

ZB# 02-54

Nea Sum Chin

6-4-18

Prelim.

Sept. 23, 2002

Public Hearing:

Oct. 28, 2002

Granted.

Refund: \$207.50

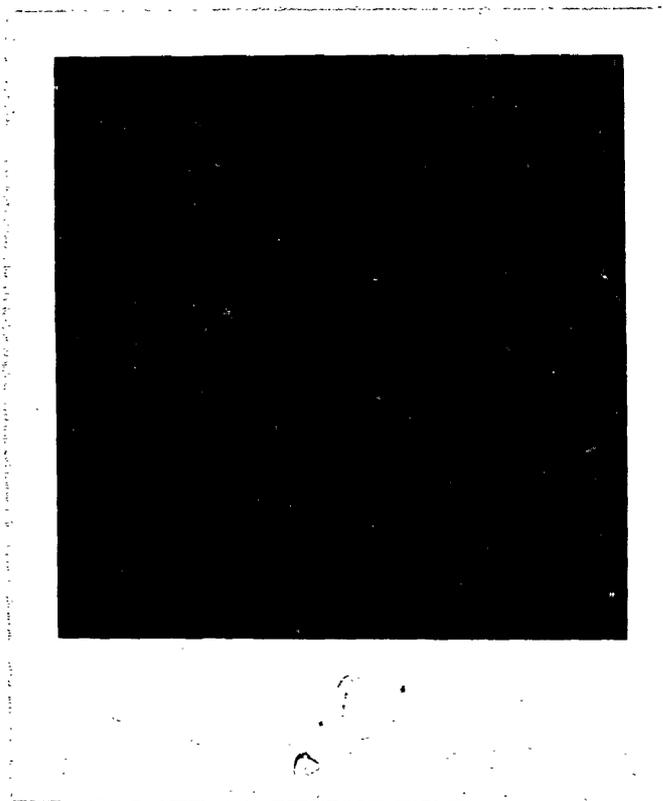
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

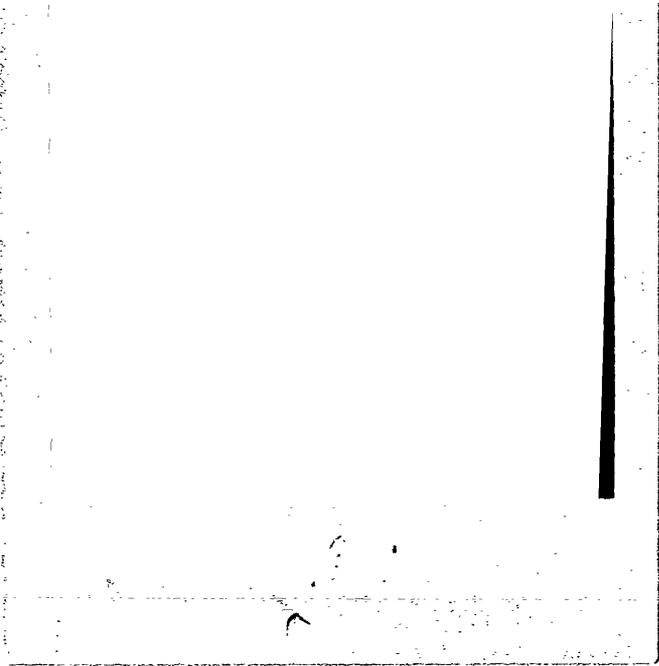
Variances Granted 10/28/02

(Mary) Quee

6-4-18

#02-54 - Chin, Nea Sun





68 on
list

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Chris, Mary

FILE# 02-54

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE ^{9/23...2} \$ 9.00
 2ND PRELIMINARY- PER PAGE ^{10/28/02...3} \$ 13.50
 3RD PRELIMINARY- PER PAGE \$ _____
 PUBLIC HEARING - PER PAGE \$ _____
 PUBLIC HEARING (CONT'D) PER PAGE \$ _____
 TOTAL \$ 22.50

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: ^{9/23} \$ 35.00
 2ND PRELIM. ^{10/28/02} \$ 35.00
 3RD PRELIM. \$ _____
 PUBLIC HEARING. \$ _____
 PUBLIC HEARING (CONT'D) \$ _____
 TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____
 TOTAL \$ 92.50

