

ZB# 84-21

William Yeaton

65-1-68

84-21- Yeaton, Wm. T. &
Joan M.

Prelim:

Sept. 24, 1984.

Public Hearing:

Oct. 2nd 1984.

(DC PD not involved)

The District

9/27/84. notified by mail ✓

General Receipt

6151

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

Dec. 17. 19 84

Received of Williams on Joan Yeaton \$ 25.⁰⁰

Twenty-five 00/100 DOLLARS

For Zoning & Application fee 84-21

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>check #355</u>		<u>25.00</u>
<u>DATE: 9/26/84</u>		

By Pauline M. Townsend

Town Clerk
Title

NEW WINDSOR ZONING BOARD OF APPEALS

-----x

In the Matter of the Application of

WILLIAM T. YEATON,

DECISION GRANTING AREA
VARIANCE

84-21.

-----x

WHEREAS, WILLIAM T. YEATON of 303 Mt. Airy Road,
New Windsor, N. Y. (R-4A zone), has made application before the
Zoning Board of Appeals for an area variance for the purposes of:
construction of 12 x 25 ft. addition to rear of residence;

and

WHEREAS, a public hearing was held on the 22nd day of
October, 1984 before the Zoning Board of Appeals at the Town Hall,
New Windsor, New York; and

WHEREAS, the applicants 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 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 construction of the addition
to the rear of the residence will conform to the existing residence and
neighboring properties

3. The evidence shows applicant has available to him 32.1'
of rearyard after construction of the addition.

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 area variance requested is not granted.

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

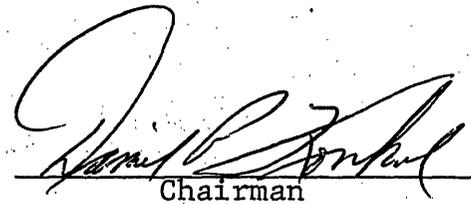
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grants 7.9 ft. rear yard variance to William T. Yeaton 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: December 10, 1984.


Chairman

Pat Delio (Copy)

PUBLIC HEARING
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 Ordinance on the following proposition:
 Appeal No. 21
 Request of WILLIAM YEATON and JOAN YEATON for a VARIANCE of the regulations of the Zoning Ordinance to permit construction of addition with insufficient rear yard being a VARIANCE of Section 48-12 Table of Bulk Regs., Col. 8 for property situated as follows:
 303 Mt. Airy Road, Town of New Windsor, New York (Section 65 - Block 1, Lot 68)
 SAID HEARING will take place on the 22nd day of October, 1984, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 7:30 o'clock p.m.
 Daniel P. Konkol
 Chairman
 by: PATRICIA DELIO, Secretary

State of New York
County of Orange, ss:

Frederick W. Smith, being duly sworn

disposes and says that he is Publisher of the E.W. Smith Publishing Company, Inc. publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, and that the notice of which the annexed is a true copy was published ONCE

in said newspaper, commencing on the 4th day of October A.D., 1984 and ending on the 4th day of October A.D. 1984

Subscribed and shown to before me this 23rd day of Jan., 1985.

Patricia Delio
Notary Public of the State of New York,
County of Orange.

My commission expires March 30, 1985

PATRICIA DELIO
NOTARY PUBLIC, State of New York
No. 5970775
Qualified in Orange County
Commission Expires March 30, 1985.

10/22/84 Public Hearing: Yeaton, Wm. T.

Name:

John P. Williams Jr.

Address:

1 So. Park Rd.

(no objection)

Memo FROM: ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE NEW WINDSOR, NEW YORK 12550

TO:

TOWN PLANNING BOARD
TOWN BUILDING/ZONING OFFICER

DATE: 10/23/84

SUBJECT: ACTION TAKEN AT PUBLIC HEARINGS BEFORE ZBA

---FOLD HERE---

Please be advised that the following actions were taken by the ZBA at the meeting held on October 22, 1984:

- (1) YEATON, WILLIAM - Granted
- (2) PETRONELLA, FRANCISCO - Denied
- (3) LUCAS, MICHAEL & ARLENE - Denied

All copies of applications and hearing notices were previously furnished to your Board.

Patricia Delio
Patricia Delio, Secretary

/pd

cc: Applicants

by _____

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

84-21.

Date: 9/26/84

I. Applicant Information:

- (a) William T. Yeaton, 303 Mt. Airy Rd., New Windsor, NY 914-564-571
(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) R4A 303 Mt. Airy Rd. 65-1-68 0.689 Acres
(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? 12/2/82
- (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: Storage Shed
(see survey map for location)

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.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Bulk Regs., Col. 8.

