



Town of  
Washington

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

[www.washingtonny.org](http://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)	135 889-6666-289635-0000
Property Street Address	48 SHUNPIKE Clinton Corners, NY 12514.
Number of Acres	5
Zoning District from Zoning Map	RL-5
Describe the Current Use of the Property.	Single 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	Marcia DeVoie and Eric Alexander
Record Owner Mailing Address	48 SHUNPIKE, CLINTON CORNERS, 12514.
Record Owner Email Address	Marcia Lillian DeVoe @ gmail.com Eric. Alexander 2020 @ gmail.com
Record Owner Phone Number	677-4970 (917) 579-8055 (845) 868- <del>3401</del> 3401

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:	
Business Name of Applicant	
Applicant Mailing Address	48 SHUNPIKE Clinton Corners 12574.
Applicant Email Address	MarciaLillianDeVbe@gmail.com
Applicant Phone Number	(845) 677-4970

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

We are requesting a side-yard setback variance of 19' so we can obtain a building permit.

#### 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 building is a simple wood cabin hidden by trees and brush and is in keeping with the general aesthetics of the area.

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:

The clearing in the woods can only accommodate the length of the shed if it crosses the setback line due to a large stone ridge on one side.

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

The 19 feet over the setback line would not be noticeable to neighbors or from the road because of the woods.

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

The building will only be used by day as a non-residential art studio.

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

We can't move the studio within the setback line because of a large rock ridge on one side. There is nowhere else on the property that would work.

## 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:

N/A

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

Dimensions of first floor extension:

12' x 22' + 4' simple porch.

Dimensions of new second floor:

N/A



Dimensions of floor above second level: N/A

Height (from finished ground to top of ridge): 11' 5"

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

**Submit manufacturer specifications for pools, sheds, etc.**

**Proposed Alterations or Structural Changes Construction**

Please describe building areas: N/A  
Number of Floors and General Characteristics **BEFORE** Alterations:

Number of Floors and Changes **WITH** Alterations: N/A

**Calculations of building areas and lot coverage:**

Existing square footage of existing buildings on your property: 1,484 sq. ft.

Proposed increase of building coverage: 352 sq ft (including porch)

Square footage of your lot: 217,800 sq ft (5 acres)

Percentage of coverage of your lot by building area:  
 $1,484 + 352 = 1,836 / 217,800 = 0.008\%$

Purpose of New Construction Art studio w/ electric but no  
running water.

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):

We have woodland, livestock pasture (in use); our  
land has flat spots surrounded by hills or ridges of  
rock. We'd like to place the art studio in the last  
unoccupied flat spot, the clearing in the woods to  
the southwest of the house.



## 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?

Marcia De la Cruz, Eric Alexander 2012 granted  
2023 granted 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.

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

N/A

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

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

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

N/A

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 Single family residence and the proposed use art studio. (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.

M. DeVoe  
Signature of Applicant or Authorized Agent  
Agent must submit Owner Authorization Form

Marcia DeVoe  
Printed Name

Sworn to before me this  
18 day of December, 2023

Place Notary Stamp here:

Jill M. Astrologo  
Signature of Notary  
Jill M. Astrologo  
Notary Public State of New York  
No. 01AS6207674  
Qualified in Dutchess County  
My Commission Exp. 6/15/2025