

**ZB# 86-28**

**Nadine & Roger Bechle**

**55-1-96.2**

86-28 - Bechle, Nadine + Roger - Fence

Relem.  
8/11/86.

Public Hearing  
9/8/86.

8/21/86. - Sentinel on

Fence -  
Varmed  
Granted  
9/8/86.

# General Receipt

8050

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, N. Y. 12550

September 8, 1986

Received of Roger P. Beckle \$ 25.00

Twenty-Five and 00/100 DOLLARS

For Application for Variance Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
CB# 782		25.00

By Pauline J. Tocoy

Town Clerk

Title

NEW WINDSOR ZONING BOARD OF APPEALS

-----x  
In the Matter of the Application of  
NADINE BECHLE and ROGER BECHLE

DECISION GRANTING  
AREA VARIANCE

#86-28.  
-----x

WHEREAS, NADINE BECHLE and ROGER BECHLE, Beattie Road, Washingtonville, N. Y. 10992, have made application before the Zoning Board of Appeals for a variance to place a fence 20 ft. off property line at the above location in an R-3 zone;

WHEREAS, a public hearing was held on the 8th day of September, 1986 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant BECHLE represented herself; and

WHEREAS, the application was unopposed;

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact 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 construct a fence 20 ft. off the property line in order to keep a single horse on premises in accordance with the permitted accessory use portion of the bulk regulations.

3. The evidence presented by the applicant substantiated the fact that practical difficulty would be encountered if the applicant was denied the variance since applicant would have to continue to board horse at a stable.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty if the variance requested is not granted due to the fact that if the bulk requirements were followed to the letter, the applicant would have to place the fence 75 ft. off the property line of property.

2. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood which is residential in nature.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a variance to allow a fence to be placed 20 ft. off the property line of Applicant BECHLE in accordance with plans submitted 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 22, 1986.

  
Chairman.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

September 9, 1986

Mr. and Mrs. Roger Bechle  
Beattie Road  
Washingtonville, N. Y. 10992

RE: APPLICATION FOR AREA VARIANCE FOR FENCE  
#86-28

Dear Nadine and Roger:

This is to confirm that a public hearing was held regarding the above-entitled application before the Zoning Board of Appeals. The Board voted to grant the above request for an area variance for a fence. This decision was made at the September 8, 1986 meeting.

Formal decision will be drafted at a later date and acted upon by the Board. You will be receiving a copy by return mail.

Best regards.