LESS ESCROW DEPOSIT \$ 300.00
 (ADDL. CHARGES DUE) \$ _____
 REFUND DUE TO APPLICANT .. \$ 207.50

*Paid ck. # 4163
9/27/02.
Paid ck. # 4164.*

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#863-2002

09/27/2002

Chin, Nea Sum #02-54

Received \$ 50.00 for Zoning Board Fees on 09/27/2002. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

January 28, 2003

Nea Sum Chin
21 Clarkview Road
New Windsor, NY 12553

SUBJECT: ZBA #02-54 VARIANCE REQUEST

Dear Ms. Chin:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

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

MEMORANDUM OF
DECISION GRANTING

NEA SUM CHIN

AREA VARIANCES

#02-54
-----X

WHEREAS, NEA SUM CHIN, owners of 21 Clark View Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a 4 ft. 2" side yard variance for existing shed in an r-4 zone; and

WHEREAS, a public hearing was held on the 28th day of October , 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Mary Chin, the applicant's wife, appeared on behalf of this Application; and

WHEREAS, there were two spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application, however, one person did advise the Board in writing of an opinion. This written opinion expressed no opposition to the application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision 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 presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The shed was in existence prior to the time that the present applicant purchased the property.
 - (c) The shed is located on a concrete slab and it would be economically impractical for the applicant to move the shed.

- (d) The shed is similar to other sheds in the neighborhood.
- (e) The applicant has received no complaints, either formal or informal, about the shed.
- (f) The shed does not cause the ponding or collection of water or divert the flow of drainage from the property.
- (g) The shed is not built on top of any water or sewer easements, wells or septic systems.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 4 ft. 2 inch side yard variance for existing shed at 21 Clarkview Road in an R-4 zone as sought by the Applicant in accordance with plans 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: January 14, 2003



Chairman

Date

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth
168 N. Drury Lane DR.
Newburgh, N.Y. 12550
.....

DATE		CLAIMED	ALLOWED
10/25/07	Learning Board Mtg	75 00	
	Misc - 2		
	Post - 3		
	Newman - 3		
	Kremer - 4		
	Monaco - 4		
	Accettura - 3		
	Chin - 3 13.50		
	Yarus - 4	117 00	
	26		
		197 00	

CHIN, NEA SUM

MR. TORLEY: Request for 4.2 ft. side yard variance for existing shed at 21 Clarkview Road in an R-4 zone.

Ms. Mary Chin appeared before the board for this proposal.

MR. TORLEY: Is there anyone in the audience who wishes to speak on this matter? Please let the record show there is none.

MS. CORSETTI: For the record, we sent out 68 notices, there were 68 legal notices that went out to adjacent property owners.

MS. CHIN: I have one reply.

MR. TORLEY: Receive this in the matter of Nea Sum Chin, I don't know who this is from, Francis A. O'Neil who in summary we have absolutely no objection to this shed. Yes, ma'am?

MS. CHIN: I just, here's the picture of the shed and it's 6 feet, it's an existing shed, I would move it but it's just, it's too big, I can't move the shed and so I need a variance of approximately 4 feet so I can keep the shed.

MR. RIVERA: Does it have a foundation?

MS. CHIN: It's on a slab.

MR. TORLEY: So it would be economically infeasible to move the shed?

MS. CHIN: Yeah, unless you guys want to help me move it.

MR. TORLEY: We don't have any deals with chiropractors.

MR. BABCOCK: I understand that the shed was there when you bought this house.

MS. CHIN: Yes.

MR. BABCOCK: That's something that the board should know.

MR. TORLEY: It's a pre-existing shed, do other people in the neighborhood have similar kinds of sheds, not necessarily identical but other people have sheds?

MS. CHIN: Yeah, similar.

MR. TORLEY: Have you had any complaints from your neighbors about the shed?

MS. CHIN: No.

MR. TORLEY: Formal or informal?

MS. CHIN: No.

MR. TORLEY: The shed where it is doesn't cause drainage problems or obstruct traffic views or anything like that?

MS. CHIN: No.

MR. KRIEGER: It's not built over the top of water or sewer easements?

