

**TOWN OF RHINEBECK
ZONING BOARD OF APPEALS AGENDA
May 6, 2015 - 7:30 PM**

I. CALL TO ORDER

Minutes of April 15th, 2015 to review and approve.

II. NEW BUSINESS

Barone, Richard – Area Variances – Case # 887

Owner is seeking Area Variances to construct an addition to his principal dwelling located at 244 Rhinecliff Road, Rhinebeck, NY 12572. Variances requested are as follows: **1.** For principal dwelling; front yard setback variance of 10' (50' to 40'); **2.** For garage; side yard setback variance of 16.3' (20' to 3.7'); **3.** Lot Size variance, in the RM1 zone, 1.0 acre is required, this parcel is 0.62 ac. RM1 Zone. Grid # 6070-04-832255

Duffy, Robert – Appeal of Zoning Determination – Case # 888

Neighbor seeking an Appeal from the Zoning Compliance Determination issued on Feb. 24, 2015 regarding the Astor Courts proposal for a Country Inn 1 at 189 River Road, Rhinebeck, NY. HP20 Zone.

Holl, Steven – Area Variance – Case # 889

Owner is seeking an Area Variance to permit the location of an existing accessory structure situated in front of the principal dwelling at Round Lake Road (CR 52, west side across from Beachem Road), Rhinebeck, NY 12572. Variance requested is as follows: **1.** permit accessory structure closer to fronting street than principal dwelling. A3A Zone. Grid # 6370-02-615852 & 6370-00-555826

Mansour, Ahmed – Case # 890

Owner is seeking Area Variances to construct an addition on his principal dwelling located at 4 S. Hinterlands Drive, Rhinebeck, NY 12572. Variances requested are as follows: **1.** Front setback reduction of 68' (from 125'[user rd.] to 57'); **2.** Side setback reduction of 8' (from 50' to 42'); **3.** Lot Size variance in the RC5 zone, 5.0 acres is required, this parcel is 1.5 ac. in size. NOTE: This project will also require Planning Board Approvals for Special Use Permits, as to proximity and encroachment within the stream protection buffer; RC5 Zone. Grid # 6269-00-156817

Gold, Howard & Huang, Josephine – Case #891

Owners are seeking Area Variances to convert the existing front porch into interior space and add a new front porch to their principal dwelling at 4 Cricket Lane, Rhinebeck, NY 12572. Variances requested are as follows: **1.** Front yard setback reduction of 32' (from

100' to 68'); **2.** Side yard setback reduction of 19' (from 50' to 31'); **3.** Lot Size variance in the RC5 zone, 5.0 acres is required, this parcel is 3.6 ac. in size.
RC5 Zone. Grid # 6168-00-896944

III. PUBLIC HEARINGS

Goodemote, Patricia and Douglas – Area Variances – Case # 886

Owner is seeking Area Variances to construct a kitchen addition on his principal dwelling located at 466 Shultz Hill Road, Rhinebeck, NY 12572.

Variances requested are as follows: **1.** Permit non-conforming lot size of 0.441 acres in existing 5 acre zone (RC5) ; **2.** Front yard setback variance of 85' (existing house is currently 15' from front line where 100' is required); **3.** Side yard setback variance of 43' (the proposed addition to the house is situated 10' from the side yard line, and the existing house is currently 7' from the side where 50' is required); **4.** Proposed increase in the maximum lot coverage that is allowed from 7% required to approximately 18% proposed. **NOTE:** This project will also require Planning Board Approvals for Special Use Permits, as to proximity and encroachment within the stream protection buffer, as well as the Flood Fringe area. RC5 Zone. Grid # -6268-00-762761-0000

Aruz, Nedim – Area Variances – Case # 885

Owner is Seeking Area Variances to allow for the construction of a garage on his property at 601 Ackert Hook Road, Rhinebeck, NY 12572. Variances requested are as follows: **1.** No accessory structure shall project closer to the fronting street than the principal dwelling. The proposed garage projects closer to the road than the dwelling. variance required of 21'2" closer to the road than principal; **2.** No such accessory structure shall exceed 20 feet in height in any residential district. With the proposed dormer & storage area (the majority of roof line) this garage has an overall roof height = 24'-8", Max. allowed is 20', so 4'-8" Variance Required; **3.** Accessory structures shall in the aggregate comprise not more floor area than either the principal building (1420 sq. ft. +) on the lot or 1,500 sq. ft., whichever is more restrictive. These accessory structures appear to be equivalent to 2,396 sq. ft., Variance required.
RC-5 Zone. Grid # 6268-00-193648

Welker, Suzanne – Area Variances –Case # 884

Owner is seeking the following Area Variances to construct an in-ground swimming pool on her property located at 78-84 Lemon Lane, Rhinebeck, NY 12572 : **1.** Permit non-conforming lot size of 1.852 Acres in an existing 10 acre zone; **2.** Front yard setback variance of 10' (existing house is currently 140' from front where 150' is required) ... neither the principal dwelling/garage nor the accessory dwelling meet the required front yard setback of 150 feet, therefore both of these structures require front yard area variances equaling 78 feet (exist sb. = 72') for the principal dwelling on the north side, and a variance equaling 45 feet (exist sb. = 105') for the south accessory dwelling; **3.** Side yard setback variance of 80' required (as proposed pool is located to be situated 20' from side yard where 100' is required); **4.** Allow 4 accessory structures where 3 are permitted (3 already exist – pool would add the fourth); **5.** Accessory structures shall in the aggregate not comprise more floor area than 1500 sf. Proposed to allow a total of

3,564 sq. ft. of accessory structures where 1500 sf. is permitted; **6.** Allow for two garages on the parcel (both are existing, one is attached) where only one garage is allowed; **7.** Allow approx.5485 sq ft. of roofed structures where 1000 sq. ft. are allowed; **8.** Allow the accessory dwelling to be situated closer (than the height of the taller of the two buildings) to the principal dwelling (2 story) as to the code requirement that they not be located closer than the taller building. RA10 Zone Grid # 6171-00-488879-0000.

IV. OLD BUSINESS

V. CORRESPONDENCE

Refer to Apr. 23. 2015 correspondence and attachments from Cuddy & Feder, LLP in the matter of Duffy V Astor Courts Determination, under new business above.

VI. ADJOURNMENT