

**ZONING BOARD OF APPEALS
VILLAGE OF WARWICK, N.Y.**

A public hearing before the Board of Appeals of the Village of Warwick will be held on the 18th day of May, 2008 commencing at 7:00 PM at 77 Main Street, Village of Warwick, New York to consider the following application:

AMENDED APPLICATION OF MICHAEL & KERRY DEMETROULES for property in title to the Thomas Welling Trust, located at 9 Campbell Road, Warwick, New York, designated on the Village tax map as Section 213 Block 1 Lot 8 for a variance of the Bulk Area Requirements of the Code reducing lot area from 20,000 sq. ft to 9,000 sq. ft.; lot width from 100 ft to 65 ft.; side yard setback from 30 ft./20 ft.; total side yard setback from 50 ft. to 35 ft.; and street frontage from 80 ft. to 65 ft. for the purpose of construction of a 30 ft. X 44 ft. single family dwelling and reduction of side yard setback from 10 ft. to 6.9 feet and rear yard setback from 10 ft. to 3.6 ft. for an existing garage.

The above application is open to inspection at the office of the Board of Appeals, 77 Main Street, Warwick, New York. Persons wishing to appear at such hearing may do so in person or by attorney or other representative. Communications in writing in relation thereto may be filed with the Board, or at such hearing.

JOHN GRANNEY
CHAIRMAN

**ZONING BOARD OF APPEALS
VILLAGE OF WARWICK, NEW YORK**

Petition

Name Michael & Kerry Demetroules

Address 11 Campbell Road

Cell 800-4328
Tele: 986-5372

City & State Warwick, New York

Zip: 10990

Location of
Property

9 Campbell Road

Zone or
Use

R DISTRICT

Section

213

Block

01

Lot

08

Applicant is



Owner

☐ Tenant

☐ Other

Attorney

Or

Representative

Eric Ossentjuk

Tele

845 651-5000

FAX 651-5111

**THIS APPLICATION WILL NOT BE ACCEPTED UNLESS
ACCOMPANIED BY:**

- A) Survey or Plot Plan showing street(s), set-back(s), building(s) and dimensions
- B) Any other details or exhibits applicable to the situation
- C) State the hardship and/or practical difficulty involved. (Attach additional sheets if necessary)

Applicants Signature



1) The applicant hereby appeals to the Board of Appeals of the Village of Warwick from:

a. (☒) An order, requirement, decision, or determination made by the Building Inspector

b. (☐) Other: _____

2. Has an application been made for a Building Permit or a Certificate of Occupancy?

(☐) Yes (☒) No If "Yes", attach a copy of the application and/or copy of Order, Requirement, Decision or Determination of the Building Inspector denying or revoking same.

3. State whether the applicant has made an application for a prior variance of any kind affecting the premises:

(☐) Yes (☒) No

4. The names and addresses of all owners, including husband and wife, as the case may be, of property abutting that is held by the applicant and all other owners within 300 feet from the exterior boundaries of the property set forth above, as the names of said owners appear on the last completed assessment roll of the Village of Warwick, are annexed hereto. **These property owners must be notified by Certified Receipt Mail at least five (5) days prior to the Public Hearing in accord with Article IX, Section 9.3.3 Village of Warwick Zoning Ordinance as amended.**

5. Has this Board rendered a decision upon a request for the same or similar relief sought herein for this property?

(☐) Yes (☒) No

If Yes when? _____

6. If the lands or buildings are within five hundred (500) feet of any of the following five items, circle the applicable number:

1) Boundary of the Town of Warwick

2) Boundary of any existing or proposed State or County Park or other Recreation area

3) Right-of-Way of any existing or proposed State or County Parkway, Thruway, Expressway, Road or Highway

4) Right-of-Way of any existing or proposed stream or drainage channel owned by the County or for which the County has established channel lines

5) Boundary of any existing or proposed State or County owned land on which a public building or institution is or is proposed to be situated.

