

ZB# 75-14

Leisure Hours Shop

32-2-84

75-14 - Leisure Hours
Shop.

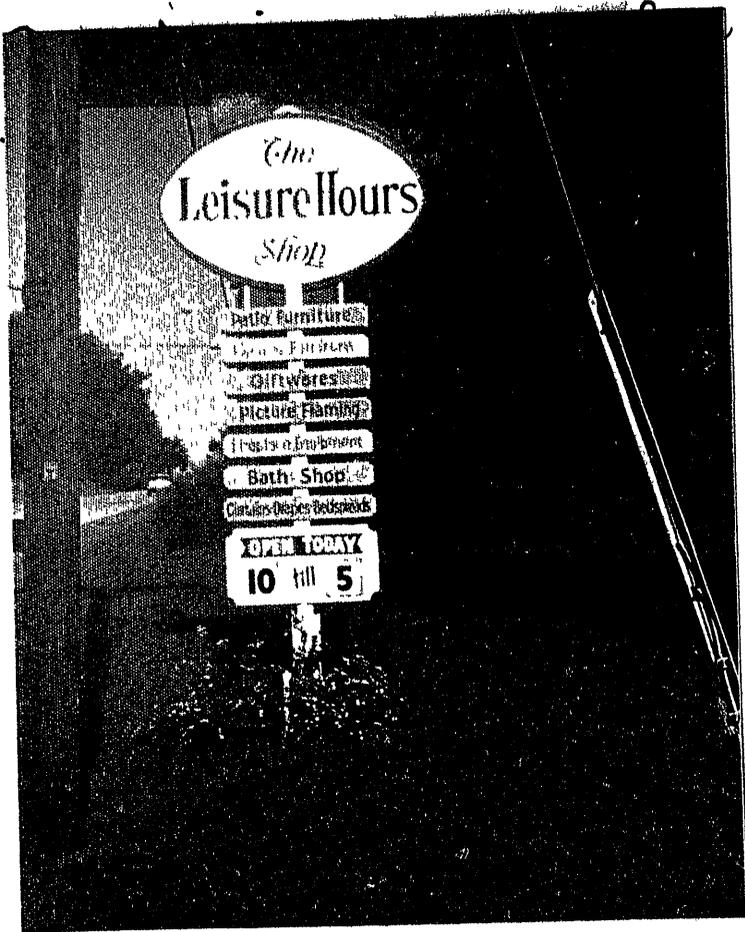
Public Hearing
July 14th at
9 a.m.

Public Hearing Notice
on July 5th -

OCPD Notified 7/3/75.

Amfile
AMBERG FILE AND INDEX CO

5921 T3



The **Leisure Hours Shop**

Little Britain Road
Rte. 207, Just West of Jackson Ave.
New Windsor, New York 12550

Billie Smith

(914) 564-1890

Legal Notice
PUBLIC NOTICE OF HEARING BEFORE THE ZONING BOARD OF APPEALS
 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 48-33 A of the Zoning Ordinance on the following proposition:
 Appeal No. 14 Request of Leisure Hours Shop for a Variance of the regulations of the Zoning Ordinance to permit use of present sign, being a Variance of section 55, Supplementary Regs. of Local Law No. 3, for property owned by him situated as follows: Route 207, corner Jackson Ave. (Section 32 Block 2 Lot 84) Town of New Windsor, N.Y.
SAID HEARING will take place on the 14th day of July 1975 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 9:00 o'clock P.M.
THEODORE JARGSTORF, Chairman
 By: Patricia DeJor, Secy.
 July 5

**State of New York
 County of Orange, ss:**

Olga Trachewsky, being duly sworn deposes and she says that he is Principal Clerk of Newburgh-Beacon News Co., Inc., Publisher of The Evening News, a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published One Time in said newspaper, commencing on the.....5th.....day of July.....A.D., 19 75, and ending on the5th..... day ofJuly..... A.D., 1975

Subscribed and sworn to before me this }
7th..... day of.....July..... 19..75..

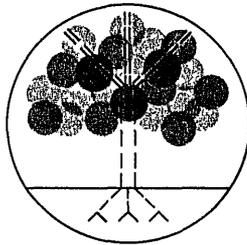
Olga Trachewsky

Patricia DeJor

.....
 Notary Public of the State of New York, County of Orange.
 MY COMMISSION EXPIRES MARCH 30, 1977

Department of Planning

Peter Garrison, AIP, Commissioner
Edwin J Garling, AIP, Deputy Commissioner



The County Building
Goshen, New York 10924
(914) 294-5151

County of Orange

Louis V Mills, County Executive

July 21, 1975

Mr. Theodore Jargstorf, Chairman
New Windsor Zoning Board of Appeals
c/o Patricia Delio, Secretary
Franklin Avenue
New Windsor, New York 12550

RE: Variance - Leisure Hours Shop
Little Britain Road
Our File No. NWT 75-14-M

Dear Mr. Jargstorf:

The above application provides us with very little information. We cannot, therefore, complete our review. Please submit a detailed application and a plan or sketch of the sign to be erected.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Joel Shaw". The signature is written in dark ink and is positioned above the printed name.

