



FILE COPY

ZBA Variance Application Package

PLEASE READ ALL INFORMATION ON THIS APPLICATION CAREFULLY. WE WILL ASSIST YOU AS MUCH AS POSSIBLE, BUT IT IS NOT OUR RESPONSIBILITY TO GATHER INFORMATION, MAKE COPIES OR ASSEMBLE APPLICATION PACKAGES.

Fill out the application to the best of your ability. The Zoning Board Secretary can help you if necessary. All submissions to the Zoning Board of Appeals must be submitted a minimum of 12 days prior to scheduled meeting to be placed on the agenda for review. See page 6 for list of all items that must be submitted.

You will receive correspondence from the ZBA Secretary of your first meeting date. Meetings are typically held on the second Monday of each month at 7:30pm at the Philipstown Town Hall, 238 Main Street, Cold Spring, NY. (Meeting schedule can be found at philipstown.com)

The initial review of the application by the ZBA will be to ensure completeness of the application only. It is strongly recommended that you attend this meeting to ensure all documentation has been submitted and is in order.

If the application is deemed complete, a public hearing date will be set and the applicant will be notified of any additional requirements of the board. The ZBA may require more than one public hearing to decide your case. If so, you will be advised of any further public hearings.

Applicants must be prepared to present facts and any additional information the board may need at the time of the public hearing.

When the ZBA is satisfied that they have all the necessary information, they will close the public hearing and take a vote on your case, whether to approve or deny your application.

After your final vote is taken by the ZBA you should contact the Building Department for further instructions and assistance.

The application must contain detailed directions to the property to enable the board members to make site visits as required. The property must also be properly posted with the correct 911 address required by town code.

A copy of the Zoning Code and Zoning Map are available in the office of the Town Clerk and on philipstown.com.

FEES: Payable at time of application.

Variance: \$100.00

Interpretation: \$200.00

Special Use Permit: \$500.00

RECEIVED
NOV 03 2022

ZBA Variance Application

APPEAL # 957 TAX MAP# 60.-2-50

Final hearing date _____ Zoning Board Decision APPROVED/DENIED

Date application submitted _____

Application fee \$ 100 Escrow (if applicable) \$ 0 Received by W

Above section to be completed by the Building Department.

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

I (we), John C. Viletta

residing at 24 Hickory Ridge, Garrison, NY 10524

Telephone: home _____ cell 845-216-6964

Email address: jbrown1879@aol.com

HEREBY appeal the decision of (name and title) Greg Wunner, Code Enforcement Officer

whereby he/she

GRANTED _____ DENIED a BUILDING PERMIT a CERTIFICATE OF OCCUPANCY _____

For construction of garage
describe project and/ or proposal

For property tax map # 60.-2-50 in zoning district _____

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

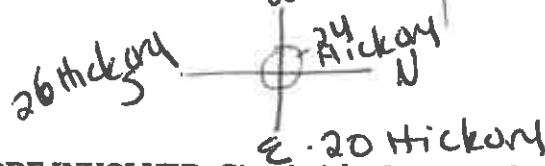
- 1. LOCATION OF PROPERTY: Give 911 address and a map and detailed narrative giving directions to the property using road names, such as Route 9 or 9D, Old Albany Post Road, East Mountain Road South, etc. and landmarks such as Garrison School, North Highlands Fire House, Highlands Country Club, etc.

24 Hickory Ridge, Garrison, NY

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 accessor's office.

John C. and Janice R. Jillette
20 Hickory Ridge
Garrison, NY 10524
(516) 369-5051
jrmvalentine@aol.com
Tax # 37268960.-2-49

Rafaelo Toribio
26 Hickory Ridge
Garrison, NY 10524
(845) 424-3274 (h)
(917) 450-2006



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

175-10-D

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.

N/A

TYPE OF APPEAL:

- A. 10 a VARIANCE from the Zoning Code
B. _____ an INTERPRETATION of the Zoning Code or Maps
C. _____ a SPECIAL USE PERMIT under the Zoning Code

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

(A) A VARIANCE from the Zoning Code is requested:

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

Permit to build 2520 sf (42' x 60') garage within setbacks required, exceeding 1000sf allowed per Zoning Code 17S-10-D

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

The square footage is necessary for the purpose of the structure. It is a nice-looking one-story barn that matches the style of the neighborhood and will not cause a detriment to neighboring properties or the environment.

(B) INTERPRETATION of the Zoning Code is requested.

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

**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 weighted 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 1- 5 below and submit with your application (attach additional pages if necessary). 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.

