

ZB# 89-37

Thomas Karnavezos

32-2-10.1

#89-37- Karnavezos, Thomas - lot area

Rollins

July 10, 1989

Small
116

Public Hearing
Aug. 14, 1989.

Notice to
Sentinel

on 7/17/89.

Lat. Collect fee
\$25.00

Area Variance
Granted
8/14/89.

General Receipt

10811

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

Aug. 15 19 89

Received of

Thomas Hernandez

\$ 25⁰⁰/₁₀₀

Twenty Five and ⁰⁰/₁₀₀

DOLLARS

For

Young Board Fee - 89-37

DISTRIBUTION:

FUND	CODE	AMOUNT
Check # 380		25.00

By

Pauline J. Tammery

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

Oxford[®]

ESSELTE

MADE IN U.S.A.

NO. 753

NEW WINDSOR ZONING BOARD OF APPEALS

-----x

In the Matter of the Application of
THOMAS N. KARNAVEZOS

DECISION GRANTING
AREA VARIANCE

#89-37.

-----x

WHEREAS, THOMAS N. KARNAVEZOS, residing at 1 Horizons Drive, Newburgh, N. Y. 12550, has made application before the Zoning Board of Appeals for a 7,797 s.f. lot area variance to construct a single-family residence on Mt. Airy Road in an R-3 zone; and

WHEREAS, a public hearing was held on the 14th day of August, 1989 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant, appeared in behalf of himself; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings 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 shows that applicant is seeking permission to vary the bulk regulations with regard to lot area in order to construct a single-family residence.

3. The evidence shows that the minimum lot area applicable to this lot was increased subsequent to the date this lot was subdivided and thus a lot which was conforming under prior law was rendered nonconforming under present law.

4. The evidence presented by Applicant substantiated the fact that a variance for less than the allowable lot area would be required in order to allow the construction of a single-family residence which otherwise conforms to the bulk regulations contained in the R-3 zone and rejection of same would cause practical difficulty to Applicant since the relief sought by Applicant is not substantial in relation to the required bulk regulations.

5. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

6. The requested variance will produce no effect on the population density or governmental facilities.

7. That there is no other feasible method available to Applicant which can produce the necessary results other than the variance procedure.

8. The interest of justice would be served by allowing the the granting of the requested variance.

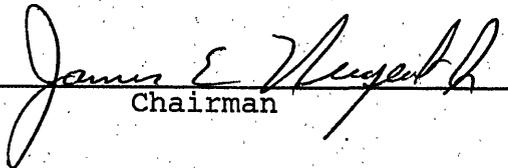
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 7,787 sq. ft. lot area variance sought by Applicant in accordance with plan 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: September 11, 1989.


Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

(21)

July 13, 1989

Thomas & Andrea Karnavezos
124 Mt. Airy Road
New Windsor, N.Y. 12550

Re: Tax Map 32-2-10.1 Variance List 500 Ft.

Dear Mr. Karnavezos:

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

The charge for this service is \$35.00 minus your deposit of \$25.00.

Please remit same to the Town Clerk, Town of New Windsor, N.Y.

Very truly yours,

Leslie Cook (L)

LESLIE COOK
Sole Assessor

LC/kaf
Attachments



1. Herbert Mason & Barbara Mason Wolf
110 Mt. Airy Road
New Windsor, N.Y. 12550

2. Sophia & Peter Karnavezos
124 Mt. Airy Road
New Windsor, N.Y. 12550

3. Anne Fayo
134 Mt. Airy Road
New Windsor, N. Y. 12550

4. Pierre P Belle III
131 B Mt. Airy Road
New Windsor, N.Y. 12550

5. Silver Stream, Inc.
614 Little Britain Rd.
New Windsor, N.Y. 12550

6. Manager, City of New York, DEP
Bureau of Water Supply
Office of Water Supply Lands (OWSL)
P.O.Box 66
Valhalla, N.Y. 10595