Joel Shaw
Senior Planner

JS/bd

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR : COUNTY OF ORANGE

-----X
In the Matter of the Application of

LEISURE HOURS SHOP, INC.

DECISION GRANTING
SIGN VARIANCE

for a Sign Variance.
-----X

WHEREAS the LEISURE HOURS SHOP, R. D. No. 2, Little Britain Road in the Town of New Windsor has applied to the Zoning Board of Appeals for a sign variance to permit the continued display of a sign advertising the place of business; and

WHEREAS a Public Hearing was held by the Zoning Board of Appeals of the Town of New Windsor for a sign variance pursuant to Section 5.5 of the Zoning Local Law of the Town of New Windsor and the Table of Use Regulations, Column D for an OLI zone; and

WHEREAS notice of the public hearing was duly notified to residences and businesses near the applicant as prescribed by law, and notice of the public hearing was duly published in The Evening News; and

WHEREAS the proprietors of the applicant corporation appeared at the public hearing on their own behalf, presented pictures of the sign, and no opposition having appeared;

NOW THEREFORE The Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The sign is in good taste and is not offensive to the area.
2. The business is located in an OLI zone along a fast-moving highway and an over-sized sign is necessary to catch the eye of the traveling public.

3. The sign which is the subject of this application for a variance consists of an oval shaped sign saying "The Leisure Hours Shop" underneath which there are eight little signs setting forth the types of merchandise sold and hours of operation, and all the signage is mounted on a white column post.

4. Signs not to exceed 20 square feet are permitted by right in an OLI zone.

The Zoning Board of Appeals of the Town of New Windsor makes the following determinations of law in this matter:

1. The variance sought is not substantial in relation to the allowed sign size under the Zoning Local Laws; and

2. The effect of the variance if allowed on the population and available government facilities would be nil.

3. No substantial change in the character of the neighborhood would result nor would there be a substantial detriment to the adjoining properties.

4. The difficulty with respect to advertising of the corporation cannot be obviated by some other method feasible for the applicant to pursue, other than a variance.

5. The interests of justice will be served by allowing the variance.

AND THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor determines that LEISURE HOURS SHOP meets the practical difficulty test for a Zoning Variance under the New York State Law and the Zoning Board of Appeals awards the variance as sought.

BE IT FURTHER RESOLVED that a copy of this decision be forwarded to the applicant corporation, Town Clerk, and Town Planning Board.

THEODORE JARGSTORF, Chairman

Dated: _____

Public Hearing - 9:00 - Leisure Hours
(Sign)

Name:

Address:

Francis Domin

91 Meritino Ave.

Anne Carlstrom

106 Mercedes Ave. N.W.

Adopted 12/20/65

APPLICATION FOR VARIANCE

Wanted 80' sq. ft. Needs 60' sq. ft. of variance

Application No. 75-19

Date: July 1, 1975

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (We) Leisure Hours Shop, Inc of Rd 2 Little Britain Rd
(Street & Number)

New Windsor NY HEREBY MAKE
(State)

APPLICATION FOR A VARIANCE:

A. Location of the Property Rd 2 Little Britain Road 12550
(Street & Number) (Zone)

B. Provision of the Zoning Ordinance Applicable: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance.)

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: we are a retail shop

requiring a need to be seen by fast moving cars

2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: we are a retail business

3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because:

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: _____

Sign is in good taste & does not impair road view

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: _____

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate. _____

Please note

E. Application to be accompanied by two checks, one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.

F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1. of the Ordinance.

G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 I&M of the Gen. Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

Dated: June 27, 1975

[Handwritten Signature]

Signature of Applicant

STATE OF NEW YORK) SS.:
COUNTY OF ORANGE)

Sworn to on this 27th day of June, 1975.

Patricia Delio
(Notary Public)

Address _____

Telephone Number _____

PATRICIA DELIO
Notary Public, State of New York
My Commission expires Mar. 20, 1976

(DO NOT WRITE IN THIS SPACE)

Application No. _____
Date of Hearing _____
Date of Decision _____

granted 7/14/75

Date Received _____
Notice Published _____

DECISION: . . .

The Leisure Hours Shop

(914) 564-1890

RD#2, Little Britain Road • New Windsor, New York 12550

July 9, 1975

Mr. & Mrs. George S. Bruyn
RD#2, Jackson Avenue
New Windsor, N. Y. 12550

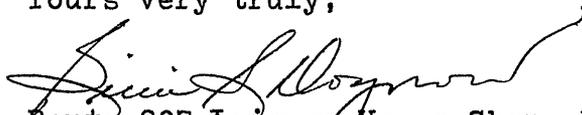
Dear Mr. & Mrs. Bruyn,

Please be advised that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-33 A of the Zoning Ordinance on the following proposition:

Appeal No. 14 Request of Leisure Hours Shop for a Variance of the regulations of the Zoning Ordinance, to permit use of present sign, being a Variance, Section 5.5 Supplementary Regs. of Local Law No. 3, for property owned by him situated as follows: Route 207, corner Jackson Ave. (Section 32, Block 2, Lot 84), Town of New Windsor, N. Y.

