## VILLAGE OF WAPPINGERS FALLS Offices of Planning/Zoning 2582 South Avenue Wappingers Falls, NY 12590 (845) 297-5277 Fax: (845) 296-0379

## AGENDA OF THE ZONING BOARD OF APPEALS

February 7, 2023

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The Zoning Board of Appeals of the Village of Wappingers Falls will hold a meeting at the American Legion Hall, 7 Spring Street, Wappingers Falls, on February 7, 2023, beginning at 7 p.m. There is a public hearing scheduled for this meeting.

The agenda is as follows:

ROLL CALL

APPROVAL OF OCTOBER 4, 2022 MINUTES

APPROVAL OF NOVEMBER 15, 2022 MINUTES

## PUBLIC HEARING

### 5 Mc KINLEY STREET

5 Mc Kinley Street (Grid #6158-17-110181) Zoila Alverez (Owner and Applicant) – Jeff Kane, AICP CEP, Kane Planning & Development Consultants (Consultant) – Area Variance Application.

This property is located in the Residential Mixed Use (RMU) zoning district. The applicant is seeking a variance from Village Code §151 Table 2B which requires a 10-foot minimum rear setback, to legalize the expansion of a 3-season room which has a 0-foot rear setback, therefore requiring a 10-foot area variance.

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### VILLAGE OF WAPPINGERS FALLS OFFICE OF BUILDING, PLANNING & ZONING (845) 297-5277 Fax: (845) 296-0379

## **APPLICATION FOR AN AREA VARIANCE**

FURALL		
I	APPEAL NUMBER:	MEETING DATE:
<b>APPLICANT:</b>		
Name: Zoila Alva	arez	
Address: 5 Mc Ki	inley Street	
Wappin	ngers Falls, NY 12590	
Phone Numbers:	(H) <u>914-488-7410</u>	(C)
	(E-mail) bchuchuca00@gmail.c	om
(If the applica	ant is not the owner, a Consent form si	igned by the owner must be filed with this application.
PROPERTY OV	WNER:	
Name: Zoila Alva	rez	
Address: 5 Mc Ki	inley Street	
Wappi	ingers Falls, NY 12590	
Contact Phone N	lumbers. : (H)914-488-7410	(C)
	(E-mail) bchuchuca00@gmail.c	com
PROPERTY IN	FORMATION	
Property Address	s (subject of appeal): 5 Mc Kinley	y Street, Wappingers Falls, NY 12590
Tax Parcel #: 1	35601-6158-17-110181 and 13560	1-6158-17-106180
Date property acc	quired: 5/10/202	79
Zoning District:	RMU - Residential Mixed Use	
		dth <u>185+/-</u> ft. Depth <u>65'-80'</u> ft.
	Front <u>15</u> ft. Rear <u>10</u>	ft.
	Sides 0' min ft. and 12' ma	× ft. DECEIVEN
DEOLIEST FOR	R AREA VARIANCE	JAN 0 3 2023
-		
Deed Restriction	S:	By
Section(s) of ordi	inance from which variance is re-	quested:

SECTION	REQUIRING	REQUESTED VARIANCE
Table 2B, setback (g.4)	10' Rear Setback	10'

Return this form by mail or in person to: Office of Building, Planning & Zoning - 2582 South Avenue, Wappingers Falls, NY 12590



## VILLAGE OF WAPPINGERS FALLS OFFICE OF BUILDING, PLANNING & ZONING (845) 297-5277 Fax: (845) 296-0379 APPLICATION FOR AN AREA VARIANCE (Continued)

Description of appeal Requested: \_\_\_\_\_ The Owner's house consists of 3 parcels on a single deed. Two are i

Wappingers Falls, and one is in the Town of Wappingers Falls. The Town and Village parcels cannot be

combined, so the request is for a 10' variance to allow the owner to expand the enclosed porch up to the

Village/Town line, which still leaves a 23' setback to the next parcel.

Dates and Descriptions of prior appeals, variances or special permit for property:

N/A

Planning Board review date(s): N/A

Environmental review: SEQR Type 2

PLEASE ANSWER THE FOLLOWING QUESTIONS: (Use attachments if necessary)

1. How will this variance affect nearby properties?

Nearby properties will not be affected. The porch is in the rear of the house, and not within 150' of any

other house. The rear setback is to the Applicant's parcel which extends 23'+ into the Wappinger Creek

The next parcel is undeveloped land on the other side of the Wappinger.

