



## VILLAGE OF WAPPINGERS FALLS

### APPLICATION FOR AREA VARIANCE

OFFICE OF BUILDING,  
PLANNING AND ZONING  
2582 SOUTH AVENUE  
WAPPINGERS FALLS, NY 12590  
PHONE: (845) 297-5277  
FAX: (845) 296-0379  
bmurphy@wappingersfallsny.gov  
mperez@wappingersfallsny.gov  
www.wappingersfallsny.gov

#### SUBMISSION REQUIREMENTS

1. All sections of the application form must be complete and accurate.
2. Application fee (non-refundable): cash or checks payable to "Village of Wappingers Falls"
3. The application must be filed with ten (10) copies of your appeal, together with ten (10) copies of all supporting documentation, and also submitted electronically in PDF format, including:

- "Letter of Denial"
- Affidavit of ownership
- Contract of Sale or Lease, if applicable
- Photographs of affected area if applicable
- Plot Plan :

\* A scale drawing not less than 8 1/2 by 11 inches in size.

\*Suggested examples to include are: boundaries and dimensions of lot, dimensions and locations of existing structures (include porches, fences, walls, pools, sheds, signs, etc.). Dimensions of building set backs from property lines, location of driveways and parking layout, adjacent property lines, location of driveways, and parking layouts, adjacent property lines within 100 feet of the site, right of ways and easements, adjacent street(s), north point, building elevation (not required in most cases) may be helpful in rendering a decision.

#### APPLICATION DEADLINE:

In order to be on the following month's agenda you should submit a properly completed application by the submittal due date. For the ZBA meeting schedule and submittal due dates, please visit the Building, Planning & Zoning page of the Village website: <https://www.wappingersfallsny.gov/building-planning-zoning/>

ZBA meetings begin at 7:00 p.m. You are encouraged to visit the Village website and/or call the Planning and Zoning office the day of the meeting to confirm the meeting.



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**APPLICATION FOR AN AREA VARIANCE**

**APPEAL NUMBER:** \_\_\_\_\_ **MEETING DATE:** February 6, 2024

**APPLICANT:**

Name: Djallel Bouneffouf

Address: 7 Gwens Way - Poughkeepsie, NY 12603

Phone Numbers: (H) 914.608.4492 (C) 914.608.4492

(E-mail) djallel\_info@yahoo.fr

(If the applicant is not the owner, a Consent form signed by the owner must be filed with this application.)

**PROPERTY OWNER:**

Name: (same as above)

Address: \_\_\_\_\_

Contact Phone Numbers. : (H) \_\_\_\_\_ (C) \_\_\_\_\_

(E-mail) \_\_\_\_\_

**PROPERTY INFORMATION**

Property Address (subject of appeal): 2544 South Avenue (NY State Route 9D)

Tax Parcel #: 135601-6157-06-301997

Date property acquired: June, 2023

Present use of property: Two- Family residence

Zoning District: VR- Village Residential

Dimensions: Lot Area 8,473 (sq. ft. Width 50 ft. Depth 169.5 ft.

Setback: Front 20.5 ft. Rear 97.3 ft.

Sides 4.2 ft. and 11.6 ft.

**REQUEST FOR AREA VARIANCE**

Deed Restrictions: \_\_\_\_\_

Section(s) of ordinance from which variance is requested:

SECTION	REQUIRING	REQUESTED VARIANCE
151 Table 2C	Max lot coverage 60%	6% variance requested.

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



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**APPLICATION FOR AN AREA VARIANCE (Continued)**

Description of appeal Requested: Zoning ordinance requires maximum of 60% lot coverage.

The property exists with 70% lot coverage and the proposed improvements will reduce the lot coverage to 66% which will require an area variance of 6%.

Dates and Descriptions of prior appeals, variances or special permit for property: January 8, 2024

Planning Board review date(s): December 7, 2023

Environmental review: December 7, 2023

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

1. How will this variance affect nearby properties?

The area variance request for lot coverage will have no effect to nearby properties as the proposal reduces the lot coverage from 70% to 66%.

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

The granting of the variance will benefit the owner in allowing the existing two-family dwelling to be converted to a three family dwelling which is an allowed use under special permit; approved by the Village of Wappingers Falls planning board.

3. What is the minimum relief needed? The minimum relief needed is 6% which is being proposed.

The lot coverage as it exists is 10% over the maximum required. The proposal is reduces the non-compliance.

4. Why are alternative methods for compliance NOT FEASIBLE?

This request for the area variance involves improvements to the site. Improvements in reducing the non-compliance involves funds to add landscaping and remove concrete as well as asphalt paving. If no work is performed then the property maintains a larger non-compliance relative to lot coverage.

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 work has taken place to required relief from the maximum lot coverage requirement in the VR zone.



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**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)? An approved area variance for a maximum lot coverage of 6% more than the maximum lot coverage requirement will have no negative impact on noise, vibration, odors, vehicular traffic,  
visual aesthetics, public services or any utilities in the surrounding area. The improvements to the site consists of landscaping and the reduction of lot coverage as it exists from 70% reduced to 66%.x

7. How will the proposed variance affect the health, safety, security morals or general welfare of residents, visitors or workers in the area? If an area variance for lot coverage is approved it will no negative effect in the  
to any residents, visitors or workers nor any negative safety concerns to the general welfare of  
anyone in the surrounding area.

**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

DATE

01-11-2024

PART "A"  
OWNER AFFIDAVIT

State of New York }  
County of Dutchess } ss:

Djallel Bouneffouf being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for Subdivision / Lot Line Change / Site Plan / Land Contour / Aquatic Resource approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize John Sullivan, 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 Planning Board approval that I/we expressly grant permission to the Planning Board 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 Planning Board 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 Planning Board, 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 Town 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 Planning Board 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.

Applicant/Owner

Applicant/Owner

Sworn to before me this 2 day of

November, 2023.

Notary Public

LARRY NELSON DETRICK JR  
Notary Public - State of New York  
No. 01DE0011103  
Qualified in Dutchess County  
My Commission Expires 07/13/2027

PART "B"  
APPLICANT / AGENT AFFIDAVIT

State of New York }  
County of Dutchess } ss:

John Sullivan \_\_\_\_\_ being duly sworn, deposes and says:

1. That I/we are the John Sullivan named in the foregoing application for Planning Board for \_\_\_\_\_ / \_\_\_\_\_ / Site Plan / \_\_\_\_\_ approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That he/ she resides at \_\_\_\_\_ at 16 Barclay Street - Poughkeepsie in the County of Dutchess and the State of New York.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board 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 Planning Board 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 Planning Board, 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.
5. That I/we understand that the Village of Wappingers Falls Planning Board 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.

[Signature]  
Applicant/Agent

\_\_\_\_\_  
Applicant/Agent

Sworn to before me this 10th day of November, 2023.  
[Signature]  
Notary Public

PATRICIA M DUBOWSKI  
Notary Public - State of New York  
No. 01DU6425686  
Qualified in Dutchess County  
My Commission Expires 11/29/2025