

Town of Wappinger Zoning Board of Appeals  
MEETING DATE: July 9, 2013  
TIME: 7:30 PM

Town Hall  
20 Middlebush Road  
Wappinger Falls, NY

Acceptance of the Minutes from May 14, 2013, May 28, 2013, June 11, 2013  
and June 25, 2013

## **Public Hearings:**

### **Appeal No. 13-7488**

**Bank of America** – Is seeking an area variance of Section 240-29 F (2) (a) of Zoning Regulations in an HB Zoning District.

-Where a **freestanding sign must be 25 ft. from the property line**, the **applicant is proposing 10 ft. from the property line, thus requesting a variance of 15 ft.**  
The property is located at **1469 Route 9** and is identified as **Tax Grid No. 6157-02-609919** in the Town of Wappinger.

### **Appeal No. 13-7493**

**Lorraine McGimpsey**-Is seeking an area variance of Section 240-37 of Zoning Regulation in an R-15 Zoning District.

-Where a **30 foot rear yard setback** is required for the installation of a 24' above ground pool, the applicant can only provide **17 feet** to the rear property line, thus requesting at **13 ft. variance**.

The property is located at **20 Ardmore Drive** and is identified by **Tax Grid No. 6257-01-251511** in the Town of Wappinger.

### **Appeal No. 13-7491**

**Elvia Duque**-Is seeking an area variance of Section 240-53(B)4 of Zoning Regulations in an R-20 Zoning District.

-Where **application to increase the size of an existing accessory apartment to 1200 sf (46%) by the conversion of the basement garage into a family room** has been requested, the zoning code of the Town of Wappinger states an **accessory apartment** shall be subordinate in area to the principal dwelling. **The accessory apartment shall not exceed 35% of the gross floor area of said principal dwelling, and in no event shall exceed 1,000 square feet** of gross floor area. **The applicant is therefore requesting a variance of 290 sf (11%).**

The property is located at **89 Scott Drive** and is identified by Tax Grid No. **6257-04-738388** in the Town of Wappinger.

**Appeal No. 13-7495**

**Frank Porter**-Is seeking an area variance of Section 240-37 of Zoning Regulations in an R-40 Zoning District.

-Where a **50 foot rear yard setback** is required for the installation of a 15 x 20 A/G pool with no deck, the applicant can only provide **27 feet to the rear property line**, thus requesting a **23 foot variance**.

The property is located at **398 Maloney Rd** and is identified by Tax Grid No. **6259-02-951801**.

**Appeal No. 13-7494**

**John & Helen Wiejaczka**-Is seeking an area variance of Section 240-37 of Zoning Regulation in an R-20 Zoning District.

-Where a **40 foot rear yard setback** is required for an existing 12 x 25 canvas shed, the applicant can only provide **20 feet** to the rear property line, thus requesting a **20 foot variance**.

The property is located at **19 Pine Hill Road** and is identified by Tax Grid No. **6158-04-690346**.

**Appeal No. 13-7496**

**Tim Serino, GW Corp**-Is seeking an area variance of Section 240-37 of Zoning Regulations in a HB Zoning District.

-Where **no adult use** shall be permitted in any building which is located within **400 feet** of any residential zoning district, the applicant can provide 240 feet, thus requesting a variance of 160 feet to a residential neighbor.

The property is located at **1 Stage Door Road** and is identified by **Tax Grid No. 6156-02-777824**.

**Appeal No. 13-7497**

**Joseph Boyce**-Is seeking an area variance of Section 240-37 of Zoning Regulations in a R20/40 Zoning District

-Where a **50 foot front yard setback** is required for the construction of a **32 x 45 attached garage (with electric)**, the applicant can only provide **32.05 feet**, thus requesting a **17.95** foot variance.

-Where a **50 foot rear yard setback** is required for the construction of a **32 x 45 attached garage (with electric)**, the applicant can only provide **37.39 feet**, thus requesting a **12.61** foot variance.

The property is located at **10 Card Rd** and is identified by **Tax Grid No. 6157-04-520274**.

## **Discussions:**

### **Appeal No. 13-7498**

**Rui & Josefa Fernandes**- Is seeking an area variance of Section 240-37 of Zoning Regulations in a R 40 Zoning District.

-Where an approved shed was placed **in front of house** not according to approved building permit. The Zoning Code of the Town of Wappinger states "Accessory Structures must comply with all minimum yard setback requirements for buildings, but in **no case shall they be permitted in the front yard**".

The property is located at **24 Losee Road** and is identified by **Tax Grid No. 6157-02-913638.**

### **Appeal No. 13-7499**

**Florence Lutterschmidt**-Is seeking an area variance of Section 240-37 of Zoning Regulation in an R-20 Zoning District.

-Where a **20 foot side yard setback** is required for an existing 24 x 16 garage, the applicant can only provide **16 feet** to the rear property line, thus requesting a **4 foot variance.**

The property is located at **8 Rich Drive** and is identified by Tax Grid No. **6257-02-849861 in the Town of Wappinger.**

### **Appeal No. 13-7500**

**Jennifer Younge**-Is seeking an area variance of Section 240-37 of Zoning Regulation in an R-40/80 Zoning District.

-Where a **40 foot side yard setback** is required for an existing 20 x 12 car port shed, the applicant can only provide **15 feet** to the rear property line, thus requesting a **25 foot variance.**

The property is located at **20 Sky Top Drive** and is identified by Tax Grid No. **6056-01-296750 in the Town of Wappinger.**