2. How will granting this variance benefit the property owner?

The rear porch can be extended another 2.5' in depth to create more usable living space.

3. What is the minimum relief needed? 10', in order to create a 14' deep porch. The existing 11.5' is too narrow for the Owner.

4. Why are alternative methods for compliance NOT FEASIBLE?

The Owner attempted to combine the lots, but the Town/Village line precludes lot consolidation.

5. Did you do something to your property to cause the need for the variance? (i.e., previous activities such as grading, excavations, additions, improvements)? No.



## VILLAGE OF WAPPINGERS FALLS OFFICE OF BUILDING, PLANNING & ZONING (845) 297-5277 Fax: (845) 296-0379 APPLICATION FOR AN AREA VARIANCE (Continued)

6. How will this variance affect the general character of the community with respect to noise, vibration, odors, vehicular and pedestrian traffic, visual aesthetics, public services (such as schools, police, fire, water, sewer, and roads)? The variance will have no impact on the character of the community. As noted, there are no

neighbors who would be impacted by the enlarged porch area, and it will not add additional living

units, traffic, or utility demands.

7. How will the proposed variance affect the health, safety, security morals or general welfare of residents, visitors or workers in the area? As noted above, the variance will not impact the health, safety, or welfare of other

residents, visitors, or workers in Wappingers Falls because there are no impacted neighbors, and the

only impacted lot is a parcel contained in the same deed.

### **REQUIRED SUBMITTALS:**

- "Letter of Denial"
- Affidavit of ownership
- \_\_\_\_ Contract of Sale or Lease, if applicable
- Photographs of affected area if applicable
- \_\_\_\_ Plot Plan
- Application Fee

### SIGNATURE AND VERIFICATION

Please be advise that no application can be deemed complete unless signed below.

The applicant hereby states that all information given is accurate as of the date of application. If not the owner of the property, I hereby swears that this application is made with the informed knowledge and consent of the owner.

SIGNATURE OF APPLICANT

1212222

DATE

#### PART "A" OWNER AFFIDAVIT

New York		
State of	}	
County of	} ss: }	
Zoila Alvarez	being duly swom, deposes and	says:

- 1. That I/we are the Owner(s) of the within property as described in the foregoing application for Zoning Board of Appeals approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief. Braulio Chuchuca and Jeff Kane
- That I/we hereby authorize \_\_\_\_\_\_\_, to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
- 3. That I/we understand that by submitting this application for Zoning Board of Appeals approval that I/we expressly grant permission to the Zoning Board of Appeals and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Zoning Board of Appeals action.
- 4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Village related to this application.
- 5. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Village Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Zoning Board of Appeals, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Village of Wappingers Falls, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Village Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Village official(s) entering the property for the purpose of conducting inspections.
- 6. That I/we understand that the Village of Wappingers Falls Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

le der Applicant/Owner

Applicant/Owner

Sworn to before me this  $22^{11}$ 

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Notary Public

MARCO ESTRELLA NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01ES6153853 Qualified in Westchester County Commission Expires October 16, 2026

#### PART "B" APPLICANT / AGENT AFFIDAVIT

Sta	New York		
	Dutchess	3 sε }	
	Zoila Alvarez	being duly sworn, deposes and says:	
1.		Owner and Applicant named in the foregoing applicant named in	-
2.	belief. That he/she resid Dutc County of	des at or conducts business at	in the

- 3. That I/we understand that by submitting this application for Zoning Board of Appeals approval that I/we expressly grant permission to the Zoning Board of Appeals and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Zoning Board of Appeals action. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Village related to this application.
- 4. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Village Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Zoning Board of Appeals, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Village of Wappingers Falls, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Village Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved pian is an express waiver of any objection to authorized Village official(s) entering the property for the purpose of conducting inspections.
- 5. That I/we understand that the Village of Wappingers Falls Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we has examined this affidavit and that it is true and correct.