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.	<u>40 ft.</u>	<u>32.1 ft.</u>
Reqd. Street Frontage*	_____	_____
Max. Bldg. Hgt.	_____	_____
Min. Floor Area*	_____	_____
Dev. 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.

(see attached)

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.

- (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. 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.

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.)

The addition will be a frame construction which will match the style of the existing structure.

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.
- 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 September 27, 1984

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

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.

[Signature]
(Applicant)

Sworn to before me this 27 day of September, 1984.

JEAN M. VAN VOORHIS
Notary Public, State of New York
No. 4504952
Qualified in Orange County
My Commission expires Mar. 30, 1985
Jean M. Van Voorhis

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.

Section V-b)

Due to a recent death in the family, and medical reasons, my Father-in-law has moved into our home. The house is a 3 bedroom ranch, and the room that he is presently occupying is small and affords minimal privacy. My wife and I are also expecting a second child in March, which will further impact the sleeping area.

We would like to put this 12x25 foot addition on the back of our home, thus allowing increased privacy for my Father-in-law and a room for ~~our~~ the future addition to our family.

Washburn Associates
44-22 Route 9W
New Windsor, N.Y.

Town of New Windsor Tax Map
Section 65 Block 1 Lot 68

"Only copies from the original of this survey marked with an original of the land surveyor's inked seal or his embossed seal shall be considered to be valid true copies."

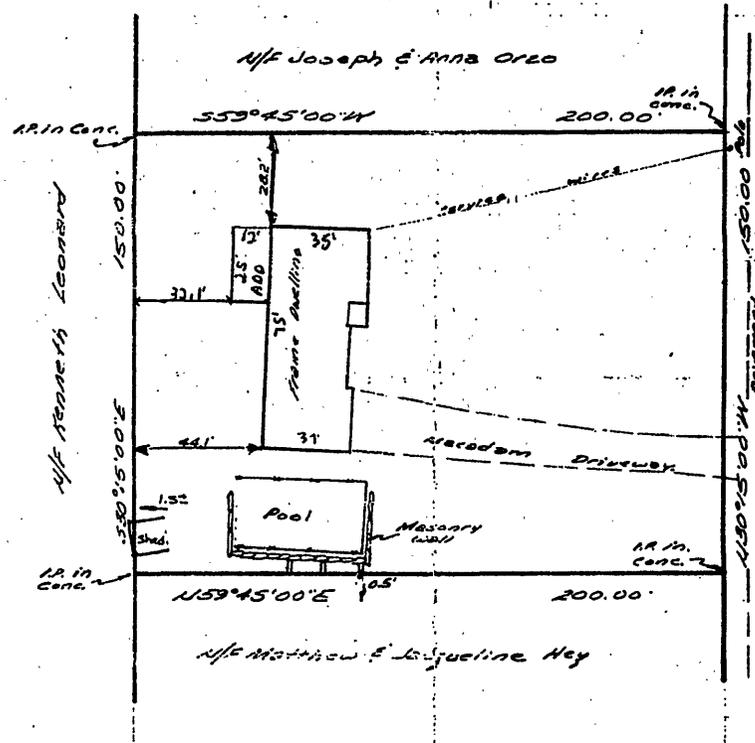
"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law."

"Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications 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, if any, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."



William T. Yeaton
Joan M. Yeaton
Commonwealth Land Title Ins. Co.
John J. Sherman
Linda D. Sherman
Kar-Vin Abstract Co.
InterCounty Mortgage Corp.
Certified true and correct
as shown hereon.

William T. Yeaton
Lic. No. 48368



Area = 30,000 Sq. Ft. or
0.689 Acres.

Mt. Airy Road

Survey Map for

William T. Yeaton Joan M. Yeaton	
SCALE: 1"=40'	APPROVED BY:
DATE: Nov. 15, 1982	DRAWN BY:
303 MT AIRY ROAD. Town of New Windsor Orange Co., N.Y.	
DRAWING NUMBER 2554	

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

Prelim:
~~Oct 22nd~~ Sept. 24th
7:30 p.m. (3)
84-21

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date September 13, 1984

To William T. & Joan M. Yeaton → 564-5760.