Very truly yours,

PATRICIA DELIO  
Secretary to Zoning Bd. of Appeals

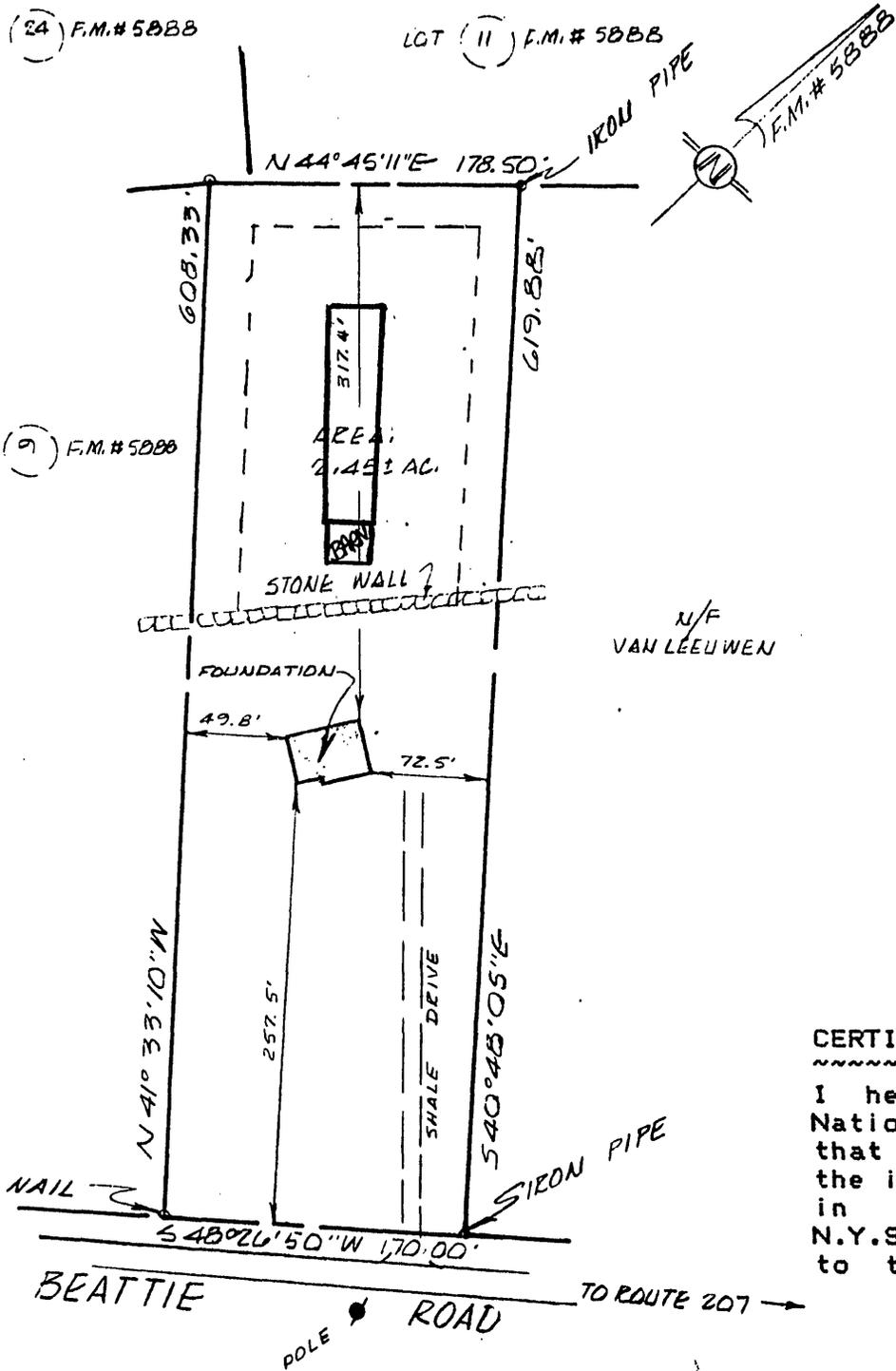
/pd

cc: Town Building Inspector  
Planning Board

LOT (24) F.M.# 5888

LOT (11) F.M.# 5888

LOT (9) F.M.# 5888



N/F  
VAN LEEUWEN

CERTIFICATI

I hereby c  
National B  
that this  
the indicat  
in accorc  
N.Y.S. Assc  
to the bes

Prelim. Pat  
Aug. 11, 1986

86-28-

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TOWN OF NEW WINDSOR  
ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. ....  
Date ..... 7/10 ..... 1986.  
To *Nadine + Roger*  
*Mrs. MRS. Beahle*  
*Beattie Rd* ..... 496-6048  
*New Windsor N.Y.*

PLEASE TAKE NOTICE that your application dated ..... 7/10 ..... 1986.  
for permit to *Fence in yard for horse - 20 ft off property line*  
at the premises located at *M. R-3 Zone - Beattie Rd.*

is returned herewith and disapproved on the following grounds:

*Permitted Accessory Use, Table of Use Regulations*  
*Fence has to be 75 ft off property line*

*John Finnegan* Asst. Zoning Inspector  
Building Inspector

Requirements	Proposed or Available	Variance Request
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Rear Front Yd	_____	_____

ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. .... *Nadine & Roger* ..... Date ..... *7/10* ....., 19*86* .....

To *Mrs. Mrs. Bechle* .....

*Beattie Rd* ..... *496-6048* .....

*New Windsor N.Y.* .....

PLEASE TAKE NOTICE that your application dated ..... *7/10* ....., 19*86* .....

for permit to *Fence in yard for horse - 20 ft off property line*

at the premises located at *R-3 Zone - Beattie Rd.* .....

is returned herewith and disapproved on the following grounds:

*Permitted Accessory Use, Table of Use Regulations*

*Fence has to be 75 ft off property line*

*John Fenegan* Asst. Zoning Inspector  
Building Inspector

Requirements	Proposed or Available	Variance Request
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Reqd. Front Yd.	_____	_____
Reqd. Side Yd.	<i>1</i>	<i>1</i>
Reqd. Rear Yd.	_____	_____
Reqd. Street Frontage*	_____	_____
Max. Bldg. Hgt.	_____	_____
Min. Floor Area*	_____	_____
Dev. Coverage* %	_____ %	_____ %
Floor Area Ratio**	_____	_____

\* Residential Districts only  
\*\* Non-residential districts only

Name of Owner of Premises Nadine & Roger Bechle  
Address Beattie Rd, Washingtonville, NY Phone 496-6048  
(New Windsor, NY)

Name of Architect.....  
Address..... Phone .....

