

TOWN OF WAPPINGER



Town of Wappinger Planning Department
20 RIDGE HILL ROAD
WAPPINGER, NY 12533
PH: 845.629.3259
Fax: 845.629.3259

Application for an Area Variance

Appeal No.: 21-7736 Date: 8/2/21

TO THE ZONING BOARD OF APPEALS, TOWN OF WAPPINGER, NEW YORK:

I (We), Dennis Barhydt residing at 79 Pine Ridge Dr, Hopewell Junction NY 12533
, (phone) 845.629.3259, hereby,
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated 5/13/21, and do hereby apply for an area variance(s).

Premises located at: 79 Pine Ridge Rd, Hopewell Junction, NY 12533

Tax Grid No.: 6257-04-892012

Zoning District: R40

1. Record Owner of Property:

Dennis Barhydt

Address: 79 Pine Ridge Dr, Hopewell Junction NY 12533

Phone Number: 845.629.3259

Owner Consent dated: 8/2/21

Signature:
Print Name: Dennis Barhydt

2. Variance(s) Request:

Variance No. 1

I (We) hereby apply to the Zoning Board of Appeals for a variance(s) of the following requirements of the Zoning Code.

240-37

(Indicate Article, Section, Subsection and Paragraph)

Required: 50 Ft

Applicant(s) can provide: 12.9 Ft

Thus requesting: 37.1 Ft

To allow: Rear Yard Variance

Variance No. 2

I (We) hereby apply to the Zoning Board of Appeals for a variance(s) of the following requirements of the Zoning Code.

(Indicate Article, Section, Subsection and Paragraph)

Required: _____
Applicant(s) can provide: _____
Thus requesting: _____
To allow: _____

3. Reason for Appeal *(Please substantiate the request by answering the following questions in detail. Use extra sheet, if necessary):*

A. If your variance(s) is (are) granted, how will the character of the neighborhood or nearby properties change? Will any of those changes be negative? Please explain your answer in detail.

No. The space the addition is being built on is already a paved driveway. The aesthetic of the addition will match Existing Structure. The rear property line is an unmaintained road, (grass that I mow) and the other side of that road un-developable swamp.

B. Please explain why you need the variance(s). Is there any way to reach the same result without a variance(s)? Please be specific in your answer.

The Variance will allow me to store my vehicles and tools. There is no way to add the required space without the variance as the combination of shape of property and proximity of the existing structure to the rear property line.

C. How big is the change from the standards set out in the zoning law? Is the requested area variance(s) substantial? If not, please explain in detail why it is not substantial.

There is a difference of 37.1 Ft to the rear property line. It is not substantial as the adjoining property is an un-maintained roadway followed by un-developable swamp.

D. If your variance(s) is (are) granted, will the physical environmental conditions in the neighborhood or district be impacted? Please explain in detail why or why not.

If the variance is granted, no the physical environmental conditions will not be impacted. The existing space is currently a paved driveway, there are no trees being removed, change in elevation or height of structure.

E. How did your need for an area variance(s) come about? Is your difficulty self-created?
Please explain your answer in detail.

The shape of the property and topography prohibit the construction in any other part of the property. The
Location of the existing structure is the determining factor in placement.

F. Is your property unique in the neighborhood that it needs this type of
variance? Please explain your answer in detail.

Yes. The Property is wedged between Pine Ridge Dr and the unmaintained road (Locust Dr). Where my
Property is, Pine Ridge is windy and uphill. This causes the shape of the property to be unique. (See Survey)

4. List of attachments (*Check applicable information*)

- (x) Survey dated: 03-07-2021, Last revised 03-07-2021 and
Prepared by: Oicle Land Surveying.
- () Plot Plan dated: _____.
- (x) Photos
- (x) Drawings dated: 03-14-2021.
- (x) Letter of Communication which resulted in application to the ZBA.
(*e.g., recommendation from the Planning Board/Zoning Denial*)
Letter from: Barbara Roberti Dated: 05/13/2021
- () Other (*Please list*): _____

5. Signature and Verification

Please be advised 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.

SIGNATURE: 
(Appellant)

DATED: 08/03/2021

SIGNATURE: _____
(*If more than one Appellant*)

DATED: _____

FOR OFFICE USE ONLY

1. THE REQUESTED VARIANCE(S) () **WILL** / () **WILL NOT** PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD.

2. () **YES** / () **NO**, SUBSTANTIAL DETRIMENT WILL BE CREATED TO NEARBY PROPERTIES.
3. THERE () **IS (ARE)** / () **IS (ARE)** NO OTHER FEASIBLE METHODS AVAILABLE FOR YOU TO PURSUE TO ACHIEVE THE BENEFIT YOU SEEK OTHER THAN THE REQUESTED VARIANCE(S).
4. THE REQUESTED AREA VARIANCE(S) () **IS** () **ARE** NOT SUBSTANTIAL.
5. THE PROPOSED VARIANCE(S) () **WILL** / () **WILL NOT** HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT.
6. THE ALLEGED DIFFICULTY () **IS** / () **IS NOT** SELF-CREATED.