7. Frances Roth &
Michael J. Sullivan
389 Moores Hill Road
New Windsor, N.Y. 12550

8. Anna & Frank Vesely
R D 2 Moores Hill Road
New Windsor, N.Y. 12550

9. Elizabeth & Louis De Rosa
147 Mt. Airy Road
New Windsor, N.Y. 12550

10. Nancy & Andrew Faitak
142 Mt. Airy Road
New Windsor, N.Y. 12550

11. Mary C. & Salavatore R. Fusco
140 Mt. Airy Road
New Windsor, N.Y. 12550

12. Lillian & Michael De Rosa
RD 2, Box 239
MT. Airy Road
New Windsor, N.Y. 12550

13. Mary & James J. Garofolo
12 Elizabeth Lane
New Windsor, N.Y. 12550

14. Patricia & Albert Domalavage
14 Elizabeth Lane
New Windsor, N.Y. 12550

15. Eileen B. & Rickie Yankow
16 Elizabeth Lane
New Windsor, N.Y. 12550

16. Abbie & William Zerillo
7 Elizabeth Lane
New Windsor, N.Y. 12550

17. Carol A. Owens
18 Elizabeth Lane
New Windsor, N.Y. 12550

18. Ida G. & Frank D. Pacione
MD 36, 129 Mt. Airy Road
New Windsor, N.Y. 12550

19. Coleen M. & Mark A. Storms
131 Mt. Airy Road
New Windsor, N.Y. 12550

20. Winthrop D. Johns
9 Elizabeth Lane
New Windsor, N.Y. 12550

21. Colleen B. & Gregory A. Morris
11 Elizabeth Lane
New Windsor, N.Y. 12550

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

89-37.

Date: July 11, 1989

I. Applicant Information:

- (a) Thomas N. KARNAVEZOS, 1 FAR Horizons Dr. Newburgh, 565-9228
(Name, address and phone of Applicant) (Owner)
- (b) N/A
(Name, address and phone of purchaser or lessee)
- (c) George Struder, 388 Broadway, Newburgh, 561-8000
(Name, address and phone of attorney)
- (d) N/A
(Name, address and phone of broker)

II. Application type:

- Use Variance Sign Variance
- Area Variance Interpretation

III. Property Information:

- (a) B-3 Mt. Airy Rd. 32-2-10.1 24,883
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 3/6/89
- (e) Has property been subdivided previously? Yes When? Aug 10, 1977
- (f) Has property been subject of variance or special permit previously? NO When? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A

IV. Use Variance: N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____

- (b) ^{N/A.} The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. C.

Requirements	Proposed or Available	Variance Request
Min. Lot Area	<u>32,670 sq ft</u>	<u>24,883 sq ft</u>
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	<u>1</u>	<u>1</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*	<u>%</u>	<u>%</u>
Floor Area Ratio**		

* Residential Districts only
 ** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

Land was given to us as a gift from family at no cost to allow money for purchase of this time of extremely high land prices it would create a grave hardship for us if this variance is not approved.

VI. Sign Variance: N/A

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	<u>sq. ft.</u>	<u>sq. ft.</u>	<u>sq. ft.</u>

- (b) ^{N/A} Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) ^{N/A} What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: ^{N/A}

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

- (b) Describe in detail the proposal before the Board:

VIII. 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, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

at present this parcel of land is undeveloped. We will provide this property with aesthetic setting and a beautiful house included will be trees, landscaping, paving & lighting.

IX. Attachments required: ✓

- ✓ Copy of letter of referral from Bldg./Zoning Inspector.
- ✓ Copy of tax map showing adjacent properties.
- ✓ Copy of contract of sale, lease or franchise agreement.
- ✓ Copy(ies) 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.
- ^{n/a} Copy(ies) of sign(s) with dimensions.
- ✓ Check in the amount of \$ 25.00 payable to TOWN OF NEW WINDSOR.
- ✓ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 14 July 1989

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 knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Thomas Karnavejs
(Applicant)

Sworn to before me this

14th day of July, 1989.
Patricia A. Barnhart PATRICIA A. BARNHART
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 1989.

XI. ZBA Action:

- (a) Public Hearing date _____.
- (b) Variance is _____.
Special Permit is _____.
- (c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Prelim.

*July 10, 1986.
7:30 p.m.*

89-37.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

FILE NUMBER 89-28

TO; Thomas Karnavezos
1 Far Horizons Dr
Newburgh, N.Y.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED No Date,

FOR PERMIT TO Construct single family house

AT Mt. Airy Rd. approximatly 1600' south of Rt 207

IS DISSAPROVED ON THE FOLLOWING GROUNDS Insufficient land area.