Name of Contractor.....  
Address..... Phone .....

State whether applicant is owner, lessee, agent, architect, engineer or 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 N.W side of Beattie Rd  
(N, S, E or W.)  
and 7000' feet from the intersection of Rt 207

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

3. Tax Map description of property: Section 55 Block 1 Lot 96.2

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:  
a. Existing use and occupancy 1 Family Dwel b. Intended use and occupancy fence in the back for a horse

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

6. Size of lot: Front 170 Rear 179 Depth 619 Front Yard..... Rear Yard..... Side Yard.....  
Is this a corner lot?.....

7. Dimensions of entire new construction: Front..... Rear..... Depth..... Height..... Number 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 400.00 Fee 20.00  
(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.

**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.

Address ..... Phone .....

State whether applicant is owner, lessee, agent, architect, engineer or 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 N.W. side of Beattie Rd. and 7000' feet from the intersection of Rt 307

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

3. Tax Map description of property: Section 55 Block 1 Lot 96.2

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction: a. Existing use and occupancy 1 Family Dwell b. Intended use and occupancy fence in the back of a horse

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

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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—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.
6—Driveway inspection must meet approval of town Highway Inspector.
7—\$20.00 charge for any site that calls for the same inspection twice.

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... *July 10* ...19... *86* .....

INSTRUCTIONS

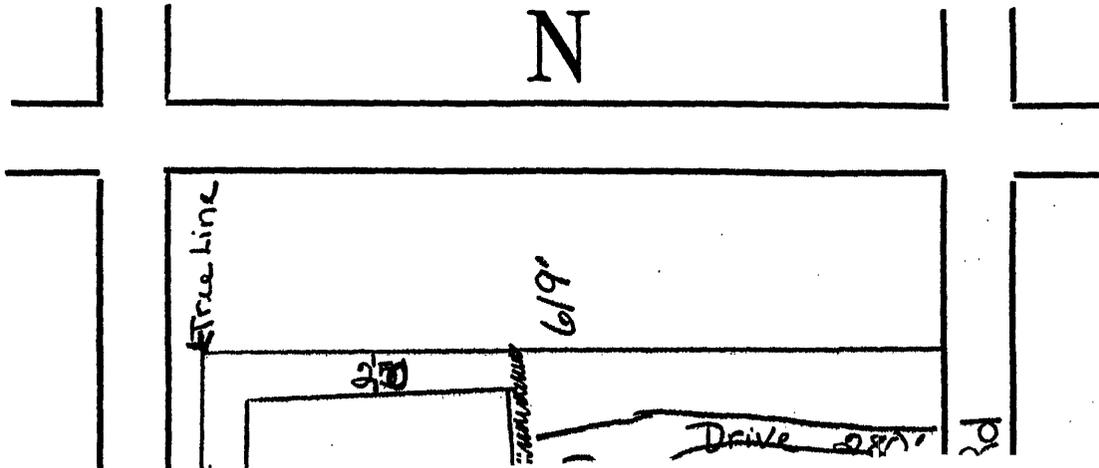
- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout 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.

..... *Nadine L. Bechle* ..... *Beattie Rd, Washingtonville, N.Y* .....  
(Signature of Applicant) (Address of Applicant)

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.....