CONCLUSION: THEREFORE, IT WAS DETERMINED THE REQUESTED VARIANCE IS
() **GRANTED** () **DENIED**

CONDITIONS / STIPULATIONS: The following conditions and/or stipulations were adopted by the resolution of the Board as part of the action stated above:

() **FINDINGS & FACTS ATTACHED.**

DATED: _____

ZONING BOARD OF APPEALS
TOWN OF WAPPINGER, NEW YORK

BY: _____
(Chairman)

PRINT: _____

TOWN OF WAPPINGER



PLANNING BOARD & ZONING BOARD OF APPEALS

2640 FLEMINGTON
WAPPINGER FALLS, NY 12586
PH: 518 338-3286
Fax: 518 337-0578

Owner Consent Form

Project No: 21-7736

Date: 08/03/2021

Grid No.: 6157-04-892012

Zoning District: R40

Location of Project:

79 Pine Ridge Dr, Hopewell Junction, NY 12533

Name of Applicant:

Dennis Barhydt, (845) 629-3259

Print name and phone number

Description of

Project: 28'x28' Garage Addition

I, Dennis Barhydt, owner of the above land/site/building hereby give permission for the Town of Wappinger to approve or deny the above application in accordance with local and state codes and ordinances.

08/03/2021
Date


Owner's Signature

(845)629-3259
Owner's Telephone Number

Dennis Barhydt, Owner
Print Name and Title ***

*** If this is a Corporation or LLC, please provide documentation of authority to sign.

If this is a subdivision application, please provide a copy of the dead.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project: Garage Addition with Storage				
Project Location (describe, and attach a location map): 79 Pine Ridge Dr, Hopewell Junction, NY 12533				
Brief Description of Proposed Action: Traditionally framed and finished garage addition to the the existing dwelling. The addition will measure 28'x28' and will have storage above. The exterior will be erected and finished to match the existing home.				
Name of Applicant or Sponsor: Dennis Barhydt		Telephone: (845) 629-3259 E-Mail: Bar32@aol.com		
Address: 79 Pine Ridge Dr,				
City/PO: Hopewell Junction		State: NY	Zip Code: 12533	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<u>1.65</u> acres		
b. Total acreage to be physically disturbed?		<u>N/A</u> acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1.65</u> acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland				

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Town of Wappinger
20 Middlebush Rd.
Wappingers Falls, NY 12590
(845) 297-6256

To: Barhydt, Dennis Franklin
79 Pine Ridge Dr

SBL: 6257-04-892012
Date of this Notice: 05/13/2021
Zone: R40
Application: 40513

For property located at: 79 Pine Ridge Dr

Your application to:
28' x 28' GARAGE ADDITION WITH STORAGE

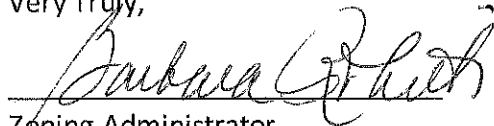
is denied for the following deficiency under Section **240-37** of the Zoning Laws of the Town of Wappinger.

Where 50 feet to the rear property line is required, the applicant can provide 12.9'.

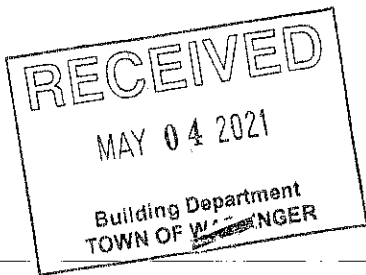
	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	<u>50</u> ft.	<u>12.9</u> ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.
FRONT YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.

You have the right to appeal this decision to the Zoning Board of Appeals within 60 days of the date of this letter. This Zoning Board of Appeals meets the second and fourth Tuesday of the month. The area variance appeal will require at least two meetings, one for discussion and one for a Public Hearing. The required forms can be obtained at this office or on our website at www.townofwappingerny.gov

Very Truly,



Zoning Administrator
Town of Wappinger



TOWN OF WAPPINGER BUILDING DEPARTMENT

20 Middlebush Road, Wappingers Falls, N.Y. 12590
telephone: 845-297-6256 fax: 845-297-0579

APPLICATION FOR BUILDING PERMIT

APPLICATION TYPE: Residential ZONE: R40 DATE: 5/12/2021
 New Construction Commercial APPL #: 40513 PERMIT # _____
 Renovation/Alteration Multiple Dwelling GRID: 6257-04-892012

APPLICANT NAME: Dennis Barhydt
ADDRESS: 79 Pine Ridge Rd, Hopewell Junction, NY 12533
TEL #: 845.629.3259 CELL: _____ FAX #: _____ E-MAIL: _____