MS. CHIN: No.

MR. RIVERA: Accept a motion?

MR. TORLEY: Not yet. Now, did you have anything you wish to say? I'll open it up to the public. The shed is too close to her property line for the code, she's asking for a variance to let the shed stay where it is. So I'll close the public hearing and open it back to the members of the board.

MR. RIVERA: Accept a motion?

MR. TORLEY: Yes, sir.

MR. RIVERA: I make a motion we grant approval for Miss

October 28, 2002

21

Chin's requested 4.2 foot side variance for the existing shed at 21 Clarkview Road.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. TORLEY	AYE



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

68

September 26, 2002

Nea Sum Chin
21 Clarkview Road
New Windsor, NY 12553

Re: 6-4-18

Dear Ms. Chin:

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

The charge for this service is \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

John McDonald
Acting Assessor

JM/lrd
Attachments

CC: Pat Corsetti, ZBA

**PUBLIC NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR**

RWF.
10/28/02.

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. 54

Request of NEA Sun Chin

for a VARIANCE of the Zoning Local Law to Permit:

existing shed of less than the allowable side yard;

being a VARIANCE of Section 48-14 - Supp. Yard Regs.

for property situated as follows:

21 Clarkview Rd., New Windsor, NY

known and designated as tax map Section 6, Blk. 4 Lot 18

PUBLIC HEARING will take place on the 28th day of October, 2002 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

To NEA Sun Chin: Lawrence Torley
Chairman

We have absolutely no objection to you leaving your shed where it is. We've lived here 45 yrs + no permits or regulations applied as long as it was on your own property. Probably many sheds in this neighborhood should be moved + it seems

a petty & spiteful situation.

Frances A. O'Neil
James H. O'Neil

4-1-12.2
Newburgh Water Supply
City Hall
Newburgh, NY 12550

6-1-1.3
Stephen & Regina Csubak
8 Clarkview Road
New Windsor, NY 12553

6-1-3
Hector & Karen Ann Delgado
10 Clarkview Road
New Windsor, NY 12553

6-1-4
Mark Trevorah
Kelli Restivo
12 Clarkview Road
New Windsor, NY 12553

6-1-5
Robert Bradley & Karen Bruno
Joan March
31 O'Dell Circle
Newburgh, NY 12550