Pursuant to New York State Building Code and Town Ordinances

Date... July 10 1986

INSTRUCTIONS

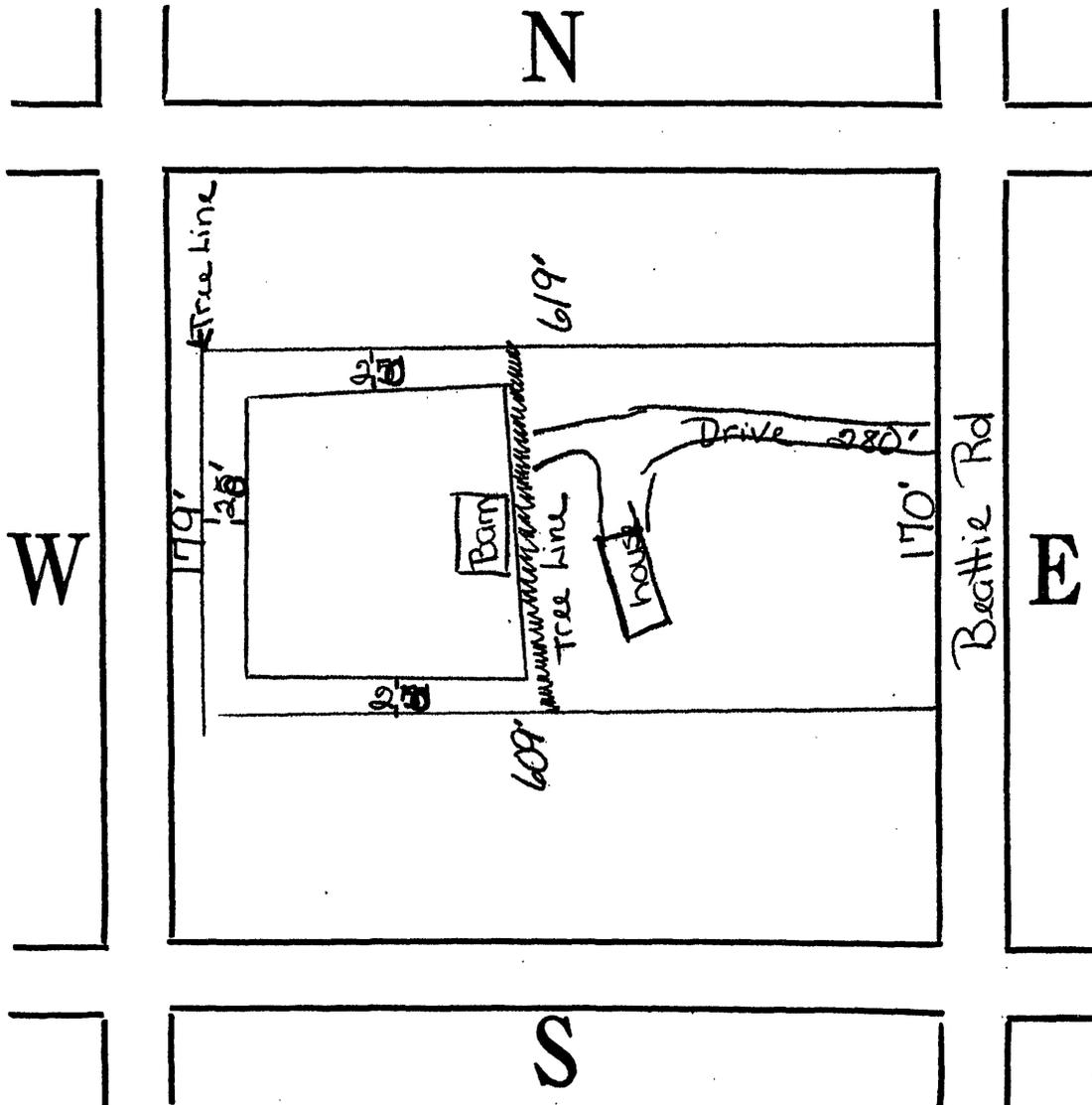
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Nadine L. Bechler ..... Beattie Rd, Washingtonville, NY  
(Signature of Applicant) ..... (Address of Applicant)

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.



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# B6-28

Date: Aug 21, 1986

I. Applicant Information:

- (a) Nadine & Roger Bechle, Beattie Road, Washingtonville, N.Y. ← mailing  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- Use Variance  Sign Variance
- Area Variance  Special Permit

III. Property Information:

- (a) R-3 Beattie Rd., New Windsor, N.Y. 2.45 ac.  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.?
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? May 1984
- (e) Has property been subdivided previously? No When? \_\_\_\_\_
- (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: NA

IV. Use Variance:

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

(b) 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.

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V.  Area variance:

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

*Variance for fence 20ft. off property line.*

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
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>	<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.

*I have owned my horse for the past 10 years and for 8 of that 10 she has been stabled with my family. I presently have her with someone in Cornwall where she was only suppose to spend 1 year (in July it was 2 years). In checking the area stables I have found that many are asking \$250.00 per month board which we cannot afford.*

VI. ~~Sign Variance:~~

~~(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	_____ sq. ft.	_____ sq. ft.	_____ sq. ft.