5 FACTORS TO BE CONSIDERED BY THE BOARD

1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variance?

No, the garage will be a nice looking barn-style structure, one story, that matches the character of the neighborhood.

2. Can the benefit sought be achieved by some method, feasible to pursue other than the area variance?

No, the square footage is required for the purpose of the garage which is to store the owner's classic car collection.

3. Is the requested area variance substantial?

No, the structure remains within the offsets.

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

No, the size of the structure will have no adverse impact.

5. Is the alleged difficulty self-created? (This consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.)

No, the square footage is required, ~~size~~ per item #2.

n/c

(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:

STATE OF NEW YORK, COUNTY OF PUTNAM

[Handwritten Signature]

applicants name

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.

[Handwritten Signature]
Signature of applicant or agent

Sworn before me this 4th day of Nov 2022

Notary, *[Handwritten Signature]* County Putnam

CAROL R. VALENTINE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01VA4846459
Qualified in Putnam County
My Commission Expires January 31, 2026

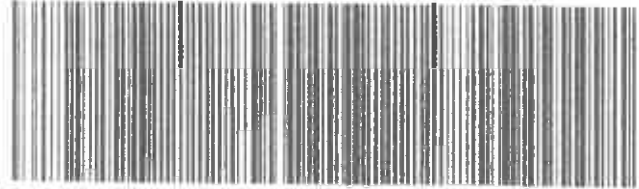
SUBMISSION REQUIREMENTS For a VARIANCE, INTERPRETATION OR SPECIAL USE PERMIT.

Please submit 8 individual packets for the ZBA. Each packet should contain one each of the below listed items. **These items are very specific and MUST be complied with exactly.**

1. Completed application/appeal form.
2. Deed to property.
3. Building Department denial letter.
4. Building plans. **One of the 8 copies must have ORIGINAL professional seal & signature.**
5. Survey prepared by NYS licensed surveyor, showing all property lines, structures and dimensions to property lines. **One of the 8 copies of the survey must have ORIGINAL professional seal & signature.**
6. Certificates of Occupancy for any existing structures.
7. Owner authorization form (if acting on behalf of homeowner).
8. Contour maps as required by conditions (if applicable).



Michael C Bartolotti, County Clerk
 Putnam County Office Building
 40 Glensida Avenue Room 100
 Carmel, New York 10512



ACS-00000000064771-00000000090557-005

Cover Page

Document Id: 00000000090557 Document Date: 00/00/0000 Preparation Date: 09/28/2016
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 Document Page Count: 5

PRESENTER:
 STEPHEN G. TOMANN, ESQ.
 P.O. BOX 313
 1705 ROUTE 9D
 COLD SPRING, NY 10516

RETURN TO:
 THOMAS COSTELLO, ESQ.
 1875 ROUTE 6
 CARMEL, NY 10512

PARTIES

GRANTOR
 ESTATE OF TERRY LEE RIDPATH

GRANTEE
 JOHN C VILLETTO

"And Others"

SUPPORTING DOCUMENTS

TP-584 Combined Real Estate Transfer Tax Return
 RP-5217 Real Property Transfer Report (ORIGINAL/NO COPIES)
 IT-2663 Non-Resident Income Tax Return (PAYABLE TO "NYS INCOME TAX")(USE ONLY WHEN APPLICABLE)
 Mandatory: Payments over \$1000 require a Certified Check or Money Order or Guarantee Letter.

RETT Cons: \$470,000.00

PAYMENT DETAIL

Make Checks Payable to:

=====
 Putnam County Clerk: 196.00 Recording Fees
 Putnam County Clerk: 1,880.00 TAX

 Total Payments For This Document: 2,076.00
 =====

EXAM _____ DATE _____

8005 Executor's Deed-Individual or Corporation (single sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 14 day of Sept. , in the year Two Thousand Sixteen

BETWEEN

CHERYL CONWAY, as Executrix of the Estate of Terry Lee Ridpath, (Putnam County Surrogate's Court File No. 2014-239), residing at 18761 Stratton Lane, Huntington Beach, California 92648

party of the first part, and

JOHN C. VILLETTO, JANICE R. VILLETTO, husband and wife, and JOHN C. VILLETTO, son, residing at 20 Hickory Ridge, Garrison, New York 10524, as joint tenants with right of survivorship,

party of the second part,

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and testament, and in consideration of **FOUR HUNDRED SEVENTY THOUSAND and 00/100 (\$470,000.00) DOLLARS**, actual consideration paid by the parties of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in **TOWN OF PHILIPSTOWN**, County of Putnam and State of New York, which is more particularly bounded and described on Schedule "A" which is attached hereto and made a part hereof.