Zone R-3

REQUIREMENTS	PROPOSED	VARIANCE
Area 32,670 sq'	24,883 sq'	7787 sq'

Call Pat Barnhart (565-8550) to set up appointment

Bob Tuller
BUILDING INSPECTOR

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

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.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 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 IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
- 5-INSULATION.
- 6-PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME.
- 7-DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR.
- 8-\$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
- 9-PERMIT NUMBER MUST BE CALLED IN WITH EACH 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-SPETIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
- 13-ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.

Name of Owner of Premises THOMAS & ANDREA KARNAVEZOS

Address 1 FAR HORIZONS DRIVE NEWBURGH Phone (914) 565-9228

Name of Architect PAUL V CUOMO

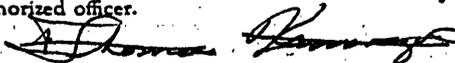
Address 478 UNION AVE NEW WINDSOR NY Phone 561-0448

Name of Contractor THOMAS KARNAVEZOS

Address 1 FAR HORIZONS DR NEWBURGH Phone 565-9228

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

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 WEST side of MT AIRY RD
(N. S. E. or W.)

and feet from the intersection of

2. Zone or use district in which premises are situated R-3

3. Tax Map description of property: Section 32 Block 2 Lot 10.1

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 1-family house

5. Nature of work (check which applicable): New Building Addition Alteration Repair Removal

Demolition Other

WORK AND DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

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Address 478 UNION AVE NEW WINDSOR NY Phone 561-0448

Name of Contractor THOMAS KARNAVEZOS

Address 1 FAR HORIZONS DR NEWBURGH Phone 565-9228

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

If applicant is a corporation, signature of duly authorized officer.

[Signature]

(Name and title of corporate officer)

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(N. S. E. or W.)
- andfeet from the intersection of.....
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3. Tax Map description of property: Section 32 Block 2 Lot 10.1
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 1-family house
5. Nature of work (check which applicable): New Building Addition..... Alteration..... Repair..... Removal..... Demolition..... Other.....
6. Size of lot: Front 170 Rear..... Depth 275 Front Yard..... Rear Yard..... Side Yard.....
Is this a corner lot? No
7. Dimensions of entire new construction: Front 56 Rear 56 Depth 30 Height 30 Number of stories 2
8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....
Number of bedrooms 3 Baths 2 Toilets 2
Heating Plant: Gas..... Oil Electric...../Hot Air..... Hot Water
If Garage, number of cars 2
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....
10. Estimated cost \$45,000.00 Fee.....
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

CASE DIG # 1500284

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office Of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer -
Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate 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.

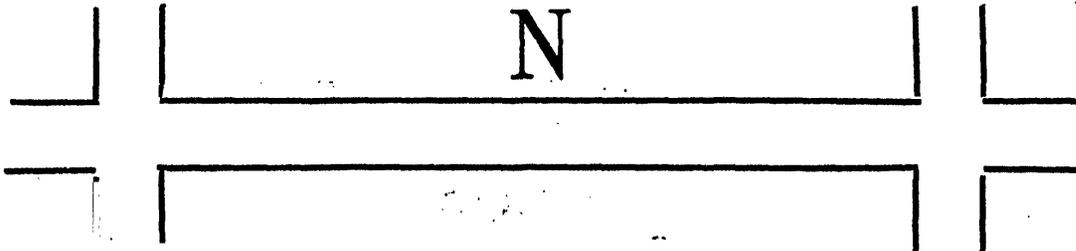
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein 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.

Thomas Karmavejos
.....
(Signature of Applicant)

1 Free Horizons Dr.
.....
(Address of Applicant)
NEWBURGH, N.Y. 12550

Andrea R. Karmavejos
.....
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.



Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT
Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

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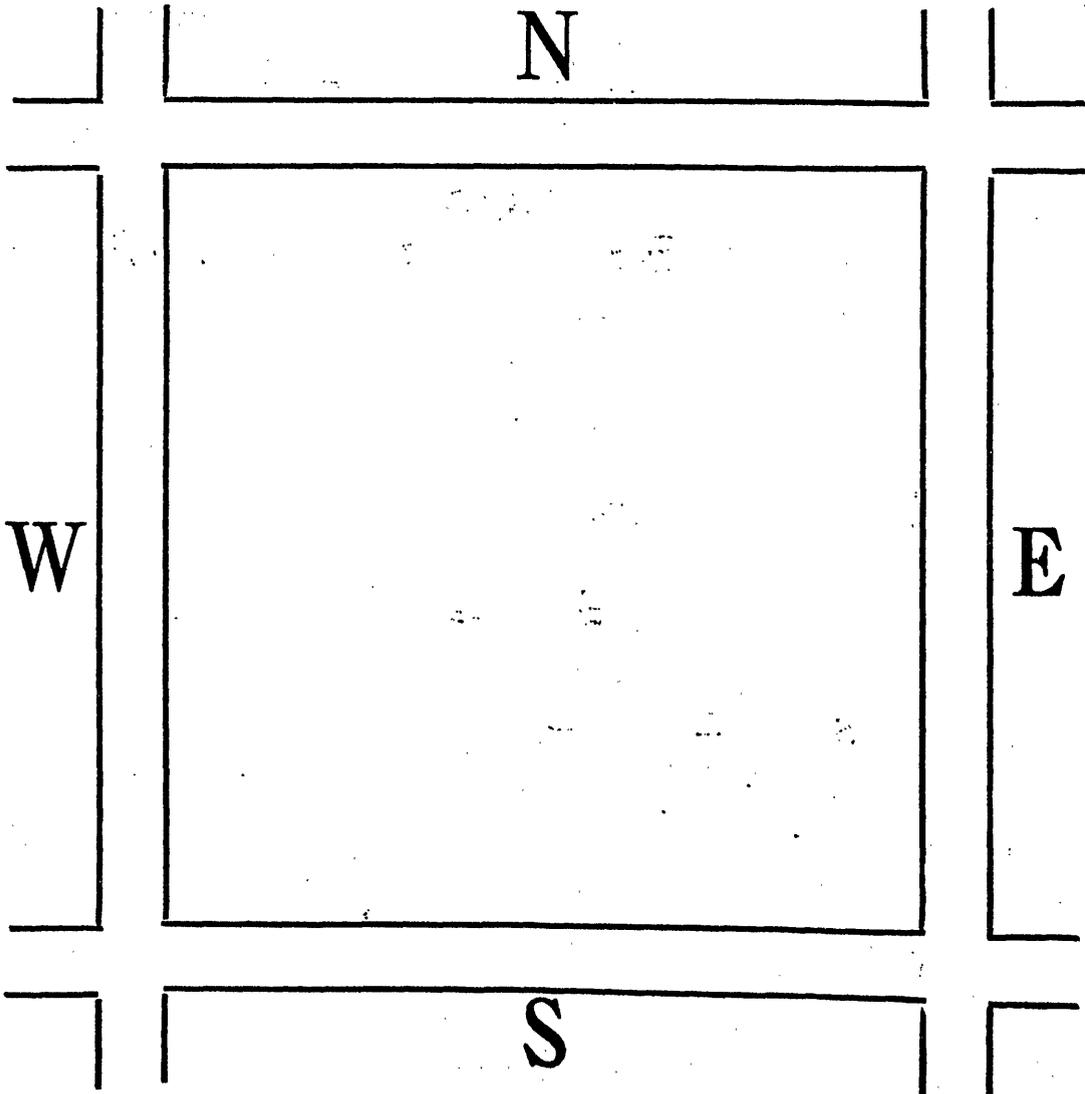
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Thomas Karavayev
.....
(Signature of Applicant)

1 Fine Horizons Dr.
.....
(Address of Applicant)
NEWBURGH, N.Y. 12550

Andrea K. Karavayev
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.



