

ZONING BOARD OF APPEALS
238 Main Street, Cold Spring, New York 10516

October 5, 2009
7:30 pm

PUBLIC HEARING

- 1) **GARRISON CONTRACTING: Appeal #849** for a Variance. Applicant requests a variance from Section 175-39(E)(3) for parking within minimum setbacks from Route 9. Relief to allow parking within 100' feet of the center line of Route 9 and within 40' feet of the street line of Route 9. Variance requested would be for parking at 41.7' feet from center line and 20.9' feet from street line. This is a continuation of a Public Hearing held on May 18, June 8, July 13, July 27, and September 28, 2009. (Located 1315 Route 9, Garrison) in a B-2 District. TM #82.-1-67
- 2) **JULES BASS: Appeal #853** for a Variance. Applicant wishes to build a carport over an existing parking spot off existing driveway. The driveway is non-conforming in regard to side yard and front yard setbacks. This is a continuation of a Public Hearing held on September 14, 2009. (Located 221 Indian Brook Road, Garrison) in an R-80 District. TM #49.-1-69
- 3) **THEODORE and ELLEN TIMMER: Appeal #854** for a Variance. Applicant requests a 15' foot variance from the setback rule requiring new construction to be 20' feet off the property line. The deck corner will come to 5' feet off the property line, but complete the corner of the house already existing and is, in fact, further from the property line than a deck that existed when the property was purchased. This is a continuation of a Public Hearing held on September 14, 2009. (Located 7 Lewis Lane, Garrison) in an R-40 District. TM #60.18-1-8
- 4) **MARTHA and DAVID ROME: Appeal #856** for a Variance. Applicants request a variance for the construction of a one-story residential addition. The proposed addition will fall within the minimum required setback of 40' feet from a street line. Applicants request a front yard variance of 25.8' feet. (Located 23 Grassi Lane, Garrison) in an R-40 District. TM #60.18-1-26
- 5) **BILLY WILLIAMS: Appeal #857** for a Variance for an 8 x 12 shed that was constructed in 1989 without a permit. The shed is 1' foot from property line. 5' feet is required to meet the property setbacks for adjoining properties. This is a continuation of a Public Hearing held on September 28, 2009. (Located 1 Rochambeau Road, Garrison) in an R-10 District. TM #91.5-2-16
- 6) **MILTON F. MERCADO JR and NANCY I. AROCHO-MERCADO: Appeal #859** for a Variance. The applicants' house is a pre-existing non-conforming structure. The foundation sits 23.94' feet from the property line and 39' feet from the street line. Applicants are requesting a variance on the pre-existing foundation in order to build a 2nd floor addition on the existing single level side of the 1st floor. The new 2nd floor will sit on top of existing 1st floor and foundation, therefore, the NW corner of the house will be no less than 22' feet from the property line, and no less than 37' feet from the street line. (Located 27 Aqueduct Road, Garrison) in an R-20 District. TM #91.5-4-24

REGULAR MEETING

- 7) **REVIEW OF MINUTES:** September 28, 2009
- 8) **DEAN ANDERSON: Appeal #851** for a Special Use Permit. Applicant seeks to construct an accessory apartment as permitted under Section 175-25, Schedule A, Line 4B. The apartment will be located in an existing building and will occupy less than 800 square feet. (Located 4 Dale Lane, Garrison) in an R-80 District. TM #71.-1-22 **DISCUSSION & VOTE**
- 9) **LYNN and JAMES DUFFY: Appeal #852** for a Variance. Applicants propose an extension to the north side of structure of 10' feet. The existing sunroom to be removed and replaced plus the additional 10' feet. (Located 18 Mill Road, Cold Spring) in an R-40 District. TM #17-1-53 **RESOLUTION**
- 10) **ROBERT RITACCO and WENDY BLAIR: Appeal #855** for a Variance. Applicant requests a variance for a garage that was built in September 1992 and a Certificate of Occupancy was issued in error. Side yard setback required is 20' feet – applicant has 19.6' feet; needs 6" inches. Front yard setback required is 40' feet – applicant has 34.5' feet; needs 5.5.' feet. (Located 16 Atonement Avenue, Garrison) in an R-40 District. TM #82.8-1-39 **RESOLUTION**
- 11) **OLD BUSINESS/NEW BUSINESS**

Vincent Cestone
Chairman

NOTE: Items may not be called in order shown. Not all items may be called.