BEING and intended to be the same premises conveyed by Wilton D. Villetto to Terry Lee Ridpath and Audrey P. Ridpath by deed dated 11/15/1979, and recorded in the Putnam County Clerk's Office in Liber 765 of Deeds at Page 1117. Audrey P. Ridpath died on 5/22/2013, and at the time of her death she was married to Terry Lee Ridpath.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using

Title # AT16-12050P

**SCHEDULE "A"
(DESCRIPTION)**

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Philipstown, County of Putnam, and State of New York, shown and designated as Lot No. 2 on a certain map entitled "Open Development Area Subdivision Plat prepared of Ira Harr, Edward Karagozian and Wilton Villetto, Town of Philipstown, Putnam County, New York" dated April 18, 1977 made by Bady & Watson, L.S. and filed in the Office of the Clerk of Putnam County on May 31, 1978 as Map No. 1656.

Address: 24 Hickory Ridge, Garrison

Town: Philipstown

County: Putnam

TAX DESIGNATION: Section 60. Block 2 Lot 50

any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:



CHERYL CONWAY, Executrix

STATE OF CALIFORNIA)
) ss:
COUNTY OF) ss:

On the _____ day of _____ in the year, 2016, before me, the undersigned, personally appeared **CHERYL CONWAY**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in the _____
(Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken.)

See Attached 9/14/2016

Signature and office of individual taking acknowledgment

Executor's Deed

Title No. AT16-12650P
CHERYL CONWAY, as Executrix of the Estate of Terry Lee Ridpath,

to

JOHN C. VILLETTO, JANICE R. VILLETTO,
and **JOHN C. VILLETTO.**

SECTION:
BLOCK:
LOT: Tax Map No. **60.-2-50**
TOWN/COUNTY: Town of Philipstown
County of Putnam

RETURN BY MAIL TO:

THOMAS COSTELLO, ESQ.
COSTELLO & FOLCHETTI, LLP
1875 ROUTE 6
CARMEL NY 10512

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

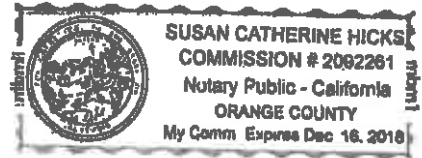
State of California
County of Orange

On September 14, 2016 before me, Susan Catherine Hicks, Notary Public
(insert name and title of the officer)

personally appeared Cheryl Conway
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature] (Seal)

**CERTIFICATE OF
COMPLIANCE  OCCUPANCY**

SEC-BLK-LOT: 89/60.-2-50

Permit No : 2006:9677

CO/CC Issue Date: 7/14/2006

CO/CC Number : 2006:9677

**OWNER'S NAME: RIDPATH TERRY LEE
& ADDRESS RIDPATH AUDREY
24 HICKORY RDG
GARRISON, NY 10524**

Location of project : 24 HICKORY RDG

WORK DESCRIPTION : 12 x 24 Accessory Building

A building permit having been issued for the herein described project, all required inspections having been completed, all required documentation having been presented, and the project having been found to be complete and in compliance with all applicable codes, rules, and laws, this certificate is hereby issued.

ISSUED BY :



Code Enforcement Officer

CERTIFICATE OF OCCUPANCY

5033

Philipstown Tax Map 45 Block 4 Lot 22, 12

Location of Premises Rt 9. Garrison, N.Y. at Hayfields

TERRY L. RIDPATH of Rt-9 Garrison, NY 10524 having

heretofore filed an application for a building permit pursuant to the Zoning Law, Sanitary Code, Building Code and the Laws in effect in the Town of Philipstown, Putnam County, New York, having paid the required fee therefore and the undersigned having by inspection ascertained that the applicant has subsequently proceeded with the erection or improvement of the proposed structure in compliance with the requirements of the laws as aforementioned and that the said work and materials met every requirement of the laws as aforementioned and that the premises have now been fully completed and are ready for occupancy pursuant to the provisions of law, Now, therefore, this certificate of

occupancy is hereby issued under the seal of the Town of Philipstown this 6th day of June, 1986.

2 level Deck 12x12
12x20

TOWN OF PHILIPSTOWN, NEW YORK

By [Signature]
BUILDING INSPECTOR

Not valid unless signed in ink by a duly authorized agent and under the seal of the Town of Philipstown.