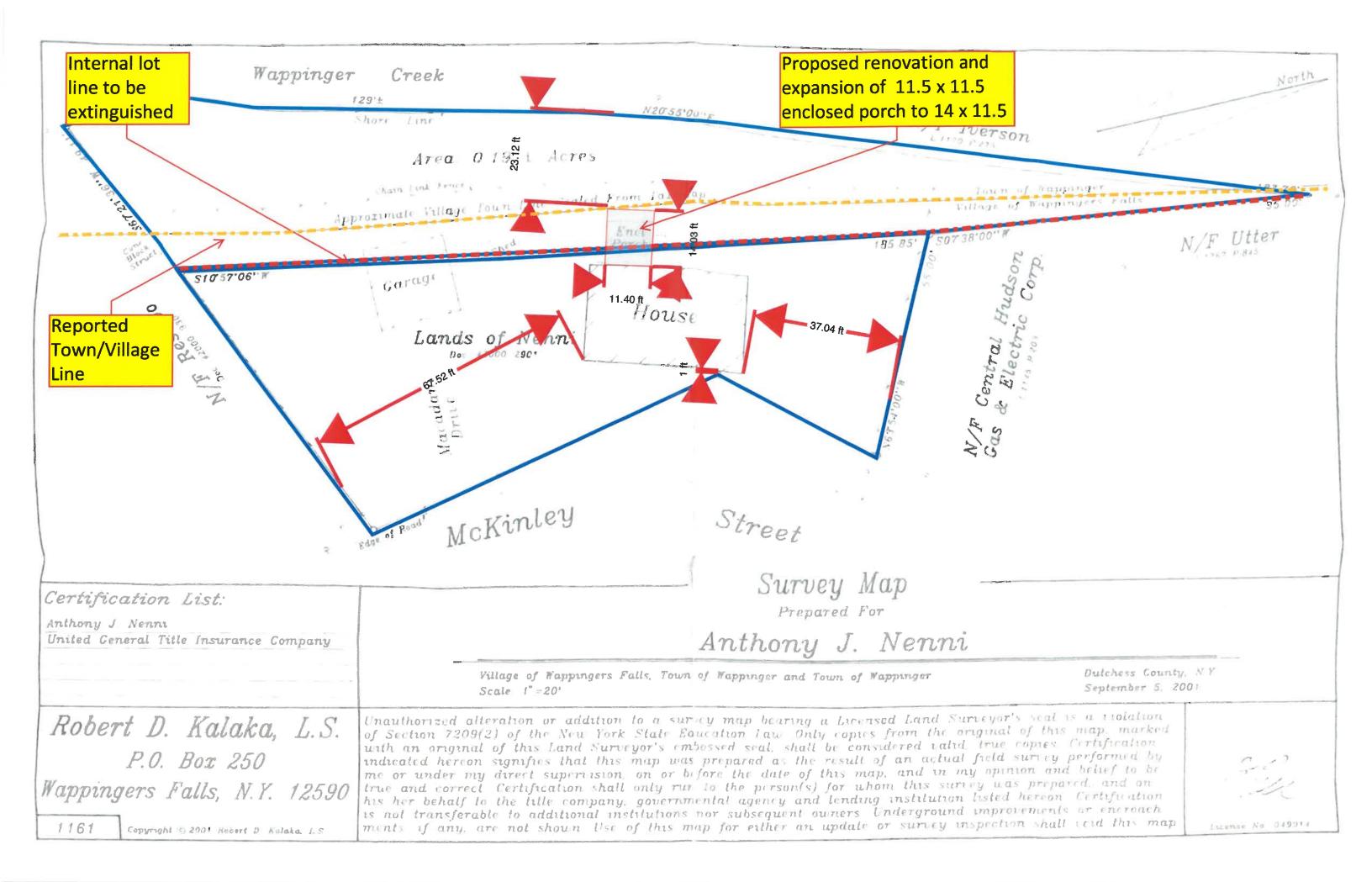
Zarta Applicant/Agent

Applicant/Agent

Sworn to before me this

Notary Public

MARCO ESTRELLA NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01ES6153853 Qualified in Westchester County Commission Expires October 16, 2026





**VILLAGE OF WAPPINGERS FALLS** 

Office of Building, Planning & Zoning 2582 South Avenue Wappingers Falls, NY 12590 Phone: (845) 297-5277 Fax: (845) 296-0379 E-mail: <u>bmurphy@wappingersfallsny.gov</u> www.wappingersfallsny.gov

January 20, 2023

Ms. Zoila Alvarez 5 Mc Kinley Street Wappingers Falls, NY 12590

Re: 5 Mc Kinley Street

Dear Ms. Alvarez,

Reference is made to your submission to my office to repair and expand a 3-season room at 5 Mc Kinley Street, Wappingers Falls, NY 12590 (SBL #6158-17-110181).