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

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

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VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.
- (b) Describe in detail the use and structures proposed for the special permit.

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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.)

We will maintain a thick brush between the property line and the fence as a safeguard as well as to allow the fence to blend in with landscape. The fence will be 4" square galvanized steel and will be pulled tight to cedar posts.

IX. Attachments required:

- Copy of letter of referral from Bldg./Zoning Inspector.
- Copy of tax map showing adjacent properties.
- N/A 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 8/21/86

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.

x. Nadine L. Beckle  
(Applicant)

Sworn to before me this

21st day of Aug, 1986.

Patricia Delio

PATRICIA DELIO  
NOTARY PUBLIC, State of New York  
No. 5970775  
Qualified in Orange County  
Commission Expires March 30, 1987.

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

148

August 14, 1986

Re: 55-1-96.2

Dear Mrs. Bechle:

According to my 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. Please remit the same to the Town Clerk, Town of New Windsor.

Very truly yours,

CHRISTIAN E. JAHRLING IAO  
Sole Assessor

Jezik Henry J & Beth A  
Beattie Rd  
Washingtonville NY 10992

Finnegan Jean M  
& Santacroce Lorraine  
26 Richman Ave  
Newburgh NY 12550

Gilmartin Brian G  
& Linda R  
RD1 Box 633  
Campbell Hall NY 10916

Van Leeuwen Henry B & Elizabeth A  
Beattie Rd  
Rock Tavern NY 12575

Hobbs Harry G  
30 East Chester Rd  
New Rochelle NY 10801

Averso Joseph & Linda Tamburo  
Apt 94 10 Steven Rd  
Wallington NJ 07055

Rudden Lawrence W & Katherine F  
41 Lincoln Dale Acres  
Washingtonville NY 10992

Vella Raymond M  
34 Cayuga Street  
Trumansburg NY 14886

Wojnicki Stanley & Valerie  
RD2 Box 105  
Montgomery NY 12549

Sullivan Raymond & Loretta T  
Beattie Rd  
Rock Tavern NY 12575

Mowbray Darlene & John E  
Beattie Rd  
Rock Tavern NY 12575

Polman Jan & Alice  
Beattie Rd  
Rock Tavern NY 12575

Smith Lois & Hugh  
MacLean Dr  
Rock Tavern NY 12575

Durney Thomas Jr, Joseph  
& Heather  
2435 Lyvere St  
Bronx NY 10461

Prosser Robert H & Darlene K  
MacLean Dr  
Rock Tavern NY 12575

Cuozzo John F & Jane M  
MacLean Dr  
Rock Tavern NY 12575

Reichhard Robert E & Marjorie  
McLean Dr  
Rock Tavern NY 12575

Ofeldt Richard E & Joyce M  
RD1 MacLean Dr  
Rock Tavern NY 12575

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
TOWN BUILDING/ZONING INSPECTOR BABCOCK

FROM: ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARING BEFORE THE ZBA - 9/8/86

DATE: August 22, 1986

Please be advised that the following public hearings will be heard before the Zoning Board of Appeals on the above date:

KOLLER, JANET & KARL - Area Variances;

KAHN, BERNARD - Area variances;  
(Applications previously submitted)

APOLLO LAND DEVELOPERS - Use & area Variances;

SORBELLO, VINCENT/LOCK, JOHN - Area variance;

BECHLE, NADINE & ROGER - Area variance.

I have attached hereto copies of the pertinent applications together with public hearing notices which were published in The Sentinel.

Patricia Delio, Secretary  
Zoning Board of Appeals

/pd

Attachments

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. 28

Request of NADINE and ROGER BECHLE

for a VARIANCE ~~SPECIAL PERMIT~~ of

the regulations of the Zoning Ordinance to

permit fence 20 ft. off property line

for maintaining of horse,

being a VARIANCE ~~SPECIAL PERMIT~~ of

Section 48-12 - Table of Bulk/Use Regs.-Col. M

for property situated as follows:

Beattie Road, New Windsor, N. Y. known

and designated as Tax Lot Section 55, Block 1,

Lot 96.2.

SAID HEARING will take place on the 8th day of September, 1986, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 7:30 o'clock P. M.

JACK BABCOCK  

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Chairman