to Permit:

Request for 14 ft. Rear Yard Setback for proposed sun room

being a VARIANCE of Section (Use: 8-G)

for property located at: 13 Rocky Lane - New Windsor, NY in an R-4 Zone

known and designated as tax map Section 49 Block 6 Lot 8

PUBLIC HEARING will take place on DECEMBER 8, 2003
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.

Michael Kane, Chairman



Town of New Windsor

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

ZONING BOARD OF APPEALS

November 24, 2003

Clara Zgrodek
13 Rocky Lane
New Windsor, NY

SUBJECT: REQUEST FOR VARIANCE #03-57

Dear Ms. Zgrodek:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

13 Rocky Lane
New Windsor, NY

is scheduled for the December 8, 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



1763

Town of New Windsor

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

Assessor's Office

November 17, 2003

Clara Zgrodek
13 Rocky Lane
New Windsor, NY 12553

Re: 49-6-8 ZBA#03-57

Dear Mrs. Zgrodek:

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 \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Assessor

JTW/lrd
Attachments

CC: Myra Mason, ZBA

37-1-48 & 37-1-63 & 49-6-9
Church of St. Helena
PO Box 426
Vails Gate, NY 12584

80-8-18
Stephen & Catherine Parodo
108 Shaker Court North
New Windsor, NY 12553

37-1-49
The McQuade Foundation
PO Box 4064
New Windsor, NY 12553

80-8-19
John & Angela Turner
107 Shaker Court North
New Windsor, NY 12553

49-6-4
George & Anna Bak
5 Rocky Lane
New Windsor, NY 12553

80-8-20
Michael & Patricia Kane
105 Shaker Court North
New Windsor, NY 12553

49-6-5
Arthur & Renee Miller
7 Rocky Lane
New Windsor, NY 12553

49-6-6
Marilyn Maisonet
9 Rocky Lane
New Windsor, NY 12553

49-6-7
James & Linda Rolfs
11 Rocky Lane
New Windsor, NY 12553

49-6-10
William & Anna Preston
8 Rocky Lane
New Windsor, NY 12553

49-6-12
Joseph Deering
4 Rocky Lane
New Windsor, NY 12553

80-8-16
Wing & Lois Seto
104 Shaker Court North
New Windsor, NY 12553

80-8-17
Autavis & Laura Graham
106 Shaker Court North
New Windsor, NY 12553

TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

DATE: 11-12-03

PROJECT NUMBER: ZBA# 03-57 P.B. #

APPLICANT NAME: CLARA ZGRODEK

PERSON TO NOTIFY TO PICK UP LIST:

CLARA ZGRODEK
13 ROCKY LANE
NEW WINDSOR, NY

TELEPHONE: 562-5628

TAX MAP NUMBER:	SEC. <u>49</u>	BLOCK <u>6</u>	LOT <u>8</u>
	SEC. <u>---</u>	BLOCK <u>---</u>	LOT <u>-</u>
	SEC. <u>---</u>	BLOCK <u>---</u>	LOT <u>---</u>

PROPERTY LOCATION: **13 ROCKY LANE**
NEW WINDSOR

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 XXX

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



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: CASH (SEE RECEIPT)

TOTAL CHARGES: _____

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

RECEIPT
#1033-2003

11/12/2003

Zgrodek, Clara
13 Rocky Lane
New Windsor, NY 12553

Received \$ 25.00 for Zoning Board Fees, on 11/05/2003. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

Assessor's list

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

**RECEIPT
#1034-2003**

11/12/2003

Zgrodek, Clara

**Received \$ 50.00 for Zoning Board Fees, on 11/05/2003. Thank you for
stopping by the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**



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

PROJECT: Clara Zgodak ZBA # 03-57
P.B.#



USE VARIANCE: NEED: EAF PROXY

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

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

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

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

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) Rv S) Rs VOTE: A 4 N ___
RIVERA A
~~MCDONALD~~ _____
REIS A CARRIED: Y _____ N _____
MINUTA A
KANE A



PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M) _____ S) _____ VOTE: A ___ N ___
RIVERA _____
MC DONALD _____ CARRIED: Y ___ N ___
REIS _____
MINUTA _____
KANE _____

Decl has been there since 1989
No Trees Cut
No Complaints
No Easements



Town of New Windsor

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

ZONING BOARD OF APPEALS

November 5, 2003

Clara Zgrodek
13 Rocky Lane
New Windsor, NY

SUBJECT: REQUEST FOR VARIANCE #03-57

Dear Ms. Zgrodek:

