

ZB# 77-17

John & Carmen Bruckner

57-2-63

Bruckner, John + Carmen. - # 77-17

# 77-17

Public Hearing -  
June 27th - 8:30 -

See do VMT - 6/28/77 pr.

Decision - Done

57-1-63

GENERAL RECEIPT

3311

Town of New Windsor, N. Y.

June 30, 1977

Received of John + Carmey Bruckner \$ 25.00  
Twenty-five and 00/100 Dollars

For Variance Fee #32 - (177-17)

DISTRIBUTION:

FUND	CODE	AMOUNT
25.00		

BY Charlotte Maudsini

TITLE

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

77-17  
(Number)

6/15/77  
(Date)

I. Applicant information:

- (a) JOHN AND CARMEN BRUCKNER, Lakeside Drive, Beaver Dam Lake  
(Name, address and phone of Applicant) 496-7826
- (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
- Area variance
- Sign variance
- Special permit

✓ III. Property information:

- (a) R-4 Lakeside Road, Beaver Dam 57-2.63 .48 acres  
(Zone) (Address) (M 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? -
- (d) When was property purchased by present owner? Jan. 1974
- (e) Has property been subdivided previously? - 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? -. If so, when \_\_\_\_\_

77-17.  
(Number)

6/15/77  
(Date)

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(Name, address and phone of Applicant) 496-7826
- (b) -  
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- (c) Is a pending sale or lease subject to ZBA approval of this application? -
- (d) When was property purchased by present owner? Jan. 1974
- (e) Has property been subdivided previously? - 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? -. If so, when -.
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IV. Use variance:

(a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_, to allow

(Describe proposed use)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table Blk. Regs. Column 7

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>/</u>	<u>/</u>	<u>4 ft./</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

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

(Describe proposed use)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

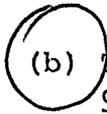
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(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table Blk. Regs. Column 7

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>1</u> _____	<u>1</u> _____	4 ft. <u>1</u> _____
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
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.

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_



VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

Table with 4 columns: Sign, Requirements, Proposed or Available, Variance Request. Rows for Sign 1-5 and a Total row with sq.ft. units.

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

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

(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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VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/> <hr/>			
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 \_\_\_\_\_, Column \_\_\_\_\_.

(b) Describe in detail the use and structures proposed for the special permit.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IX. Attachments required:

\_\_\_ Copy of letter of referral from Building and Zoning Inspector.

\_\_\_ Copy of contract of sale, lease or franchise agreement.

\_\_\_ Copy of tax map showing adjacent properties

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.

\_\_\_ Copy(ies) of sign(s) with dimensions.

\_\_\_ Check in amount of \$ 26.00 payable to Town of New Windsor.

Photos of existing premises which show \_\_\_\_\_

(b) Describe in detail the use and structures proposed for the special permit.

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(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.)

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- Copy of letter of referral from Building and Zoning Inspector.
  - Copy of contract of sale, lease or franchise agreement.
  - Copy of tax map showing adjacent properties
  - 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.
  - Copy(ies) of sign(s) with dimensions.
  - Check in amount of \$ 25.00 payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.  
All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
- Other

(Official Use Only)

X. AFFIDAVIT.

Date 6/14/77

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.

John F. Bruckner  
(Applicant)

Sworn to before me this

14th day of June, 1977  
Patricia Hazansky  
PATRICIA HAZANSKY  
Notary Public, State of N.Y.  
No. 5870775  
Appointed in Orange County,  
Term Expires Mar 30, 1978

XI. ZBA Action:

- (a) Public Hearing date \_\_\_\_\_
- (b) Variance is \_\_\_\_\_
- (c) Special Permit is \_\_\_\_\_
- (c) Conditions and safeguards \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY RESO-  
LUTION OF ZONING BOARD OF APPEALS.

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- (a) Public Hearing date \_\_\_\_\_
- (b) Variance is \_\_\_\_\_
- (c) Special Permit is \_\_\_\_\_
- (c) Conditions and safeguards \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY RESO-  
LUTION OF ZONING BOARD OF APPEALS.

