

Agenda

City of Middletown Zoning Board of Appeals

May 20, 2015

7:00 PM to 9:00 PM

Common Council Chambers

Meeting called by:

Joel Sierra, Chairman

Clerk:

Martina Tu

Members:

Joel Sierra, Don Luis, Nicholas Barber, Randy MacLean

Approval of December 17, 2014 minutes

50-52 Sproat Street

Rolf Bjorklund

Area variance (lot size variance in a proposed two lot subdivision)

30 Clinton Street

Mayda Morales Amabile

Area variance – rear property line for the swimming pool

APPLICATION

ZONING BOARD OF APPEALS

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date _____

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 50-52 Sproad Street

Section 12 Block 3 Lot 412 Current Zoning District R-1

Building: Existing New

2. Owner of Property Rolf Bjorklund

Owner's Address 35-49 159th Street

City Flushing State ny Zip 11358

Phone numbers: Home: (718) 762-1812

Business: _____

Cell: (718) 762-1812

3. Applicant name Rolf Bjorklund

If different from Owner

Applicants Address _____

City _____ State _____ Zip _____

Phone numbers: Home: _____

Business: _____

Cell: _____

4. **AREA VARIANCE.** An appeal is requested from the Zoning Board of Appeals to the Zoning Ordinance, Section 475 of the Code of the City of Middletown. Indicate the Article, Section, Subsection, Paragraph, Subparagraph and Title of the Section that are the subject of the appeal. Indicate the necessary amount of relief requested. Additional sheets may be attached if more space is necessary.

Section	Required Dimension	Actual Dimension	Variance Requesting
a. <u>475-9(E)</u>	Lot #1 7,500 sq. ft. Lot #2 7,500 sq. ft.	6,170 sq. ft. 6,363 sq. ft.	1,328 sq. ft. 1,137 sq. ft.
b. <u>475-9(F)(c)</u>	Lot #1 30'	11.5'	18.5'

The Zoning Board of Appeals, shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such ordinance or local law, to grant area variances, as defined herein. The Board of Appeals, in granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

In making its determination, the Zoning Board of Appeals shall take into consideration 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. In making such determination the Board shall also consider 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; and
- The benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance; and
- The requested area variance is substantial; and
- The proposed variance will have adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- The alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

The proposed subdivision is a configuration of lots merged in 2007. The two lots were lot #8 and lot #9 on map of lands of Corwin E. Sayer property, filed in the Orange County Clerk's office on November 14, 1914 as Map # 176. The Applicant would like to improve the neighborhood by building a new single family affordable dwelling.

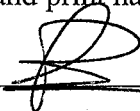
6. AN INTERPRETATION OF THE ZONING ORDINANCE. Explain the circumstances of the Section in question, the Title of the Section, the nature of the request, and the person or agency making the original determination. Additional sheets may be attached if more space is required.

7. SIGN ORDINANCE. Indicate the section to be varied, the title, and the amount of the variance in excess of the ordinance. Explain all conditions that require the variance to be issued. Additional sheets may be attached if more space is required.

Section/ Title	Required Dimension	Actual Dimension	Variance required
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8. Sign at the place indicated and print name.

Signature of applicant



Printed name and title

ROLF BJORKLUND

Date

3/6/15

APPLICATION

ZONING BOARD OF APPEALS

City of Middletown, New York

Date deemed complete 4-4-15
Accepted by WCW

Date 4-4-15

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 30 Clinton St Middletown NY 109

Section 34 Block 1 Lot 60 Current Zoning District R-1

Building: Existing New

2. Owner of Property Meyda Morales-Amabile

Owner's Address 30 Clinton St

City Middletown State NY Zip 10940

Phone numbers: Home: 845-344-3255

Business: 845-699-0692

Cell: 845-699-3220

3. Applicant name _____

If different from Owner

Applicants Address _____

City _____ State _____ Zip _____

Phone numbers: Home: _____

Business: _____

Cell: _____

4. **AREA VARIANCE.** An appeal is requested from the Zoning Board of Appeals to the Zoning Ordinance, Section 475 of the Code of the City of Middletown. Indicate the Article, Section, Subsection, Paragraph, Subparagraph and Title of the Section that are the subject of the appeal. Indicate the necessary amount of relief requested. Additional sheets may be attached if more space is necessary.

Section	Required Dimension	Actual Dimension	Variance Requesting
a. REAR PROPERTY LINE FOR	10'	2'	8'
b. SWIMMING POOL - REAR LINE ABUTS HILLSIDE CEMENTRY WOODS.			

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- (a) 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; and
- (b) The benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance; and
- (c) The requested area variance is substantial; and
- (d) The proposed variance will have adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (e) The alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

SURVEY ATTACHED

6. AN INTERPRETATION OF THE ZONING ORDINANCE. Explain the circumstances of the Section in question, the Title of the Section, the nature of the request, and the person or agency making the original determination. Additional sheets may be attached if more space is required.

7. SIGN ORDINANCE. Indicate the section to be varied, the title, and the amount of the variance in excess of the ordinance. Explain all conditions that require the variance to be issued. Additional sheets may be attached if more space is required.

Section/ Title	Required Dimension	Actual Dimension	Variance required

8. Sign at the place indicated and print name.

Signature of applicant ✓

M Amabile

Printed name and title ✓

Mayda Amabile

Date _____

KNOWLEDGE AND BELIEF
ARK STATE ENERGY

EEL PLACEMENT