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR MICHAEL & KERRY DEMETROPOULES	2. PROJECT NAME
3. PROJECT LOCATION: Municipality VILLAGE OF WARWICK County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 9 Campbell Road	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Construction of a 1320 SF Residential Dwelling on the premises described as 213-1-8 & EXISTING GARAGE	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly: 1) GARAGE DOES NOT MEET REAR SETBACK & Side Setback 2) RESIDENCE DOES NOT MEET LOT AREA, LOT WIDTH, & STREET FRONTAGE, MIN & TOTAL SIDE SETBACK	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: Michael Demetropoulos Date: 4/28/09 Signature: [Signature]	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER
1

Office 86

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

☐ Yes ☐ No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☐ No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

 Name of Lead Agency

 Date

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from responsible officer)

AREA VARIANCE

The following information is submitted in support of the application (the law does not require that all of the questions be answered in the negative to obtain a variance):

1. Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by the granting of the variance(s) you request? Yes ☒ No

State the reason(s) for your answer.

The existing neighborhood is comprised of single family residential homes of a similar size on similar sized lots.

2. Can the benefit you seek be achieved by some feasible method, other than the variance(s)? Yes ☒ No

State the reason(s) for your answer.

Other locations for the building are possible on the premises but this location seems to have the best fit in the neighborhood while still conforming to zoning as much as possible.

3. Is the requested variance(s) substantial? Yes ☒ No

State the reason(s) for your answer.

The side setbacks are off by 5 ft. on one side, and 15 ft. overall.

4. Will the proposed variance(s) have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Yes ☒ No

State the reason(s) for your answer.

The neighborhood presently consists of single family homes such as this one, the environmental impact of one family should be negligible, the physical impact will be a new home on the lot which should be a positive

5. Is the alleged difficulty self-created? Yes ☒ No

State the reason(s) for your answer.

Yes, but other pre-existing non conforming lots exist in the area.

Office of the Mayor
Board of Trustees
Village Clerk
Treasurer
Telephone: 845-986-2031
Fax: 845-986-6884

Public Works Supervisor
Telephone: 845-986-2081
Fax: 845-987-1215



Village Justice
Telephone: 845-986-7044
Fax: 845-986-2870

Building, Planning, Zoning
and Historical District
Review Board
Telephone: 845-986-9888
Fax: 845-987-1215

OFFICE OF THE CORPORATION
MEETINGS HELD 1ST & 3RD MONDAY OF EACH MONTH

Village of Warwick

77 MAIN STREET
P.O. BOX 369
ORANGE COUNTY

Warwick, NY 10990

BUILDING and CODE ENFORCEMENT DEPARTMENT

April 29, 2009

Mr. Michael Demetroules
11 Campbell Road
Warwick, New York
Sec. 213 Blk 1 Lot 8
Application: Area Variance

Dear Mr. Demetroules:

Your application or request is hereby denied. If you wish to seek relief from this code or statute, contact the secretary of the Zoning Board of Appeals.

REASON FOR DENIAL: The proposed dwelling does not meet the required minimum lot area, lot width, street frontage, minimum and total side yard setbacks. The existing garage does not meet the required rear and side yard requirements.

Proposed Dwelling

	Required	Proposed
Lot area	20,000 sq.ft	9,000 sq. ft.
Lot width	100 ft.	65 ft.
Sidyard Setback	30 feet	20ft.
Total Sidyard Setback	50 feet	35ft.
Street Frontage	80 feet	65 feet

