



Town of
Washington

10 Reservoir Dr, PO Box 667, Millbrook, NY 12545
845-677-3419

www.washingtonny.org

AREA VARIANCE APPLICATION FORM

APPLICATION TO THE TOWN OF WASHINGTON ZONING BOARD OF APPEALS FOR AN AREA VARIANCE

REAL PROPERTY INFORMATION

Dutchess County Tax Map Number (1234-00-123456-0000)	6663 - 00 - 297341 - 0000
Property Street Address	199 Milewood Rd, Millbrook, NY 12545
Number of Acres	8.54 Acres
Zoning District from Zoning Map	RL - 5
Describe the Current Use of the Property.	One Family Residence
Is this property located in or near a Wetland or Wetland Buffer?	_____ YES <input checked="" type="checkbox"/> NO May Require a Town Wetlands Permit or be ruled by the Aquifer Protection Requirements
Is this property within 500 feet of the boundary of the Village of Millbrook?	_____ YES <input checked="" type="checkbox"/> NO
Is this application being made for a violation that currently exists on the property?	_____ YES <input checked="" type="checkbox"/> NO If YES, the application fee is double.

OWNER INFORMATION

Name of Record Owner(s): If a corporation, LLC, Trustee, so state and submit form	Hurley, Richard Scott (P) Hurley, Mary S. (A)
Record Owner Mailing Address	1701 Highway A1A Ste, 204 Vero Beach, FL 32963
Record Owner Email Address	scotthurley@mac.com
Record Owner Phone Number	(772)216-9939

NOTE: In addition to the above, please complete the following information if the application is submitted and signed by a representative of the owner. (ie: LLC, Corporation, Trustee or applicant's attorney, agent, architect, builder, contract vendee, etc.)

Name of Authorized Representative if different from owner:	Michael J. Sloan
Business Name of Applicant	Sloan Architects, P.C.
Applicant Mailing Address	P.O. Box 373/42 North Ave. Millbrook, NY 12545
Applicant Email Address	msloan@sloanarch.com
Applicant Phone Number	845-677-5640

Please check to specify who you wish correspondence to be e-mailed to, from the above names:

- Applicant/Owner(s)
 Authorized Representative

SUMMARY OF AREA VARIANCE REQUEST

Replace existing screened-in porch with new enlarged one at the same location. Regrade as required per new design.
 Requesting a special permit for the expansion of non-conforming, structure complying with Zoning Code, Section 391(7), and +/- 31'-11" variance from the required 75' rear yard set back and +/- 23'-11" varaince from the required 75' side yard set back.

DESCRIPTION OF HARDSHIP

A Variance to the Zoning Ordinance is requested for the following five (5) reasons:

1. An undesirable change will not be produced in the CHARACTER of the neighbor or a detriment to nearby properties if granted, because:

The structure will be located at the rear, facing a wooded bank hillside. The structure will not be visible to neighbors

2. The benefit sought by the applicant CANNOT be achieved by some method feasible for the applicant to pursue, other than an area variance, because:

Existing house is land locked by the property hilly constraint. Expansion at the same location at the rear is the only viable option.

3. The amount of relief requested is not substantial because:

Not visible from road, or neighbors. It is set into a wooded hillside.

4. The variance will NOT have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because:

No adverse effect/impact due to enlarged structure is at the rear, and not visible from road. Not visible to neighbors, and not near neighbor structures, due to the hilly site.

5. Has the alleged difficulty been self-created? _____ Yes, or No Why:

Existing house was built on the only flat viable part of the property. Land locked by its hilly terrain.

DESCRIPTION OF PROJECT

Please write N/A in any section which does not apply to your application.

For Demolition of Existing Building Areas

Please describe area being removed:

Existing Screened-In Porch

New Construction Areas (New Dwelling, New Additions, Pool):

Dimensions of first floor extension:

+/- 20'-11 1/2" W X 40'-11" L

Dimensions of new second floor: N/A

Dimensions of floor above second level:

N/A

Height (from finished ground to top of ridge):

+/- 26'- 7 1/2"

Is basement or lowest floor area being constructed? If yes, please provide height (above ground) measured from natural existing grade to first floor:

Submit manufacturer specifications for pools, sheds, etc.

Proposed Alterations or Structural Changes Construction

Please describe building areas: Screened-in Porch replacement and enlargement

Number of Floors and General Characteristics **BEFORE** Alterations:

Existing building is two story with partial basement.

Number of Floors and Changes **WITH** Alterations:

There will be no change to the number of floors. +/- 759.43 SF of Screened-In Porch replacement and enlargement.

Calculations of building areas and lot coverage:

Existing square footage of existing buildings on your property:

Existing Lot Coverage: +/- 6,392.12 SF

Proposed increase of building coverage:

+/- 759.43 SF

Square footage of your lot:

8.54 Acres = +/- 372,002.4 SF

Percentage of coverage of your lot by building area:

Existing: +/- 6,392.12 / 372,002.4 = 1.7% Proposed: +/- 7,077.47 / 37,2002.4 = 1.9%

Purpose of New Construction

For larger screened-in porch to accommodate family and friends.

Please describe the land contours (flat, slope %, heavily wooded, marsh area, etc.) on your land and how it relates to the difficulty in meeting the code requirement (s):

Heavily wooded, hilly terrain at 40% slope, limited flat area where existing house is situated. It is landlocked by site terrain.

Only way is the replacement of existing porch with elongated enlargement.

ADDITIONAL REQUIRED INFORMATION

Have any prior appeals been made with respect to this property?

_____ Yes _____ NO

Such appeal(s) was (were) in the form of

_____ A requested interpretation

_____ A request for a variance

Name of Owner:

Date

Was appeal granted or denied?

