



TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501
TEL: 845-373-8860, x122 FAX: 845-789-1132

ZONING BOARD OF APPEALS APPLICATION

Dear Applicant:

Attached is an application to the Zoning Board of Appeals (ZBA). Please submit all applicable information on the **checklist along with 3 copies and a pdf of all information along with required fees to the Zoning Board of Appeals Office at least three (3) weeks** prior to the ZBA meeting. Meetings are scheduled for the **3rd Monday** of every month at the Amenia Town Hall, 4988 Route 22, at 6:00 P.M. (unless specified otherwise).

The applicant is responsible for any costs incurred for public hearing notices and review of the application by Town consultants, if needed. An Escrow fee is required and will be set by the ZBA Board. If the matter before the Zoning Board of Appeals was cancelled on the part of the applicant, there will be no refund of the application fee. Incomplete applications will not be put on the Agenda. If an applicant decides to postpone or cancel his/her appearance, please telephone the Zoning Board Secretary, x122 or Zoning Enforcement Officer, x118 **AT LEAST 48 HOURS IN ADVANCE**, because there are clerical functions, which must occur (i.e. notifying property owners, notice in the paper, etc.)

Please supply a cover letter and describe the project in your own words including any hardships involved.

The applicant is responsible for adhering to Chapter 121, Sections 121-58 and 121-59 of the Town of Amenia Zoning Law available online at www.ameniany.gov (Quick Link, Town Code) or from the Town Clerk for a fee.

The ZBA may request a site walk prior to a public hearing, however you will be notified by the Secretary prior to any site visit.

I have read the above and fully understand my responsibilities.

LAURENCE De SEGONZAC-LEVIN

Name (please print)

Page 1

Signature

Date

La Segonzac-Levin 12/5/24

ZONING BOARD OF APPEALS APPLICATION
Appeal/Variance Checklist

_____ copies with (supplied by the applicant) of the following items are required to apply to the Zoning Board of Appeals for a variance, an interpretation of the Town of Amenia Zoning Law or a reversal of a decision by the Code Enforcement Officer. An application may not be filed until the Code Enforcement Officer has made a decision on a building or zoning permit application, except where an area variance is requested in connection with a special permit or site plan approval from the Planning Board. **Incomplete applications will not be put on the agenda.**

CHECKLIST

_____ Complete Appeals/Variance Application with pdf

_____ Disclosure of Interest Form

_____ Cover letter (describing the project in detail including any hardships involved)

_____ Agricultural Data Statement (for Use Variances only) if the property is in an agricultural district and contains a farm operation, or if the property is within 500 feet of a farm operation in an agricultural district.

_____ Building Permit Application with copies of all drawings and maps submitted to the Building Department showing the proposed building(s) and site alterations with dotted lines and showing the existing building(s) and other improvements with solid lines.

_____ Building Inspector's Denial (Decision of the Code Enforcement Officer)

_____ Site Plan of the property showing (within ¼ mile radius) adjacent or nearby villages or towns, county or state parks or other recreation areas, county or state roads or highways, county owned or managed streams or drainage channel and state-owned lands with public buildings, all other building locations and setbacks from other buildings and property lines noted with measurements.

_____ Copies of all applications, attached information, and decisions if the matter is being heard by another Board

FEES:

_____ Application \$350.00 (separate check made payable to Town of Amenia)

_____ Variance

_____ Interpretation

_____ Reversal of Decision by Code Enforcement Officer

_____ Escrow - \$2500 (separate check made payable to Town of Amenia)

\$ _____ Total (checks made payable to Town of Amenia)

ZONING BOARD OF APPEALS APPLICATION

Project Name: LEVIN SUBDIVISION

Type of Application (check all that apply):

- Area Variance 121-59.D
- Use Variance 121-59.C
- Reversal or Modification of Decision of CEO 121-59.B
- Interpretation of Zoning Text or Map 121-59.A
- Other (Please explain)

Property Address:
Block 7266 Lot(s) 340380 Zone
District: RA

Current Use(s) EXISTING HOUSE AND BARN

Proposed Use(s) and/or Structures:
NO CHANGE IN USE PROPOSED

Primary Contact Person: KIRK HORTON
Use/Activity

Brief Description of Proposed

Address: 9 BROADWAY, AMENIA, NY
Telephone: 845-475-7829
Email: kirkhorton@aol.com
Date Title Acquired: 6/20/1986

(attach additional sheets, if necessary)
2 LOT SUBDIVISION CREATING AN 8.719
ACRE LOT AND A 53.177 ACRE LOT

Name of Property Owner:
MICHAEL LEVIN &
LAURENCE De SEGONZAC-LEVIN
Address: 189 AMENIA UNION RD., AMENIA
Telephone: 845-373-9873
Email: ldesegonzac@yahoo.com

Provisions of the Zoning Law relating to this
Application, and variance(s) from zoning, if any
MINIMUM LOT AREA OF 10 ACRES

Name of Applicant (if different)
LAURENCE De SEGONZAC-LEVIN
Address: 189 AMENIA UNION RD., AMENIA
Telephone:
located
Email:
Relationship to owner: CO-OWNER & WIFE

**Is there an existing Special Permit, Variance,
And/or Site Plan approval for your property?**

Yes, granted on:

No

Does the property contain a farm operation

within an agricultural district or is the property
boundary within 500 feet of a farm operation
Located in an agricultural district?