At this time, our office must deny your application. Please note that 5 Mc Kinley Street is located in the Residential Mixed Use Zoning District. Per §151 Table 2B, a 10-foot minimum rear setback is required. The proposed expansion of the 3-season room would have a 0-foot rear setback, therefore requiring a 10-foot area variance.

Please further note that this denial letter has been written, and is contingent upon, the consolidation of lot #6158-17-110181 with lot #6158-17-106180. If the lot consolidation does not occur, this denial letter will be void, as the proposed structure would be located partially on the adjacent property, which is not permitted.

We also note that lot #135689-6158-03-103175 is owned by you and that you sought to consolidate that lot with the two lots listed above, but were informed by Dutchess County that the consolidation could not occur because the third lot is located in a different municipality. That lot is vacant and would have added at least 20 feet to the rear yard, making a variance unnecessary.

An application for an area variance can be found on the Village website, along with the 2023 Zoning Board meeting schedule and application/submission deadlines www.wappingersfallsny.gov.

Our office is returning your building permit application and survey. If you have any questions, please contact our office.

Thank you.

Bryan Murphy

Bryan Murphy Village of Wappingers Falls Building Inspector/Zoning Administrator

BM/mp Enclosure

## Parcel Merge (Combination) Request

1/19/2023 Date:

Real Property Tax Service Agency County Office Building 22 Market Street Poughkeepsie, NY 12601

I request that the following adjoining parcels be merged (combined) into one tax parcel Wappinger

Town of

County of Dutchess.

135601-6158-17-106180-0000

Parcel ID Numbers

135601-6158-17-110181-0000

I understand that all outstanding taxes levied against the property must be paid on each parcel before the parcels can be combined; proof of which must accompany this request, as tax certification and/or receipt from local tax collector. Failure to provide this proof of payment of taxes will result in parcels not being merged.

Zoila Alvarez, Braulio Chuchuca Owner Name Signature Zatte

Assessor's Approval: I approve the merging of the above parcels into a single tax parcel.

Office use only:

Tax map changed bv

Notes:

- 1. Local planning board approval may be necessary to regain original lot configuration.
- 2. A new grid number may be assigned to the newly established parcel.
- 3. Abandonment of a subdivision may be required.
- 4. Other restrictions may impact this request.

K \Mapper\_Documents\Procedures\_Tax Mapping\Assessor Packet\Parcel Merge Request doc Rev 2/2016 RPT

FISCAL YEAR: 01/01/2022 to 12/31/2022 WARRANT I	DATE: 12/13/2021	STATE AID - COUNTY	\$85,590,144.00		TOWN: \$9	51,208.00
		BANK	BILL NUMBER		ER PAGE	
MAKE CHECK PAYABLE TO:			00073	8	1 OF 1	
LEE ANNE FRENO RECEIVER OF TAXES 20 MIDDLEBUSH ROAD WAPPINGERS FALLS, NY 12590 PROPERTY OWNER:	TO PAY IN PE Town Hall Monday - Frida 8:30AM - 4:00	y	DIMENSION: 0 RS: 1 ADDRESS: 5 SCHOOL: 7 FULL MARKET 7 UNIFORM % OF		RMATION: 135601 6158-17-110181-0 0.14 acres 1 CLASS: 1 Family Res 5 Mc Kinley St Wappingers CSD VALUE:	
Nenni Ralph N Jr TR Nenni James F Trustee		Exemption	ASSESSMENT:	Value	Full Value	Tax Purpose
245 Ketchamtown Rd Wappinger Falls, NY 12590		Alt Vet Cb		45000.00	45000.000	C/T/S

# **TOWN OF WAPPINGER: TOWN & COUNTY 2022 TAXES**

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If you feel the assessment on your property is too high, you have the right to file a grievance to lower it for future tax bills. For information, please contact your assessor for the booklet "How to File a Complaint on Your Assessment" and to inquire about exemptions. Any reduction in assessment will NOT be reflected on this bill.