6-1-6
Kenneth & Elizabeth Strongreen
16 Clarkview Road
New Windsor, NY 12553

6-1-7
Albert & Margaret Lusardi
18 Clarkview Road
New Windsor, NY 12553

6-1-8
Willard & Mary Jaime
20 Clarkview Road
New Windsor, NY 12553

6-1-9
James & Frances Lego
22 Clarkview Road
New Windsor, NY 12553

6-1-10
Stacey Gilmore
24 Clarkview Road
New Windsor, NY 12553

6-1-11
John & Ellen Walsh
26 Clarkview Road
New Windsor, NY 12553

6-1-12
Benny & Nancy Almodovar
28 Clarkview Road
New Windsor, NY 12553

6-1-13
Janette Hyzer
30 Clarkview Road
New Windsor, NY 12553

6-1-14
Larry & Clyde Sweney
32 Clarkview Road
New Windsor, NY 12553

6-1-15
Raphael & Carol Van Voorhis
34 Clarkview Road
New Windsor, NY 12553

6-1-18
Philip & Madeline Infante
602 Union Avenue
New Windsor, NY 12553

6-2-2
Paul & Marianne Haarmann
5 Clarkview Road
New Windsor, NY 12553

6-2-3
Richard & Lori Passaro
1 Knox Drive
New Windsor, NY 12553

6-2-4
Todd Doupona
3 Knox Drive
New Windsor, NY 12553

6-2-5
Robert Hennessey
5 Knox Drive
New Windsor, NY 12553

6-3-1
Francis & Lesley Pierri
13 Clarkview Road
New Windsor, NY 12553

6-3-2
Arnold & Beverly Messer
2 Knox Drive
New Windsor, NY 12553

6-3-3
Richard & Suzanne Campora
4 Knox Drive
New Windsor, NY 12553

6-3-4
Vincent & Angelina Russio
6 Knox Drive
New Windsor, NY 12553

6-3-5
Patrick & Patricia Barry
8 Knox Drive
New Windsor, NY 12553

6-3-6
William & Evelyn Rothenbusch
10 Knox Drive
New Windsor, NY 12553

6-3-7
David Dolti
Amanda Stanaway
12 Knox Drive
New Windsor, NY 12553

6-3-10
William & Dorothea Brown
11 Mitchell Lane
New Windsor, NY 12553

6-3-11
Robert & Patricia Merkl
9 Mitchell Lane
New Windsor, NY 12553

6-3-12
Charles R. Shanahan Jr.
11 Mitchell Lane
New Windsor, NY 12553

6-3-13
 Anthony Dirago Jr.
 5 Mitchell Lane
 New Windsor, NY 12553

6-3-14
 Peter Reilly ETAL
 C/o Alice Reilly
 3 Mitchell Lane
 New Windsor, NY 12553

6-3-15
 Joseph Armisto
 Nina Cargain
 1 Mitchell Lane
 New Windsor, NY 12553

6-3-16
 George & Evelyn Roman
 17 Clarkview Road
 New Windsor, NY 12553

6-3-17
 Kathleen Kopchak
 15 Clarkview Road
 New Windsor, NY 12553

6-4-1
 Ismail & Cemaliye Nouri
 19 Clarkview Road
 New Windsor, NY 12553

6-4-2
 Anthony & Angela Oddo
 2 Mitchell Lane
 New Windsor, NY 12553

6-4-3
 Timothy & Debra Gilchrist
 4 Mitchell Lane
 New Windsor, NY 12553

6-4-4
 Rebecca Flores
 6 Mitchell Lane
 New Windsor, NY 12553

6-4-5
 Steven & Jane Albano
 8 Mitchell Lane
 New Windsor, NY 12553

6-4-6
 John & Kathleen Hannon
 10 Mitchell Lane
 New Windsor, NY 12553

6-4-7
 John Fisher
 Luz Camilo-Fisher
 12 Mitchell Lane
 New Windsor, NY 12553

6-4-10
 Richard & Anna Kenna
 32 Knox Drive
 New Windsor, NY 12553

6-4-11
 Donna Verdiglione
 34 Knox Drive
 New Windsor, NY 12553

6-4-12
 Doreen & Michael Casey
 36 Knox Drive
 New Windsor, NY 12553

6-4-13
 Christopher & Allison Jacopino
 38 Knox Drive
 New Windsor, NY 12553

6-4-14
 James & Francis O'Neil
 40 Knox Drive
 New Windsor, NY 12553

6-4-15
 Matthew & Corinne Lynch
 42 Knox Drive
 New Windsor, NY 12553

6-4-16
 Robin Pickarz
 Curtis Worden
 44 Knox Drive
 New Windsor, NY 12553

6-4-17 & 6-5-27
 Jeremiah & Patricia Quill
 23 Clarkview Road
 New Windsor, NY 12553

6-5-24
 Shirley Hassdenteufel
 35 Knox Drive
 New Windsor, NY 12553

6-5-25
 Charles & Lucy Nergelovic
 35 Knox Drive
 New Windsor, NY 12553

6-5-26
 Christine Smith
 37 Knox Drive
 New Windsor, NY 12553

6-5-28
 Richard & Donna Dotson
 41 Knox Drive
 New Windsor, NY 12553

6-5-29
 Harold Willis
 43 Knox Drive
 New Windsor, NY 12553

6-5-30
 Cheryl Grainger
 45 Knox Drive
 New Windsor, NY 12553

6-5-31
 Thomas & Nancy Bailey
 47 Knox Drive
 New Windsor, NY 12553

6-5-32
 Nancy Sharp
 25 Clarkview Road
 New Windsor, NY 12553

6-5-33
 Herman & Marie Walker
 Bruce Walker Trustee
 27 Clarkview Road
 New Windsor, NY 12553

6-5-34
 Diane Maskiell
 Douglas Brown Jr.
 29 Clarkview Road
 New Windsor, NY 12553