Yes: X

No:

Not Applicable:

ZONING BOARD OF APPEALS APPLICATION

1. DESCRIPTION OF PREMISES

Size of Lot Width 540 ft. Depth 686 ft Area 379,800 sq. ft.

Coverage (portion of lot occupied by all structures)

Max. allowable	_____	sq. ft.	_____	per cent
Existing	<u>2637</u>	sq. ft.	<u>1</u>	per cent
Proposed	_____	sq. ft.	_____	per cent

EXISTING HOUSE
AND BARN

Principal or Main Building

Height:	Max. allowable	_____	sq. ft.	_____	per cent
2.5 STORIES	Existing	<u>672 1st floor</u>	sq. ft.	_____	per cent
	Proposed	<u>NO CHANGE</u>	sq. ft.	_____	per cent

Floor area - not required for single and two-family structures:

Maximum permitted _____ sq. ft. Existing _____ sq. ft. Proposed _____ sq. ft.

HOUSE BUILT
1890

Front Yard Depth -
Minimum required 60 ft. Existing 32 ft. Proposed NO CHANGE ft.

Side Yard
Minimum required 30 ft. Existing 1,500+ ft. Proposed 62.1' HOUSE TO NEW LINE ft.

Smaller Side Yard
Minimum required 30 ft. Existing 450+/- ft. Proposed NO CHANGE ft.

Larger Side Yard
Minimum required 30 ft. Existing 1,500+ ft. Proposed 62.1' HOUSE TO NEW LINE ft.

Rear Yard Depth
Minimum required 50 ft. Existing 690+/- ft. Proposed NO CHANGE ft.

ZONING BOARD OF APPEALS APPLICATION

Accessory Structure (CANOPY) **BARN**

Location: Front Yard 104.8' Side Yard 140.7' Rear Yard 555.4'

Height: Existing 1.5 stories _____ ft.
Proposed _____ stories **NO CHANGE** _____ ft.

Distance from:

Front Lot Line: Existing 104.8 ft. Proposed NO CHANGE ft.
Side Lot Line: Existing 104.7 ft. Proposed NO CHANGE ft.
Rear Lot Line: Existing 555.4 ft. Proposed NO CHANGE ft.
Main Building: Existing 97 ft. Proposed _____ ft. **NO CHANGE**
Other Accessory Structures: Existing NA ft. Proposed NA ft.

2. ATTACHED, MULTIPLE AND JOINT OCCUPANCY BUILDINGS ONLY

Useable Open Space:

Required:	Width _____ ft.	Depth _____ ft.	Area _____ ft.
Existing:	Width _____ ft.	Depth _____ ft.	Area _____ ft.
Proposed:	Width _____ ft.	Depth _____ ft.	Area _____ ft.

Number of habitable rooms in each dwelling unit (list each unit separately)

ZONING BOARD OF APPEALS APPLICATION

1. **SPECIFIC RELIEF REQUESTED** (Complete where applicable, attach additional sheets if necessary)

A. Interpretation of the Zoning Law is requested because:

B. **REVERSAL OR MODIFICATION** of a decision of the Code Enforcement Officer is requested because:

C. A **USE VARIANCE** is requested for these reasons (all blanks must be filled in)

1. The applicant cannot realize a reasonable return from the property for any use allowed by the Zoning Law because:

The property was acquired in the year _____ for \$ _____. The applicant has invested \$ _____ in the property since that time, and the largest return than can be expected from using the property as a _____ (most valuable use allowed by the Zoning Law) is \$ _____ per year. The value of the property under the current Zoning Law, as determined by competent financial evidence submitted herewith, is \$ _____. The expected return and/or property value from other uses allowed by the Zoning Law ranges from \$ _____ to \$ _____. (Please attach a list of all permitted and special permit uses and their probable return and value).

2. The hardship relating to this property is unique, and does not apply to a substantial portion of the district or neighborhood because:

3. The variance will not alter the essential character of the neighborhood because:

4. The hardship is not self-created because:

ZONING BOARD OF APPEALS APPLICATION

D. AN AREA VARIANCE is requested for these reasons:

1. If the variance is granted, the applicant will have the following benefit:

THE EXISTING HOUSE AND BARN WILL BE ON THEIR OWN LOT.

2. There will not be an undesirable change of the neighborhood or a detriment to nearby properties because: THE EXISTING HOUSE AND BARN ARE ALREADY PART OF THE NEIGHBORHOOD. THERE IS NO ADDITIONAL DEVELOPMENT PROPOSED. THERE WILL BE NO VISIBLE IMPACT.

3. The applicant cannot attain the benefit of having the variance by any other method because:

IN ORDER TO CREATE A 10 ACRE LOT IT WOULD HAVE TO BE A CONTORTED AND EXTREMELY IMPRACTICAL SHAPE.

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

THE HOUSE AND BARN ARE EXISTING. THERE IS NO DEVELOPMENT OR CHANGE IN USE PROPOSED.

PREVIOUS APPEAL

A previous appeal _____ has has not been made with respect to this decision of the Building Inspector or with respect to this property.

Such an appeal(s) was (were) in the form of:

- A requested interpretation _____ Appeal No. _____, dated _____
- A request for variance _____ Appeal No. _____, dated _____