LEVY DESCRI	PTION	TAX LEVY	% Change From Prior YR Levy	RATE	TAXABLE VALUE	AMOUNT DUE				
<b>**HOMESTEAD PARC</b>	EL**		0.0000	0.00000000	0.00	0.00				
COUNTY TAX		99727185	-5.3000	2.84887800	160600.00	457.53				
TOWN INSIDE TAX		400456	3.7000	0.73603000	160600.00	118.21				
			PAYMENTS	RECEIVED						
Receipt#: 2652	Date Paid:02/1	8/2022	Full Pay							
Tax: 575.74	Penalty:	0.00 Surcha	arge: 0.00	Notice Fee: 0.	.00 Ret. Check Fee:	0.00				
Cash: 0.00	Check: 5	75.74 Chec	:k #: 347							

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TOTAL TAXES PAID TO DATE:

Printed on: 01/20/2023 11:08:12 AM

\$575.74

WARRANT DATE:	08/15/2022	STATE AID - COUNTY	\$0.00		SCHOOL: \$70	5,930,151.00
MAKE CHECK PAYABLE TO:		BANK		MBER	PAGE	
	Γ	C030614	00004	6	1 OF 1	
	Town Hail Monday - Friday	UN:	TAX MAP #: DIMENSION: RS: ADDRESS: SCHOOL: FULL MARKET UNIFORM % O	135601 0.14 acres 1 CLASS 5 Mc Kinle Wappinger VALUE:	6158-17-110 S: 1 Family Res ey St	L81-0000 228200.00 100.00 228200
		Exemption BAS STAR	STAR SAVINGS	Value	Full Value 42280.000	587.0 Tax Purpos
	WARRANT DATE:	Town Hail Monday - Friday	BANK C030614 TO PAY IN PERSON: Town Hail Monday - Friday 8:30AM - 4:00 PM Exemption	BANK BILL NUX   C030614 00004   TO PAY IN PERSON: PROPERTY INFO   Town Hail Monday - Friday   Monday - Friday DIMENSION:   8:30AM - 4:00 PM RS:   ADDRESS: SCHOOL:   FULL MARKET UNIFORM % O   ASSESSMENT: STAR SAVINGS   Exemption Exemption	BANK BILL NUMBER   C030614 000046   TO PAY IN PERSON: PROPERTY INFORMATION   Town Hail Monday - Friday   8:30AM - 4:00 PM DIMENSION: 0.14 acres   SCHOOL: Wappinger   FULL MARKET VALUE: UNIFORM % OF VALUE:   UNIFORM % OF VALUE: STAR SAVINGS:   Exemption Value	BANK BILL NUMBER PA   C030614 000946 1 OF 1   TO PAY IN PERSON: PROPERTY INFORMATION: TAX MAP #: 135601 6158-17-1101   Town Hail DIMENSION: 0.14 acres   Monday - Friday RS: 1 CLASS: 1 Family Res   8:30AM - 4:00 PM RS: 1 CLASS: 1 Family Res   ADDRESS: 5 Mc Kinley St SCHOOL:   Wappingers CSD FULL MARKET VALUE: UNIFORM % OF VALUE:   UNIFORM % OF VALUE: UNIFORM % OF VALUE: STAR SAVINGS:   Exemption Value Full Value

## WAPPINGERS CSD: SCHOOL 2022 TAXES

Note: This year's STAR exemption benefit cannot exceed last year's benefit.

If you feel the assessment on your property is too high, you have the right to file a grievance to lower it for future tax bills. For information, please contact your assessor for the booklet "How to File a Complaint on Your Assessment" and to inquire about exemptions. Any reduction in assessment will NOT be reflected on this bill.

LEVY DESCRIPT	LEVY DESCRIPTION TAX LEVY		% Change From Prior YR Levy RATE TA		TAXABLE VALUE	AMOUNT DUE				
**HOMESTEAD PARCEI SCHOOL TAXES			0.0000	0.00000000 14.85474900	0.00 228200.00	0.0 3389.8				
STAR SAVINGS   0   0.0000   0.00   -587.										
PAYMENTS RECEIVED										
Receipt#: 5050 Tax: <u>2802.85</u> Cash: 0.00	Date Paid:10/11/2022 Penalty: 0.00 Check: 2802.85		0.00	ent - Bank Pa Notice Fee:		<u>0.00</u>				

Received from CORELOGIC - CHASE - Via Mail: \$2802.85

TOTAL TAXES PAID TO DATE:

Printed on: 01/20/2023 11:08:20 AM

\$2802.85

FISCAL YEAR: 07/01/2022 to 06/30/2023	WARRANT DATE:	08/15/2022	STATE AID - COUNTY	\$0.00		SCHOOL: \$76,93	0,151.00
			BANK	BILLNUM	ABER	PAGE	
MAKE CHECK PAYABLE TO	):			00004	5	1 OF 1	
LEE ANNE FRENO RECEIVER OF TAXES 20 MIDDLEBUSH ROAD WAPPINGERS FALLS, NY 12590		TO PAY IN PER Town Hali Monday - Friday 8:30AM - 4:00 Pl	SON:	DIMENSION: RS: ADDRESS:	135601 6 0.07 acres l CLASS: Mc Kinley	158-17-10618( Res vac land St	)-0000
PROPERTY OWNER	<b>R</b> :			SCHOOL: FULL MARKET UNIFORM % OI ASSESSMENT:	00.000.000.000.000	i CSD	21800.0 100.0 2180
Alvarez Zoila Chuchuca Braulio 6 South St	25 54						

## WAPPINGERS CSD: SCHOOL 2022 TAXES

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\$323.83

If you feel the assessment on your property is too high, you have the right to file a grievance to lower it for future tax bills. For information, please contact your assessor for the booklet "How to File a Complaint on Your Assessment" and to inquire about exemptions. Any reduction in assessment will NOT be reflected on this bill.

LEVY DESCRI	LEVY DESCRIPTION TAX LEVY		% Change From Prior YR Levy	RATE	TAXABLE VALUE	AMOUNT DUE	
*HOMESTEAD PARC	EL**			0.0000	0.00000000	0.0	
CHOOL TAXES		181	192000	0.8000	14.85474900	21800.0	
	i de la cher					化建立体内检测速计	
				PAYMENTS	RECEIVED		
Receipt#: 1630	Date Paid:	09/28/2022		Full Pay			
Tax: 323.83	Penalty:	0.00	Surch	arge: 0.00	Notice Fee:	0.00 Ret. Check I	Fee: 0.00
Cash: 0.00	Check:	323.83	Che	ck #: <u>120</u>			
3						<b>Received from Alv</b>	arez Zoila - Via Mail: \$323.8

2 August

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Ossining, NY 10562

Printed on: 01/20/2023 11:08:45 AM

FISCAL YEAR: 01/01/2022 to 12/31/2022 WARRAN	NT DATE: 12/13/20	021 STATE AID - COUNTY	\$85,590,144.00	TOW	N: \$951,208.00	
		BANK	BILL NUMB	BER	PAGE	
MAKE CHECK PAYABLE TO:			000737	1 OF 1		
LEE ANNE FRENO RECEIVER OF TAXES 20 MIDDLEBUSH ROAD WAPPINGERS FALLS, NY 12590	CEIVER OF TAXES Town Hall MIDDLEBUSH ROAD Town Hall Monday - Friday			MATION: 35601 6158-17 07 acres CLASS: Res vac Ac Kinley St Appingers CSD		
PROPERTY OWNER:			SCHOOL: W FULL MARKET VA UNIFORM % OF V ASSESSMENT:	ALUE:	21800.0 100.0 2180	
Nenni Ralph N Jr TR Nenni James F Trustee						

# **TOWN OF WAPPINGER: TOWN & COUNTY 2022 TAXES**

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If you feel the assessment on your property is too high, you have the right to file a grievance to lower it for future tax bills. For information, please contact your assessor for the booklet "How to File a Complaint on Your Assessment" and to inquire about exemptions. Any reduction in assessment will NOT be reflected on this bill.

LEVY DESCRIPTION		TAX LEVY	% Change From Prior YR Levy	RATE	TAXABLE VALUE	AMOUNT DUE
**HOMESTEAD PARCEL**		anna an tanàna amin'ny faritr'o dia mandritry dia mandritry dia mandritry dia mandritry dia mandritry dia mandri	0.0000	0.00000000	0.00	0.00
COUNTY TAX		99727185	-5.3000	2.84887800	21800.00	62.11
TOWN INSIDE TAX		400456	3.7000	0.73603000	21800.00	16.05
			PAYMENTS	RECEIVED		
Receipt#: 2653 Date Paid:		2/18/2022 Full Payment				
Tax: 78.16	Penalty:	0.00 Surcha	arge: 0.00	Notice Fee:	0.00 Ret. Check Fee:	0.00
Cash: 0.00	Check:	78.16 Chee	ck #: <u>347</u>			

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Received from Nenni Ralph N Jr TR - Via Counter: \$78.16

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TOTAL TAXES PAID TO DATE:

Printed on: 01/20/2023 11:09:38 AM

245 Ketchamtown Rd

Wappingers Falls, NY 12590

\$78.16

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