6-5-35
✓ Vincent & Mary Ellen Devito
1 President Court
New Windsor, NY 12553

6-5-36
✓ John & Grace Schultz
3 President Court
New Windsor, NY 12553

6-5-37
✓ Kenneth & Maria Maldonado
5 President Court
New Windsor, NY 12553

6-5-38
✓ George & Helen Mehlig
7 President Court
New Windsor, NY 12553

6-5-39
✓ Ellen & Scott Meyer
9 President Court
New Windsor, NY 12553

6-5-40
✓ Luigi & Anna Muratore
31 Clarkview Road
New Windsor, NY 12553

6-5-46.1
✓ Marato Homes, LLC
194 Milton Turnpike
Milton, NY 12547

6-5-46.223
✓ John & Maryanne Kochan
P.O. Box 4627
New Windsor, NY 12553

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

02-54

COPY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: September 13, 2002

APPLICANT: NEA SUM CHIN
21 CLARKVIEW RD.
NEW WINDSOR, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 9/13/02

FOR : EXISTING SHED

LOCATED AT: 2 CLARKVIEW RD.

ZONE: 6-4-18

DESCRIPTION OF EXISTING SITE: SINGLE FAMILY

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 48-14 A,(1b) ACCESSORY BUILDINGS, SUCH BUILDING SHALL BE SETBACK 10FT. FROM ANY LOT LINE. . EXISTING SHED IS 5.8FT. FROM SIDE LOT LINE, A VARIANCE OF 4.2FT. IS REQUIRED.

Loevis J. Kynher
BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: ACCESSORY BUILDING

MIN. LOT AREA:

MIN LOT WIDTH:

REQ=D.. FRONT YD:

REQ=D. SIDE YD: 10FT.

5.8FT.

4.2FT.

REQD. TOTAL SIDE YD:

REQ=D REAR YD:

REQ=D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

IMPORTANT**YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION**

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.

RECEIVED**COPY** SEP 11 2002**BUILDING DEPARTMENT**

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 under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plan. All inspections completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule 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. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit # 2002-1016

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises NEA SUM CHINAddress 21 CLARK VIEW RD. 1 Phone # 562-3312

Mailing Address _____ Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

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

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 E side of CLARK VIEW RD.
and est. 700 feet (N, S, E or W) feet from the intersection of Mitchell LN.

2. Zone or use district in which premises are situated _____ is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 6 Block 4 Lot 18

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy STORAGE b. Intended use and occupancy _____

5. Nature of work (check if applicable) New Bldg. Addition Alteration Repair Removal Demolition Other

6. Is this a corner lot? No existing shed

7. Dimensions of entire new construction. Front 12' Rear 12' Depth 12' Height 10' No. of stories 1

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 _____

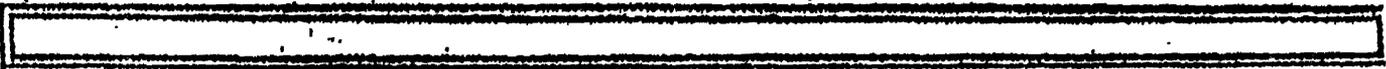
Fee 50- **PAID** ch# 4150

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Kryshear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 583-4818
(845) 583-4888 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____



INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted 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 codes 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.

Michael L. Babcock

(Signature of Applicant)

21 Clark View Rd.

(Address of Applicant)