This letter is to inform you that you have been placed on the November 10, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

13 Rocky Lane
New Windsor, Ny

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

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 11/5/03

FOR: 03-57 ESCROW

FROM: CLARA ZGRODEK

13 ROCKY LANE

NEW WINDSOR, NY

~~CHECK NUMBER:~~ CASH \$300.00

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

10/3/03

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

03-57



TOWN OF NEW WINDSOR
 555 UNION AVENUE
 NEW WINDSOR, NY 12553
 (845) 563-4615 (MYRA MASON)

03-57



ZONING BOARD PROCEDURES

PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)
 APPLICATION FEE: \$ 50.00
 *ESCROW: \$300.00
 **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)
 APPLICATION FEE: \$150.00
 *ESCROW: \$500.00
 **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

COMMERCIAL: (Three Separate Checks Please)
 APPLICATION FEE: \$150.00
 *ESCROW: \$500.00
 **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

INTERPRETATION: (Three Separate Checks Please)
 APPLICATION FEE: \$150.00
 *ESCROW: \$500.00
 **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

* **ESCROW**
 IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

**
 RECEIVED
 TOWN OF NEW WINDSOR
 NOV - 5 2003
 ENGINEER & PLANNING

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:	
APPROXIMATE COST FOR PUBLIC HEARING LIST:	
1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00
ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME	

03-57

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

*** * MUST READ AND SIGN * ***

I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).

SIGNATURE

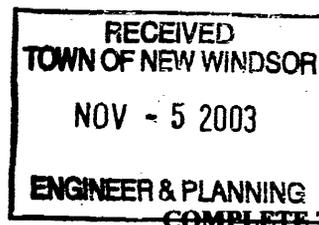
DATE

11-03-03

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST - ONE MEETING PER MONTH ONLY)

PAGE 2



COMPLETE THIS PAGE

03-57



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

APPLICATION FOR VARIANCE

11-03-03 Application Type: Use Variance Area Variance
Date Sign Variance Interpretation

I. **Owner Information:** Phone Number: (845) 562-5628
STANLEY ZGRODEK & Chara Fax Number: ()
(Name)
13 Rocky Ln NEW WINDSOR N.Y. 12553
(Address)

~~II.~~ **If Moving to New Address, please list forwarding address for return of escrow:**

(Name) Phone Number: ()

Fax Number: ()

(Address)

III. **Attorney:** Phone Number: ()

(Name) Fax Number: ()

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number 973 256-7122
PATIO ENCLOSURES, INC. Fax Number: (800) 222-0533

(Name) (973) 256-1292
40 ADAMS DR. TOTOWA, NEW Jersey 07512
(Address)

V. **Property Information:**
Zone: _____ Property Address in Question: 13 Rocky Ln
Lot Size: 139' x 80' Tax Map Number: Section 49 Block 6 Lot 8
a. What other zones lie within 500 feet? RESIDENTIAL
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? JULY 1989
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.

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NOV - 5 2003
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**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,

	<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'	26'	14'
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.**

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TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

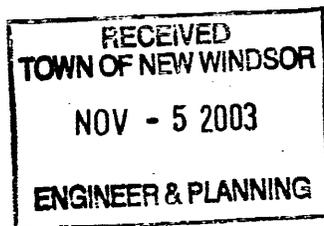
APPLICATION FOR VARIANCE - continued

- 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:

BY ADDING A SUNROOM TO THE EXISTING DECK
IT WILL ADD VALUE AND BEAUTY TO BOTH THIS HOUSE AND ROCKY
LANE, THE COLOR WILL MATCH THE HOUSE, AND I DO NOT
THINK BY DOING THIS IT WILL CHANGE THE CHARACTER OF THE
NEIGHBORHOOD. Thanks J

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



03-57

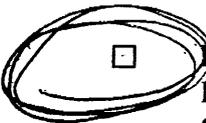
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XII. ADDITIONAL COMMENTS:

- (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. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.)**

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:

5th day of November 2003,

Clara Zgrodek
Owner's Signature (Notarized)

Clara Zgrodek
Owner's Name (Please Print)

Jennifer Mead
Signature and Stamp

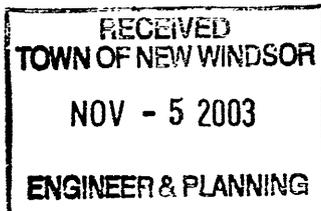
JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In-Orange County

Signature and Stamp Commission Expires 10/30/2006

Applicant's Signature (If not Owner)

PLEASE NOTE:

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



COMPLETE THIS PAGE

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