303 Mt Airy Rd
New Windsor, N.Y. 12550

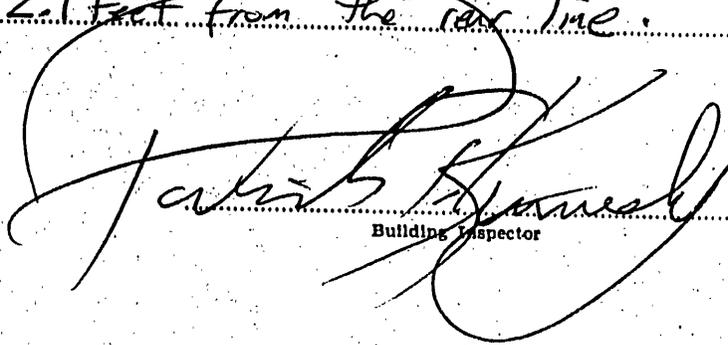
PLEASE TAKE NOTICE that your application dated September 13, 1984
for permit to construct a 12x25 addition to rear of house
at the premises located at 303 Mt Airy Rd.

Tax Map Section 65 Block 1 Lot 68

is returned herewith and disapproved on the following grounds:

The existing house is in an R-AA zone and requires
a 10' rear yard setback. The proposed addition
will bring them 32.1 feet from the rear line.

The applicants seek a
7.9 foot rear yard
variance


James B. James
Building Inspector



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

15

September 26, 1984

Mr. William Yeaton
RD2 Mt. Airy Rd.
New Windsor, N.Y.

RE: 65-1-68

Dear Mr. Yeaton:

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 \$40.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

CHRISTIAN E. JAHRLING
SOLE ASSESSOR
Town of New Windsor



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Pirnik George & Helen ✓
Rt 2 Box 309 Mt Airy Rd.
New Windsor NY 12550

Mante Carl M & Carol A ✓
RD2 Mt Airy Road
New Windsor NY 12550

Sesame Estates Inc ✓
c/o Irving Raskin
37 Curtis Ave
West Orange NJ 07052

Buck Fred E & Jacqueline L ✓
Box 317 RD2 Mt Airy Rd
New Windsor NY 12550

Coyman Lyle & Eileen ✓
RD2 Mt Airy Rd Box 306
New Windsor NY 12550

Leonard Kenneth L & Della B ✓
2024 17th Street
Lubbock Texas 79408

Doering Walter A & Marjorie H ✓
N Drury Lane MD32
Newburgh NY 12550

Collopy Wm J & Patricia C ✓
RD2 Mt Airy Rd
New Windsor NY 12550

Orzo Joseph & Anne ✓
RD2 Mt Airy Rd
New Windsor NY 12550

Weygant Arthur F Jr & Carol ✓
Mt Airy Rd RD2
New Windsor NY 12550

Ward James H & Frances M. ✓
RD2 Mt Airy Rd Box 307
New Windsor NY 12550

Doering Adolph F & Kim A ✓
RD2 Mt Airy Rd
New Windsor NY 12550

Valdina Frank J Jr ✓
8 South Plank Rd
Newburgh NY 12550

Doering Gerald A & Catherine E ✓
RD2 Mt Airy Rd
New Windsor NY 12550

The Church of Jesus Christ of Lat ✓
Day Saints
50 East North Temple
Salt Lake City Utah 84150

Memo FROM: ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE NEW WINDSOR, NEW YORK 12550

TO:

TOWN PLANNING BOARD
TOWN BUILDING/ZONING OFFICER

DATE: 10/10/84

SUBJECT: PUBLIC HEARINGS BEFORE ZBA - October 22, 1984

---FOLD HERE---

Please be advised that there are three (3) public hearings scheduled before the ZBA on Monday evening, October 22, 1984 at 7:30 p.m. as follows:

- Matter of Application of (1) YEATON, WM.
(2) PETRONELLA, F.
(3) LUCAS, MICHAEL

I have attached hereto copies of the pertinent applications together with public hearing notices for each of the above matters.

Pat
Pat

/pd

Enclosures

by _____

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 Ordinance on the following proposition:

Appeal No. 21.

Request of WILLIAM YEATON and JOAN YEATON
for a VARIANCE ~~SPECIAL PERMIT~~ of
the regulations of the Zoning Ordinance to
permit construction of addition with
insufficient rear yard

being a VARIANCE ~~SPECIAL PERMIT~~ of
Section 48-12 - Table of Bulk Regs., - Col. 8
for property situated as follows:

303 Mt. Airy Road, Town of New Windsor,
New York (Section 65 - Block 1 - Lot 68)

SAID HEARING will take place on the 22nd day of
October, 1984, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

DANIEL P. KONKOL
Chairman