555 Union Avenue  
New Windsor, N. Y. 12550  
June 28, 1977

Mr. and Mrs. John Bruckner  
Lakeside Drive  
R. D. #4  
Beaver Dam Lake  
New Windsor, N. Y. 12550

RE: APPLICATION FOR SIDEYARD VARIANCE #77-17

Dear Mr. and Mrs. Bruckner:

This is to confirm that your application for 4 ft. sideyard variance before the Zoning Board of Appeals was granted at the June 27, 1977 meeting.

Formal decision will be drafted in the near future and acted upon by the Board. You will be furnished with a copy of same.

Thank you.

Very truly yours,

PATRICIA RAZANSKY, Secretary

/pr

cc: Chairman - Town Planning Board

Howard Collett - Bldg./Zoning Inspector  
Town of New Windsor



LAKE SIDE DRIVE

VASCCELLO ROAD

Section 57, Blk 1, Lot 65.22  
 Vincent & Mary Lawrence  
 Lb 1392, Pg 218  
 N 11° 14' 00" E  
 15 00'

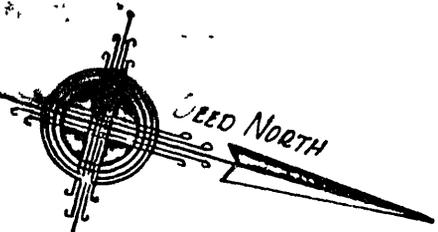
Section 57, Blk 1, Lot 64  
 N/F Prop of  
 A & V. Loughran  
 Lb 1571, Pg 186

Section 57, Blk 2, Lot 63

Block 1, Lot 61, N/F Property of  
 Gazzola & Others, Lb 2002, Pg 445

Sect 57, Blk 1  
 Lot 65.21  
 N/F Prop  
 Vincent Lawrence  
 Lb 1392, Pg 218

Lot on 57  
 Raymond



REF: Survey of Lands of V.L. & M.A. Lawrence		LOT	BLOCK
		MAP NO 3491	FILED June 27, 1975
UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 (2), OF THE NEW YORK STATE EDUCATION LAW. Copies of this survey map not bearing the Land Surveyors embossed seal shall not be considered to be a valid true copy. Certifications indicated hereon shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon. Certifications are not transferable to additional institutions or subsequent owners.		MAP OF PROPERTY FOR	
TO ALL PARTIES IN INTEREST		JOHN & CARMEN BRUCKNER	
		TOWN OF NEW WINDSOR • ORANGE CO.	
		NEW YORK	
CERTIFIED TO BE TRUE AND CORRECT AS SHOWN HEREON		RAIMONDI ASSOCIATES, P.C.	
LIC. NO. 40212		MONROE, N. Y.	Scale 1" = 50'
DATE MARCH 1, 1977			WAYNE, N. J.

REVISED

DWG 77-1127

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR

-----X  
In the Matter of the Application of  
JOHN BRUCKNER and CARMEN BRUCKNER  
Application #77-17.

DECISION GRANTING  
AREA VARIANCE

-----X  
WHEREAS, JOHN BRUCKNER and CARMEN BRUCKNER of Lakeside Drive, R. D. #4  
Beaver Dam Lake, New Windsor, have applied to the Zoning Board of Appeals for an  
area variance to permit the addition to their existing dwelling at the above location;  
and.

WHEREAS, the applicant seeks a 4 ft. side yard variance; and

WHEREAS, a public hearing was held on the 27th day of June, 1977 at  
which time no opposition appeared to the application of John and Carmen Bruckner; and

WHEREAS, notice of the public hearing was duly sent to residences and  
businesses as prescribed by law, and published in The Evening News, also required  
by law; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes  
the following findings of fact in this matter:

1. The proposed 4 ft. sideyard variance would not affect the general  
character of the neighborhood.
2. The proposed addition will be attractive and will enhance the  
surrounding area.

WHEREAS, the Zoning Board of Appeals makes the following determinations  
of law in this matter.

1. The variance sought is not substantial in relation to the legally  
required side yard.

2. There will be no substantial change in the character of the neighborhood nor a substantial detriment to the adjoining properties.