Michael L. Babcock

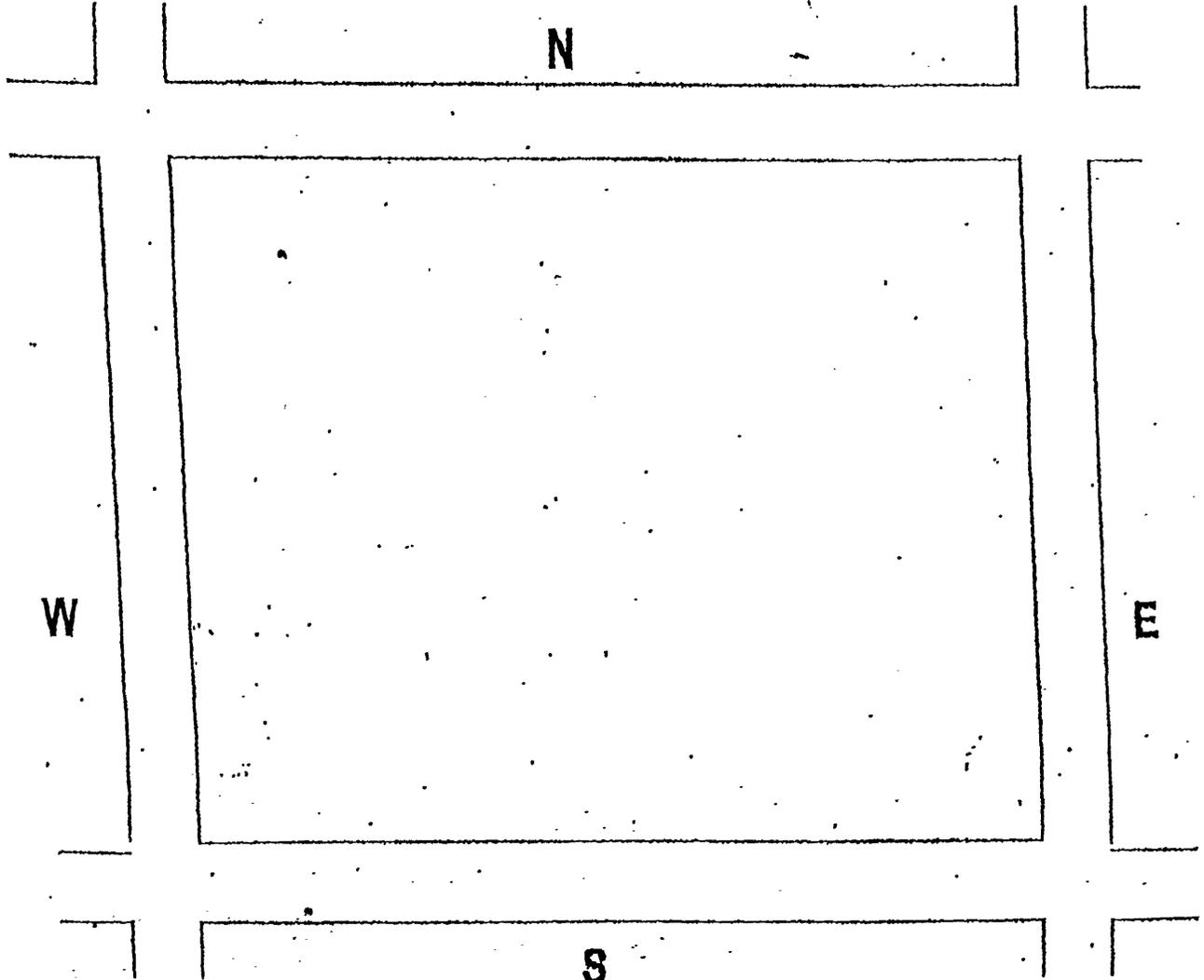
(Owner's Signature)