CERTIFICATE OF OCCUPANCY

Certificate of Occupancy No.

Application No. 3652

Location of Premises

..... of having
heretofore filed an application for a building permit pursuant to the Zoning Ordinance, Sanitary Code, Building Code and the Laws in effect in the Town of Philipstown, Putnam County, New York, having paid the required fee therefor and the undersigned having by personal inspection ascertained that the applicant has subsequently proceeded with the erection or improvement of the proposed structure in compliance with the requirements of the laws as aforementioned and that the premises have now been fully completed and are ready for occupancy pursuant to the provisions of law, Now, therefore, this certificate of occupancy is hereby issued under the seal of the Town of Philipstown this day of, 19.....

Not valid unless signed in ink by a duly authorized agent of and
under the seal of the Town of Philipstown.

By
TOWN OF PHILIPSTOWN, NEW YORK

BUILDING PERMIT

BUILDING PERMIT

Location of Premises

Application No. 3652

..... of having
heretofore filed an application for a building permit pursuant to the Zoning Ordinance, Sanitary Code, Building Code and the Laws in effect in the Town of Philipstown, Putnam County, New York, having paid the required fee in the sum of it appearing from the said application that the proposed improvement is intended to and will comply with the requirements of the law as aforementioned, a building permit is hereby granted this day of 19.....
Additional information

Not valid unless signed in ink by a duly authorized agent of and
under the seal of the Town of Philipstown.

By
TOWN OF PHILIPSTOWN, NEW YORK

CERTIFICATE OF OCCUPANCY

4738

Philipstown Tax Map 45 Block 4 Lot 28.12

Location of Premises Rt 9 - 1 mi W of Garrison Country Club Garrison

of P. J. Garrison 2410524 having heretofore filed an application for a building permit pursuant to the Zoning Law, Sanitary Code, Building Code and other Laws in effect in the Town of Philipstown, Putnam County, New York, having paid the required fee thereon and the undersigned having by inspection ascertained that the applicant has subsequently proceeded with the erection or improvement of the proposed structure in compliance with the requirements of the laws as aforementioned, and that the said work and materials meet every requirement of the laws as aforementioned and that the premises hereby referred to are fully completed and are ready for occupancy pursuant to the provisions of law. Now, therefore, this certificate of occupancy is hereby issued under the seal of the Town of Philipstown this 20 day of May 1985.

TOWN OF PHILIPSTOWN, NEW YORK

By [Signature] BUILDING INSPECTOR

Not valid unless signed in ink by a duly authorized agent and under the seal of the Town of Philipstown.

The Cold Spring Press, Cold Spring, NY

BUILDING PERMIT

4738

Philipstown Tax Map 45 Block 4 Lot 28.12

Location of Premises Route 9 - 1 mile W of Garrison Country Club

of P. J. Garrison 2410524 having heretofore filed an application for a building permit pursuant to the Zoning Law, Sanitary Code, Building Code and the Laws in effect in the Town of Philipstown, Putnam County, New York, having paid the required fee in the sum of \$40.80 it appearing from the said application that the proposed improvement is intended to and will comply with the requirements of the law as aforementioned, a building permit is hereby granted this 20 day of May 1985.

Additional information:

convert garage to storage - 570 sq ft

TOWN OF PHILIPSTOWN, NEW YORK

By [Signature] BUILDING INSPECTOR

Not valid unless signed in ink by a duly authorized agent and under the seal of the Town of Philipstown.



Town of Philipstown

Code Enforcement Office
238 Main Street, PO Box 155
Cold Spring, NY 10516

Office (845) 265- 5202 Fax (845) 265-2687

John and Janice Villetto
24 Hickory Ridge
Garrison NY 10524

10-28-2022

Ref: Application for Building Permit
Proposed Garage
24 Hickory Ridge
Tax map # 60.-2-50 (RC Zone)

Included:

1. Application for building permit
2. Construction plans
3. Site plans with dimensions

The application proposes a 2520 sf. (42'x60') Garage within the setbacks required.

The proposed garage exceeds 1000 sq. ft. and is not in compliance with Philipstown Zoning Code 175-10-D

Therefore, the application at this time is DENIED.

If you are aggrieved by this decision, you may submit an application to the Zoning Board of Appeals pursuant to the provisions of article IV of the town code within 60 days from the date of this letter. An application is enclosed.

Any questions please contact this office.

Greg Wunner


Code Enforcement Officer