



TOWN of RHINEBECK

Zoning Board of Appeals

80 East Market Street, Rhinebeck, NY 12572

Phone: (845) 876-6296 Fax: (845) 876-5885

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of Rhinebeck will hold a Public Hearing, pursuant to Section 267 of the Town Law, on the Application of:

Case # 947 Lyons 224 Morton Road Rhinebeck NY Grid# 135089-6069-00-452188

The Zoning Enforcement Officer reviewed the application for a permit for a Class 2 Home Occupation to an Attorney's office and later use as an accessory dwelling in a detached accessory garage. The proposed home occupation use is as situated in the front yard of your property at 224 Morton Road, and the property is situated in the HP20 zone.

Our Finding is that the site plan layout does not meet the Town Zoning code requirements in several areas as follows:

1. The Board should consider whether to consider these three buildings (house, garage, shed) as pre-existing non-conforming as to setbacks; the south side, side-yard setbacks, or whether the garage conversion opens this building up to require a side yard setback variance ; HP20 zone side yard setback required = 150 feet, provided for the existing garage structure is = 69 feet, and consider whether an 81 feet area side yard variance is required. Refer to 125-19 & 125-21.
2. The subject property, existing Lot at 8.504 acres is a sub-standard lot in the HP20 zone which requires a minimum 20 acre lot size. Therefore an area variance is required for the sub-standard Lot area of 8.5 acres versus the 20 acres required. Refer to bulk regs.-125-21 :: 125-22 A. (4) and 125-22 B. (4) bulk regs. And lot area :: and 125-68 G (2) the class 2 home occ., the lot must meet the min. lot area.
3. Accessory structures cannot project closer to the fronting street than the principal dwelling, and both the existing garage (convert to garage & home office) as well as the storage shed are situated in front of the house, closer to the front property line. ...Variance req'd., refer to 125-27 A (3)

Said Hearing will be held on Wednesday, March 15, 2017 at 7:45 p.m. in the Town Hall, 80 East Market Street, Rhinebeck, NY 12572.

The Zoning Board of Appeals, at said time and place will hear all persons or their agents in support of, or any objections to this matter.

By Order of the ZBA,

Chris Hedges

Zoning Board of Appeals Secretary

02/21/2017