PLOT PLAN

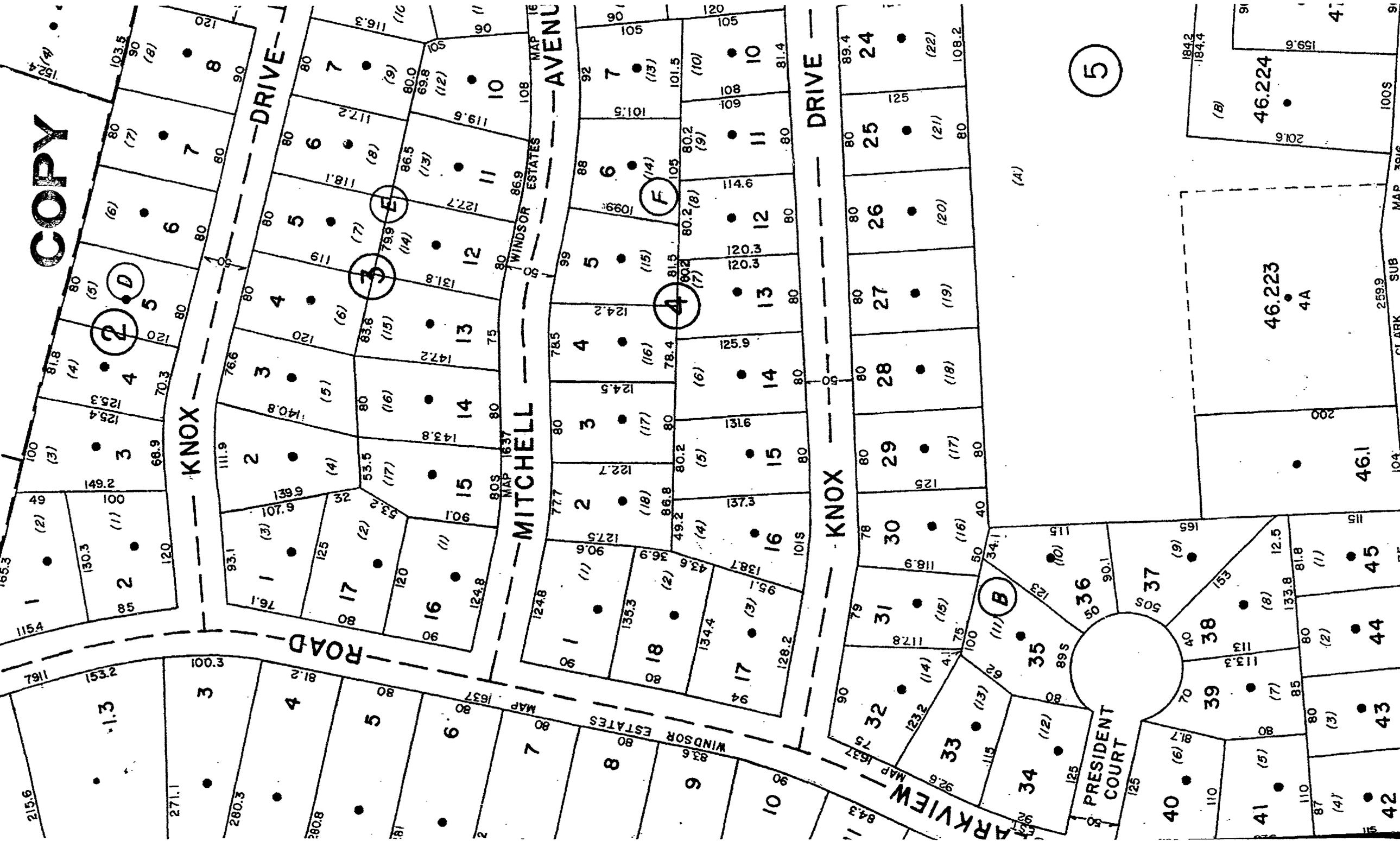
(Owner's Address)

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



COPY



5

CLARK SUB MAP 3916

2599

104

100S

91

47

184.2

184.4

9.651

91



NEA SUN CHUN
21 CLARKVIEW RD.
NEW WINDSOR, NY 12566

29-7003/2213

4163

Date 9/27/02

Pay to the
Order of

Yours of New Windsor \$50.00
Forty Dollars

CHARTER BANK FSB
VANS GATE

Dollars

Contains Security
Features Details
on Back

For

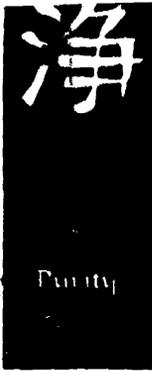
paper *Yeasun Ch*

⑆221370030⑆ ⑆4690050107⑆ 4163

#02-54

©CHECK GALLERY, 1997 STYLE # P35 1-800-354-3540 www.checkgallery.com

PRINTED ON RECYCLED PAPER USING VEGETABLE-BASED INKS



NEA SUM CHIN
21 CLARK VIEW RD.
NEW WINDSOR, NY 12553

29-7003/2213

4164

Date

9/27/02

Pay to the
Order of

Toussaint New Windsor \$300.00

Three hundred dollars

Dollars Continuing Security Features Details on back

CHARTER ONE BANK, P.O. BOX 100
WINDSOR GATE BRANCH

For

escrow dep Nea Sum Chin

⑆226370030⑆ ⑆4690050107⑆ 4164

#0254
CHECK GALLERY, 1997 STYLE # P35 1-800-354-3540 www.checkgallery.com

PRINTED ON RECYCLED PAPER USING VEGETABLE BASED INKS

CHIN, NEA SUM

Ms. Nea Sum Chin appeared before the board for this proposal.