Existing Garage

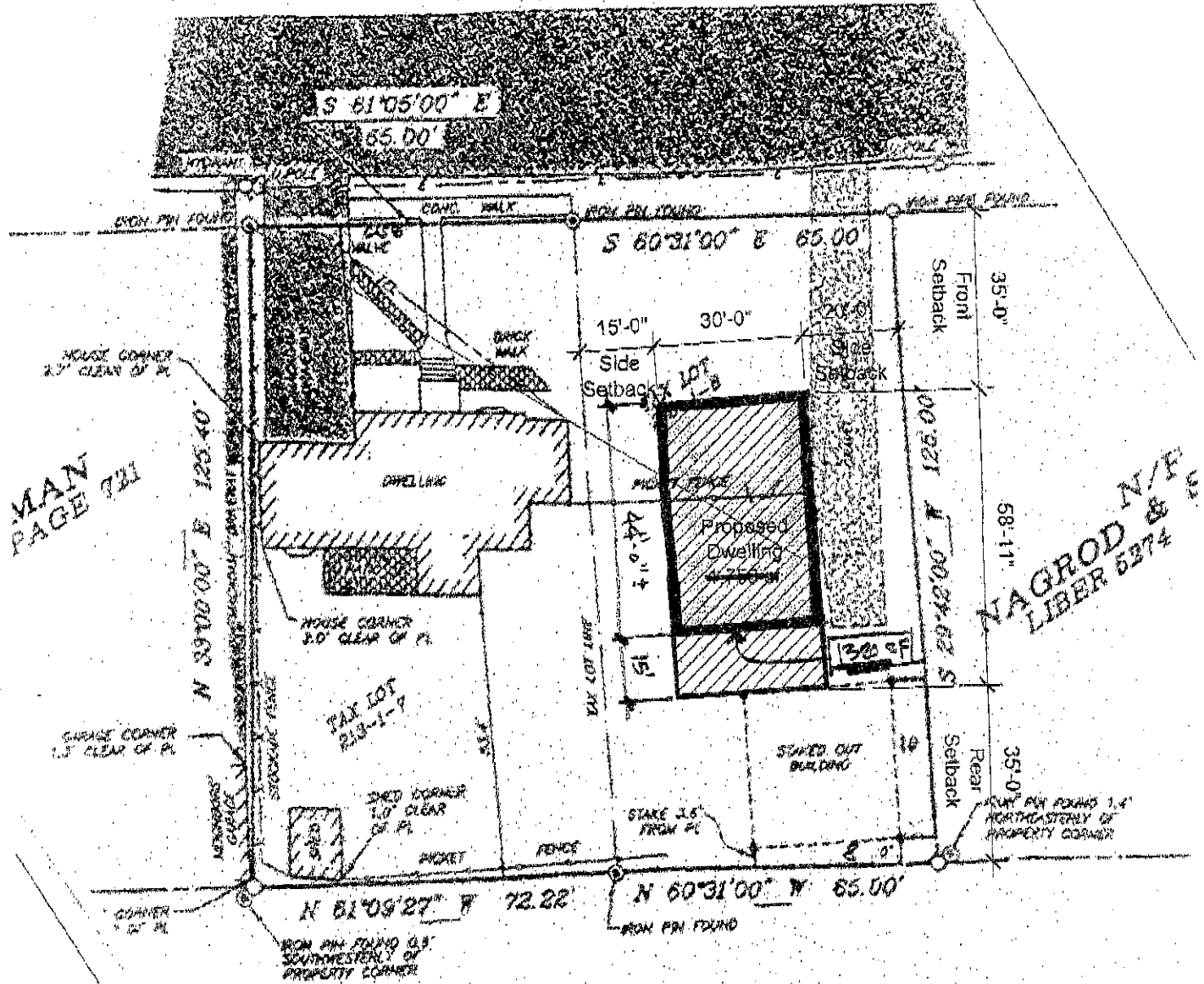
Side yard setback	10 ft.	6.9 ft.
Rear yard setback	10 ft.	3.6 ft.

Respectfully,


Daniel Kelly

Code Enforcement Officer

CAMPBELL ROAD



LOT AREA

20,500 sq. ft.

Setback Requirements	Req'd	Provided
Lot Width	100'-0"	65'-0"
Street Frontage	65'-0"	65'-0"
Front Setback	35'-0"	35'-0"
Rear Setback	35'-0"	35'-0"
Min. Side Setback	20'-0"	15'-0"
Total Side Setback	50'-0"	35'-0"

Demetrou
Campbell R
Warwick, NY 11

Proposed Plot PI
Scale: 1"=1
04-1

DEMO-2

Demo 2