3. The proposed variance would have no affect on the governmental facilities available.

4. There is no feasible method for the applicants to erect the addition to their property other than through a variance.

5. There are no other factors of interest bearing on this matter.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant an area variance as hereinabove requested.

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the applicant, the Town Planning Board and the Town Clerk.

*S/ Theodore Jargstorff*  
THEODORE JARGSTORFF, Chairman

Dated: August 15, 1977.

John & Carmen  
6/27/77 - Bruckner - side yard 8:30

Names	Addresses
Nunn Lawrence Lawrence	406 1st St Beside Dr - 1st Hawthorn



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

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

June 14, 1977

John & Carmen Bruckner  
RD#4 Lakeside Drive  
New Windsor, N.Y. 12550

RE: 57-1-63

Dear Mr. & Mrs. Bruckner:

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

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

Very truly yours,

A handwritten signature in cursive script that reads 'Ellsworth E. Weyant'.

ELLSWORTH E. WEYANT

Sole Assessor

Town of New Windsor

EEW/pk  
att.



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

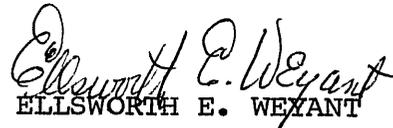
Chairman  
Ellsworth E Weyant  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

- 1793 ✓ Lohner, Richard F. & Nancy K.  
RD#4 Walnut Avenue Ext.  
New Windsor, N.Y. 12550
- ✓ Mycka, Richard A. & Jean  
93 McGuinness Blvd.  
Brooklyn, N.Y. 11222
- ✓ Turk, Sophie & Joseph Jr.  
150 96th street  
Brooklyn, N.Y. 11209
- ✓ Sardullo, Wayne & Venezia, Robert  
RD#4 Beaver Brook Rd.  
New Windsor, N.Y. 12550
- ✓ Gazzola, Raymond; Schiavone, Jos.  
& Theresa  
RD#4 Vascello Road  
New Windsor, N.Y. 12550
- ✓ Gazzola, Raymond  
Schiavone, Theresa  
Tribuzio, Philomena  
RD#4 Lakeside Drive RD#4  
New Windsor, N.Y. 12550
- ✓ Cassisi, Dominick S. Sr. & Camille  
RD#4 Vascello Road  
New Windsor, N.Y. 12550
- ✓ Loughran, Aloysius W. & Katherine M.  
RD#4 Lakeside Drive  
New Windsor, N.Y. 12550
- ✓ The Estate of Anthony Vascello  
RD#4 Lakeside Drive  
New Windsor, N.Y. 12550
- ✓ Lawrence, Vincent & Mary A.  
RD#4 Lakeside Drive  
New Windsor, N.Y. 12550
- ✓ Anderson, George C. & Marie  
RD#4 Lakeside Drive  
New Windsor, N.Y. 12550

✓ Schiavone, Jos. T. & Theresa  
RD#4 Vascello Road  
New Windsor, N.Y. 12550

✓ Smith, Everett W. & Mary  
RD#4 Vascello Road  
New Windsor, N.Y. 12550

Respectfully submitted,

  
ELLSWORTH E. WEYANT  
Sole Assessor  
Town of New Windsor

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 48-33A of the Zoning Ordinance on the following  
proposition:

Appeal No. 17

Request of JOHN AND CARMEN BRUCKNER

for a Variance ~~Special Use Permit~~ of the  
regulations of the Zoning Local Law, to permit

ADDITION TO EXISTING DWELLING

being a Variance ~~Special Use Permit~~ of

Section 48-12 - Table of Bulk Regulations - Col. 7,

for property situated at: Lakeside Road, bounded on the  
south by lands now or formerly of Lawrence, bounded on the  
north by lands now or formerly of Gazzola, Beaver Dam Lake,  
Town of New Windsor, N. Y.

SAID HEARING will take place on the 27th day of June, 1977,

at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.

beginning at 8:30 o'clock P. M.

THEODORE JARGSTOREFF  
Chairman