SAID HEARING will take place on the 14th day of July, 1975, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 9:00 o'clock P. M.

Yours very truly,



Route 207 Leisure Hours Shop, Inc.
Mrs. Billie Doynow, Vice President

DEAR MR. DOYNOW

10 JULY 1975

I WILL NOT BE ABLE TO GO TO THE PUBLIC HEARING THAT THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR IS HAVING 14 JULY 75. FOR A VARIANCE TO ERECT PRESENT SIGN AT CORNER JACKSON AVE. LAND THAT YOU OWN.

"MY WIFE & I HAVE NO OBJECTION TO THIS MOVE."
I HOPE THIS LETTER WILL GIVE YOU THE VARIANCE.

George S. Bruyn

PATIO, POOL, HOME & TRAVEL ACCESSORIES



1768

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

Baeuerle, E.E. Etal
C/O Dr. E.M. Schlick
65 South Little Tor Road
New City, New York

MacDowell, Ruth H.
P.O. Box 2006
Newburgh, New York 12550

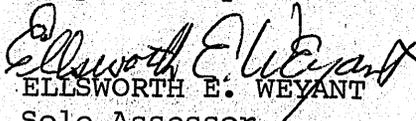
Sisters of the Presentation
of the Blessed Virgin
Mt. St. Joseph
Route 207
New Windsor, New York 12550

Wood, Rita Dolores
RD#2 Jackson Avenue
New Windsor, New York 12550

Bruyn, George S. & Joyce
RD#2 Jackson avenue
New Windsor, New York 12550

Metropolitan Transportation Authority
Stewart Airport
New Windsor, New York 12550

Respectfully submitted,


ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR



1768

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

June 23, 1975

Mr. & Mrs. Herbert Doynow
Route 207
New Windsor, New York 12550

Dear Mr. & Mrs. Doynow:

According to my records, the attached list of property owners are within the five hundred (500) feet of the property in question.

The charge for this service is \$15.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

EEW/pk

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

DATE 4/21/75

APPLICATION is hereby made for the following:

Agenda Service

1. Name RTE 207. LEISURE HOURS SHOP INC.

Address RD 2, LITZEBOROUGH RD, NEW WINDSOR, NY

Telephone number 564-1890

Are you the owner of the property? No - Tenant

2. Briefly describe intention (or attach) and location of property:

SOUTH SIDE RTE 207 SOUTH OF JACKSON AVE. Request Area Variance for free standing sign

3. PLANNING BOARD

Site Plan Preliminary Meeting

Subdivision Preliminary Meeting

Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

Interpretation of Ordinance or Map

Variance (Notify P/B -plans if necessary)

Informational meeting

AGENDA DATE _____

BUILDING PERMIT

Planning Board action needed

Z.B.A. action needed

Site plan needed

Subdivision approval needed

Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this

Public Hearing

Agenda Service

1. Name RTE 207. LEISURE HOURS SHOP INC.
Address RD 2, LITTLE BERTAIN RD, NEW WINDSOR, NY
Telephone number 564-1890

Are you the owner of the property? No - Tenant

2. Briefly describe intention (or attach) and location of property:
SOUTH SIDE RTE 207 SOUTH OF JACKSON AVE. Request Area Variance for free standing sign

3. PLANNING BOARD

- Site Plan Preliminary Meeting
- Subdivision Preliminary Meeting
- Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

- Interpretation of Ordinance or Map
- Variance (Notify P/B -plans if necessary)
- Informational meeting

AGENDA DATE _____

BUILDING PERMIT

- Planning Board action needed
- Z.B.A. action needed
- Site plan needed
- Subdivision approval needed
- Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

Signed: Linn Doyron
(APPLICANT)

Public Hearing

COPY FOR
2 BA
He

Building Department

(CITY, TOWN OR VILLAGE) OF NEW WINDSOR 555 UNION AV.
(Address and Telephone Number)
SW-8808

County of: ORANGE

Order to Remedy Violation

Location: ROUTE 207

Map No.: _____ Section: 32 Block: 2 Lot: 84

Date: APRIL 11 1975

TO: LEISURE HOURS SHOP
(owner or authorized agent of owner)
ROUTE 207 NEAR JACKSON AVE
(address of owner or authorized agent of owner)

PLEASE TAKE NOTICE there exists a violation of:

- The State Building Construction Code _____
- Zoning Ordinances _____
- Other Applicable Laws, Ordinances or Regulations _____

at premises hereinafter described in that FREE STANDING SIGN EXCEED
(state character of violation)
PERMITTED SIZE

40 SQ FT. TOTAL AREA PERMITTED - 76 SQ FT EXISTING SIGN

in violation of 48-1287
(state section or paragraph of applicable law, ordinance or regulation)

YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and to
remedy the conditions above mentioned forthwith on or before the 21ST day of
APRIL 1975

Failure to remedy the conditions aforesaid and to comply with the applicable provisions of law may constitute an offense punishable by fine or imprisonment or both.

Howard R. Covert
Superintendent of Buildings

5x4 - 20 sq ft
3x6 $\frac{18}{38}$ - one base
76 total