

APPEAL # _____ Tax Map # _____

Final hearing date _____ Zoning Board decision APPROVED / DENIED _____

Date application submitted 12/29/2020

Application fee \$ _____ Escrow \$ _____ Received by _____

To the Zoning Board of Appeals, Town of Philipstown, New York:

I (we) John McCann & Renée Perodeau-McCann

residing at 14 OAK Road, Garrison, NY 10524

Telephone: home 845-235-5814 business _____

HEREBY appeal the decision of (name and title) _____

whereby he/she

GRANTED _____ DENIED _____ a BUILDING PERMIT _____ a CERTIFICATE OF OCCUPANCY _____

For _____

To _____

of _____

For property at tax map # _____ in zoning district _____

WHEN FILLING OUT APPLICATION, ATTACH ADDITIONAL PAGES AS NECESSARY TO ANSWER QUESTIONS.

1. LOCATION OF PROPERTY: (Give 911 address and a map and detailed narrative giving directions to the property using road names, such as Route 9 or 9D, Old Albany Post Road, East Mountain Road South, etc. and landmarks such as Garrison School, North Highlands Fire House, Highlands Country Club, etc:

14 Oak Road, Garrison is located off of Snake Hill Road. Make a left from 9D South onto Snake Hill and then your first right onto OAK Road. House is second house on the left (Brown Cedar)

2. NAMES AND ADDRESSES OF ADJOINING PROPERTY OWNERS (Include those opposite on streets/highways. Use additional sheets if necessary. This information may be obtained in the Town assessor's office)

*Winter Hill (Behind property, East) Christopher Buck
333 Snake Hill Road (North) David Albright, Dawn Collier
22 OAK Road (South) Steven Rappaport*

3. PROVISIONS OF ZONING CODE INVOLVED (give Article, Section, Sub-section, paragraph by number, Do not quote text of code)

4. PREVIOUS APPEAL (If there have been any previous appeals for this property or any portion thereof, set forth the appeal number, date, relief sought and the ZBA decision resulting)

TYPE OF APPEAL:

an INTERPRETATION of the Zoning Code or Maps

a VARIANCE from the Zoning Code

a SPECIAL USE PERMIT under the Zoning Code

5. DETAILS OF APPEAL (Complete only that section which applies to the appeal you are submitting)

(a) INTERPRETATION of the Zoning Code is requested

(1) An exact statement of the interpretation requested is:

Our intent is to add on to an existing deck. The original deck is 42' feet to the property line and when we add on it will remain 42' feet to the property line but the zoning is for 50' from the structure. So the variance would be for 8' feet.

(b) a VARIANCE from the Zoning Code is requested:

(1) An exact statement of the details of the variance requested is:

We are requesting to build 42' feet from property line the code is for 50' feet. The area behind the house belongs to Winter Hill.

(2) The grounds on which this variance should be granted are:

Will no affect the Winter Hill property. There is a forest section between the two properties.

(c) a SPECIAL USE PERMIT is requested:

(1) The reason the permit is requested:

(2) An exact statement of use for which the permit is requested:

(3) The facts showing the use is permitted as a SPECIAL USE under the code and the ability of the applicant to comply with all requirements of the code for granting of a special use permit:

4. What impact or effect will the variance have on the current physical and environmental conditions in the area? Is there grading (or blasting) proposed? - Will you be paving previously unpaved surfaces? - Are you proposing to remove any vegetation? - Are there wetlands or other watercourses on site? - Will normal drainage patterns be affected? - How close are the nearest wells and septic systems? - Will the proposed use or activity produce emissions (noise or odors)? - Will traffic be increased? - Is the area considered scenic?

No impact, No blasting, Improve the current physical deck. Septic system and field are in front of house. Deck is on back and side of house.

5. Is the variance requested as a result of a "self-created hardship"? Was there a need for the variance when you purchased the property? - How long ago did you purchase the property? - Did you build the structure without a permit? Is the need for a variance as a result of someone's mistake? Describe

There is an existing deck that is 42' from the property line. We purchased the property in March of 19. The structure is not built. The deck will be used to sit outside.

PHILIPSTOWN ZONING BOARD OF APPEALS
SUPPLEMENTAL WORKSHEET FOR AREA VARIANCE APPLICANTS

In accordance with state law, the Zoning Board must grant or deny an area variance based on specified factors and a balancing of "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". We have developed this Supplement to assist you with preparing, submitting and presenting your case to the Zoning Board. Please complete the factors 1a - 5 below and submit with your application (attach additional pages if necessary). We have provided suggested questions which will assist you in answering each factor and in preparing for the Board's review. It is strongly suggested that you structure your presentation at the hearing in accordance with the factors. Provide facts and proof to support each factor.

FACTORS TO BE CONSIDERED BY THE BOARD

- 1a. What possible detriment would the variance have on nearby properties?
How close are nearby structures? - Will your structure be visible to others or will it block a view? - Do you propose exterior lights?

No possible detriment. At least 150 yards. Does not block a view and we will have small deck lighting.

- 1b. What impacts would the variance have on the character of the neighborhood?
Have others in the neighborhood received similar variances? - Does the neighborhood contain similar structures with similar setbacks/heights etc.?
Is your property similar to or different from others in the area? - If several of your neighbors were to receive variances in the future similar to the one you now request, would the neighborhood be changed?

It will enhance the ^{and} house of neighborhood
Not sure of variances.
Similar housing
No there would be no change.

- 2. If you didn't get the variance, how else could you build what you want or accomplish your goal?
For example: different location or design; shorter fence; smaller deck; smaller overhang or addition?

Smaller deck.

- 3. What is Code requirement you seek to vary?

How large of a variance do you seek? 8' feet. Set back is 50' we

are at 42'

STATE OF NEW YORK, COUNTY OF PUTNAM _____

being duly sworn, says: I have read the foregoing appeal and papers attached; that the statements and representations made therein are true to the best of my knowledge and belief.

Signature of applicant or agent

Sworn before me this _____ day of _____ 2000

Notary, _____ County, _____

SUBMISSION REQUIREMENTS: (1) For a VARIANCE or INTERPRETATION please submit (7) individual packets
(2) For a SPECIAL USE PERMIT please submit (19) individual packets

each packet containing one each of the below listed items. These items are very specific and MUST be complied with exactly

1. Completed appeal form
2. Deed to property
3. Denied application for Building Permit or Certificate of Occupancy
4. Building plans with ONE ORIGINAL professional seal and signature
5. Survey prepared by NYS licensed surveyor, showing all property lines, structures and dimensions to property lines. One survey with ORIGINAL professional seal and signature
6. Certificates of Occupancy for any existing structures
7. Contour maps as required by conditions