MAG. NORTH
-15/77

SO Hill
RD

Zoning?
30.7
3-1-3

SECT

N.Y.C. WATER SUPPLY - AQUEDUCT

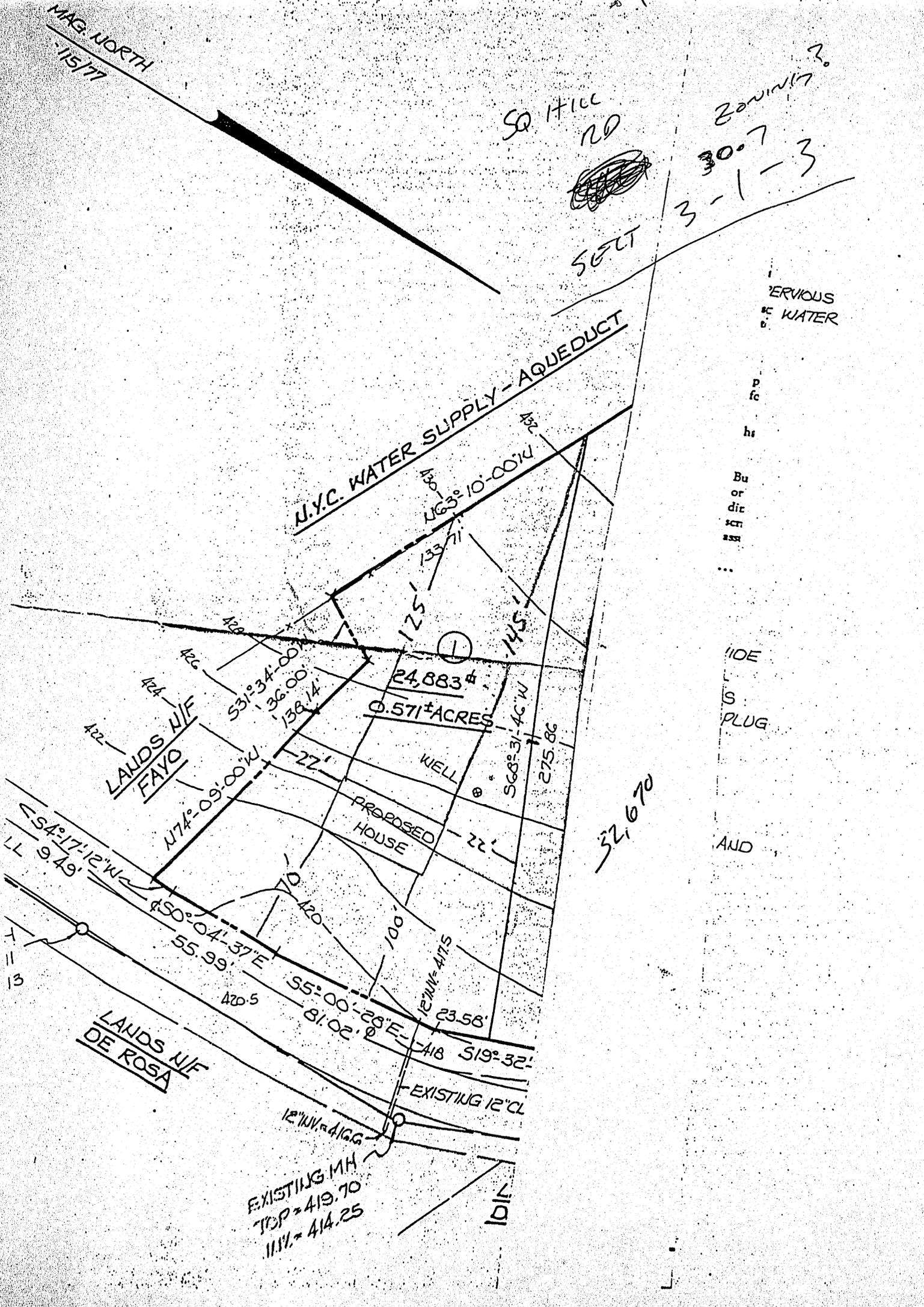
ERVIOUS
WATER

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IDE
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PLUG

AND

32,670



Notice mailed
to Sentinel on 7/17/89. (PHS)

PUBLIC NOTICE OF HEARING BEFORE
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. 37

Request of THOMAS & ANDREA KARNAVEZOS

for a VARIANCE of

the regulations of the Zoning Local Law to

permit CONSTRUCTION OF SINGLE FAMILY HOME WITH

INSUFFICIENT LOT AREA.

being a VARIANCE of

Section 48-12, TABLE OF USE/BULK, REGS COL C

for property situated as follows:

WEST SIDE OF MT. AIRY RD. TOWN OF NEW WINDSOR, NY

KNOWN AND DESIGNATED AS TAX MAP SECTION 32, BLOCK 2,

LOT 10.1

SAID HEARING will take place on the 14 day of
AUGUST, 1989, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

James Nugent
Chairman