NAME OWNER OF BUILDING/LAND: Dennis Barhydt
PROJECT SITE ADDRESS: 79 Pine Ridge Dr, Hopewell Junction, NY 12533
MAILING ADDRESS: 79 Pine Ridge Dr, Hopewell Junction, NY 12533
TEL #: 845.629.3259 CELL: _____ FAX #: _____ E-MAIL: _____

BUILDER/CONTRACTOR DOING WORK:
COMPANY NAME: County Wide Contracting
ADDRESS: 218 Todd Hill Rd. Lagrangeville, NY 12540
TEL #: _____ CELL: 914.755.6545 FAX #: _____ E-MAIL: _____

DESIGN PROFESSIONAL NAME: Richard luele, P.E.
TEL #: _____ CELL: 845.222.7225 FAX #: _____ E-MAIL: _____

APPLICATION FOR: 28'x28' Garage addition with Storage.

SETBACKS: FRONT: 50.7' REAR: 12.9' L-SIDEYARD: 200+' R-SIDEYARD: 200+'
SIZE OF STRUCTURE: 28'x28' 784 square feet
ESTIMATED COST: \$50,000.00 TYPE OF USE: Storage

NON-REFUNDABLE APPL. FEE: 150 PAID ON: Entered 5/12/21 CHECK # CC RECEIPT #: 2021-23646
BALANCE DUE: _____ PAID ON: _____ CHECK # _____ RECEIPT #: _____

APPROVALS:
ZONING ADMINISTRATOR:
 Approved Denied Date: 5-12-21
Darlene Roberts
[Signature], PMP.
Signature of Applicant

FIRE INSPECTOR:
 Approved Denied Date: _____

Signature of Building Inspector

TOWN OF WAPPINGER PLOT PLAN

Building Permit # _____

Date 4/30/21

Address: 79 Pine Ridge Dr, Hopewell Junction, NY 12533

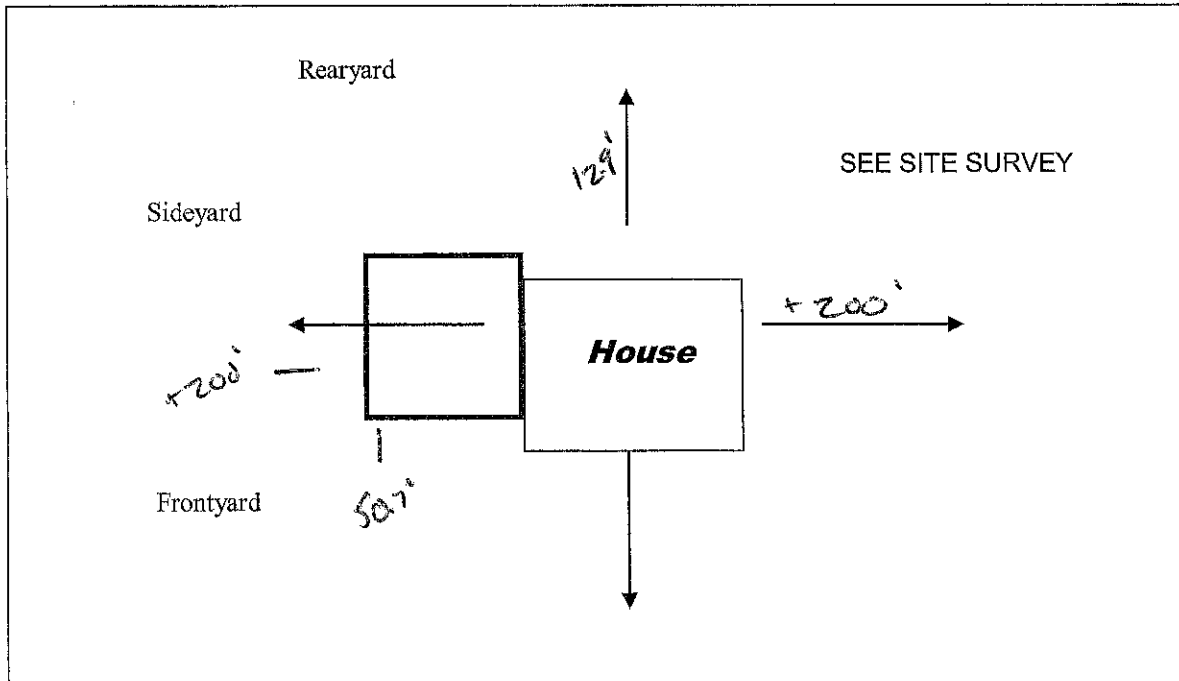
Interior / Corner Lot: *circle one*

Owner of Land Dennis Barhydt

Zone: R40

LIST ALL EXISTING STRUCTURES ON PROPERTY: (ie: Pool, shed, decks, detached garage)

1. House



Draw proposed structure on plot plan.
Indicate Location Setbacks to both sides and rear property line
measurement of structure you are applying for.

[Signature]
Signature

Approved: / Rejected: [Signature]
Zoning Administrator

Date: 5-12-21