MR. TORLEY: Request for 4.2 ft. side yard variance for existing shed at 21 Clarkview Road in an R-4 zone.

MR. TORLEY: Yes, ma'am?

MS. CHIN: It's an existing shed, it's been there three years ago. I'm trying to refinance and it showed up and didn't show up at the time when we purchased the home and it showed up after.

MR. KANE: All depends on the banks, some banks are very particular, some banks aren't so depending what information they ask, not always what the town does. Do you know about how old the shed is?

MS. CHIN: It's old, it's old.

MR. KANE: Have you had any complaints formally or informally about the shed?

MS. CHIN: No.

MR. KANE: No creation of water hazards or runoffs?

MS. CHIN: No.

MR. KANE: Shed is similar in size to other sheds in the neighborhood?

MS. CHIN: Yes.

MR. TORLEY: Please be sure of your measurements, asking 4.2 feet, because the bank is giving you grief over there and turns out you need a 4.4 foot variance, they may still give you grief.

MR. BABCOCK: We put those numbers exact it's because the surveyor gives us those numbers, that's why we do that.

September 23, 2002

20

MR. TORLEY: I didn't know whether you had given us the number or they did.

MR. BABCOCK: Right.

MR. TORLEY: Any other questions on this matter?

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: I'd like to make a motion that we set up Nea Sum Chin for a requested variance at 21 Clarkview Road.

MR. MC DONALD: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

#02-54.
Date: 9/24/22

I. Applicant Information:

- (a) NEA SUM CHIN 21 Clark View Rd New Windsor 502-3312
(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 contractor/engineer/architect/surveyor)

II. Application type:

- Use Variance Sign Variance
 Area Variance Interpretation

✓ III. Property Information:

- (a) R-4 21 Clark View Rd #21 6-4-18 80 x 135.3' ±
(Zone) (Address of Property in Question) (S-B-L) (Lot size)
- (b) What other zones lie within 500 feet? NC
- (c) Is pending sale or lease subject to ZBA approval of this Application? No
- (d) When was property purchased by present owner? 12/99
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO. If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? -
- (h) Is there any outside storage at the property now or is any proposed? N/A

IV. Use Variance. N/A

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

(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.

✓ V. Area Variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. F.
 + Sec. 48-14A(1)(b).

Permitted	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	<u>5.8 ft</u>	<u>4.2 ft</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*		
Floor Area Ratio**		
Parking Area		

* Residential Districts only

** Non-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe

why you believe the ZBA should grant your application for an area variance:

The shed was existing when we purchased the house in 1999. The letter from the Town Bldg. Dept. in 1999 stated that there were no violations. We got stuck w/ all violations incl. shed.

VI. Sign Variance: *N/A.*

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	_____	_____
Sign #2	_____	_____	_____
Sign #3	_____	_____	_____
Sign #4	_____	_____	_____

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

VII. Interpretation. *N/A.*

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____.

(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 in maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

N/A.

IX. Attachments required:

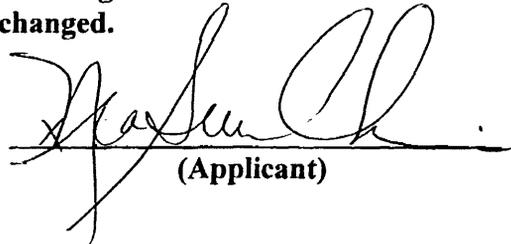
- Copy of referral from Bldg./Zoning Inspector or Planning Board.
- Copy of tax map showing adjacent properties.
- NO Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- N/A Copy(ies) of sign(s) with dimensions and location.
- Two (2) checks, one in the amount of \$ 50.00 and the second check in the amount of \$ 300.00, each payable to the TOWN OF NEW WINDSOR.
- Photographs of existing premises from several angles.

X. Affidavit.

Date: 9/27/02

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


(Applicant)

Sworn to before me this

27th day of Sept., 2002.

XI. ZBA Action:

Patricia C. Corsetti

(a) Public Hearing date: _____.

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2006