

**ZB# 67-3**

**DeVoti, Panella &  
Santagada**

**(no SBL given)**

67-3 Parilla, De Vosti &  
Santagada.

Filed 5-31-67

010 1000000000  
Santa Fe

Filed 5-31-69

2: P.M.

Adopted 12/20/65

APPLICATION FOR VARIANCE

APPLICATION NO. \_\_\_\_\_

DATE: May 6 19 67

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

I (w) Primo De Voti of 766 Broadway Newburgh, N.Y.  
(Street & Number)  
Louis A. Santagada 729 Broadway Newburgh, N.Y.  
Emilio Panella Route 94 MD 33 Newburgh, N.Y.  
(State)

APPLICATION FOR A VARIANCE:

- A. LOCATION OF THE PROPERTY Old North Road Adjoining Sun Oil Station  
Route 32 Windsor Highway, G I  
(Street & Number) (Use District on Zoning Map)
- B. PROVISION (S) 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 Do not quote the ordinance: 4813)

- 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: Under G I Zoning the land does not lend itself to a Bulk Storage Use Junk Yards, Manufacturing of Concrete Blocks or Bricks or Automotive Service Station. At present 90% of this area is being used as General Business Zoning. Under G I Zoning this land does not meet the minimum requirement of 40,000 Sq. Ft.
  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: Since this land cannot be used under G I Zoning or General Business Zoning and cannot be used for Residential purposes this condition creates a hardship on the present owners. This parcel was used as a restaurant and Motel for the past 25 years.
  3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance because: This property was used for commercial purposes for the past 25 years.

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

Since this property fronts on a Main Highway with the Big V Shopping area to the rear and the Chester National Bank . Also adjoining this property is the Sun Oil Co. Gas Station recently built

This property cannot be used for G I purposes or residential purposes.

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

All other properties adjoining to rear and front are used for business.

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

E. Application to be accompanied by a check, payable to the Town Comptroller, in the amount of \$10.00. Application to be returned to: New Windsor Zoning Board of Appeals, Box 25, New Windsor, N. Y. 12551

F. NOTICE OF HEARING.

Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the ordinance.

Dated: MAY 6-1967

*Vincent E. Santagada*  
Signature of Applicant

STATE OF NEW YORK  
COUNTY OF ORANGE

SS

Sworn to this 6<sup>th</sup> day of May 1967

*Vincent E. Santagada*  
(Notary Public)

VINCENT E. SANTAGADA  
Notary Public, State of New York  
Qualified in Ulster County

Commission Expires March 1968

M.D. 33 Route 94 NEW WINDSOR  
Address

562-8330  
Telephone No.

DO NOT WRITE IN THIS SPACE

Application No. \_\_\_\_\_  
Date of Hearing May 15, 1967  
Date of Decision May 15, 1967

Date Received May 6, 1967  
Notice Published \_\_\_\_\_

Decision: Variance denied - change allowed from one non-conforming use to another.