_____ Please provide copies of previously granted appeals.

Are there any Covenants or Restrictions concerning this land?

_____ Yes NO _____ If yes, please furnish a copy

Are the subject premises listed for sale on the real estate market?

_____ Yes No

Are there any proposals to change or alter land contours?

_____ No Yes please explain.

Minumum grade to accomodate.

Are there any wetland areas or buffers on the parcel?

_____ Yes _____ NO

Are those wetland areas or buffers shown on the survey submitted with this application?

_____ Yes _____ NO

If your property contains ponds, wetlands or buffer areas, have you contacted the Building Department for its determination of jurisdiction?

_____ Yes _____ NO

Does your application require Town, County, State, or Federal Permits?

Yes _____ NO _____ If yes, provide which agency and the type of application.

Town of Washington Building Permit

Has an application been made to or granted by any other entity, and by which agency? Provide copies

No _____

Are there any patios, structures, pools or fences that exist on your property that are not shown on the survey that you are submitting?

_____ Yes _____ NO

If yes, please provide a plot plan showing all improvements.

Do you have any construction taking place at this time concerning your premises?

_____ Yes _____ NO

Please submit a copy of your building permit and survey as approved by the Building Department

Describe the construction: _____

Do you or any co-owner also own other land adjoining or close to this parcel?

_____ Yes _____ NO If yes, please label the proximity of your lands on your survey.

Please list present use or operations conducted at this parcel _____

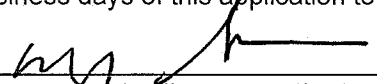
_____ and the proposed use _____
_____. (i.e.: existing single family, proposed: same with garage, pool or other)

NOTARIZED STATEMENT

By submitting this application, I hereby swear/affirm that this variance is the MINIMUM that is 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.

I further swear/affirm that the information in this application is a truthful and honest representation of the property for which this request is made.

I further swear/affirm that I will make an appointment with the Zoning Administrator within five business days of this application to allow for an inspection of said property.



Signature of Applicant or Authorized Agent
Agent must submit Owner Authorization Form

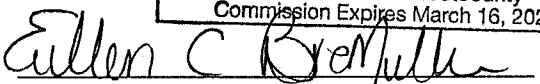
MICHAEL SLOAN

Printed Name

Sworn to before me this 10th day of January, 2024.

Place Notary Stamp

ELLEN C BREMILLER NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01BR6202496 Qualified in Dutchess County Commission Expires March 16, 2025
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Signature of Notary

ZBA AREA VARIANCE CHECKLIST TO BE COMPLETED BY APPLICANT.

Documents are required 21 days prior to a meeting. We suggest submitting earlier than 21 days to ensure the Town has a complete application. **If information is missing the appearance before the ZBA will be delayed.**

REAL PROPERTY INFORMATION

Dutchess County Tax Map Number (1234-00-123456-0000)		
Property Street Address		
Check or N/A		
* ✓	A complete application form, neatly printed or typed, signed in ink and six copies.	
*	Scaled site plan drawings of proposed project in an 11x17 or larger format, prepared by a NYS licensed engineer or surveyor. Drawings should be folded with the packet and include the name of the property owner and address on the drawings. These drawings can include, but are not limited to, the following: Site plan. Floor plan(s). Elevations. Any other details deemed necessary to explain this project. (Copies of pool plans, shed information, etc.)	
* ✓	Survey maps of the property with the name of the property owner on the map. The map should be folded to fit in a legal sized file folder. The map must have the grid number legibly written on the back of the map.	
*	Legal proof of control of the property by ownership. (Deeds may be obtained from the Office of the Dutchess County Clerk or via the website: https://www.co.dutchess.ny.us/CountyClerkDocumentSearch/Search.aspx	
	Certificates of occupancy for the subject premises. If any are lacking, please apply to the Building Department to either obtain them or to obtain an Amended Notice of Disapproval.	
* ✓	New York State Environmental Assessment Form. The type of environmental assessment form to be submitted will depend on the scope of work and proposed use described in the application. Please refer to the New York State Department of Environmental Conservation's website at www.dec.ny.gov/permits/357.html for further information as well as printing required forms	
*	A set of at least four photographs labeled to show different angles of the yard areas after staking corners for new construction, and/or photos of building area to be altered.	
*	Application fee: Four hundred dollars (\$400.00) for the first variance One hundred twenty-five dollars (\$125.00) for each additional area variance (For example, if you need a side yard variance and a rear yard variance the fee will be \$525.00) An escrow fee may be requested by the ZBA. Minimum fee \$750.00. Checks shall be made payable to "Town of Washington" Credit card payments are subject to an additional fee up to 2.95% charged by the credit card processing company.	
*	A Flash Drive or PDF of all documents, except the application fee. A PDF may be emailed to ZBA@washingtontny.org referenced as "ZBA Application/Owner's Name"	
	A plot plan of all improvements if not shown on the survey map.	
✓	Owner's affidavit providing permission for someone to act as their agent.	

	Approved Building Permit
	Permits from other town, county, state or federal agencies.
* ✓	Owner's Endorsement
	APPLICANTS ARE RESPONSIBLE FOR PUBLICATION OF NOTICE OF PUBLIC HEARING & MAILING TO ADJACENT NEIGHBORS CONSULT with ZBA Clerk for Notice of Public Hearing & Neighbor List The following two requirements must be provided to the ZBA Clerk two weeks prior to the meeting or the application will be removed from the agenda.
	Affidavit of Publication from Poughkeepsie Journal
	Proof of Mailing to Adjacent Neighbors from the United States Post Office (USPS Certified Mail Receipt for each neighbor)