



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508

June 18, 2024

7:00 PM

Zoning Board of Appeals Agenda

The Zoning Board of Appeals will meet on Tuesday, June 18, 2024, at 7:00 PM, in the Municipal Center courtroom, located at One Municipal Plaza, Beacon, New York.

Regular Meeting

1. Approval of the May 21, 2024, minutes
2. Continued review and public hearing for the application submitted by Jason and Jodi McCredo, 11 Highland Place, Tax Grid No. 30-6054-31-327768-00, in the R1-5 Zoning District, to relocate the driveway to the front of the home, which requires relief from the following: Â Section 223-26 C. (1) Location. The off-street parking facilities which are required by this section shall be provided on the same lot or premises with such structure or land use; except that off-street parking spaces required for structures or land uses on two or more adjoining lots may be provided in a single common facility on one or more of said lots, provided that a binding agreement, in a form approved by the Corporation Counsel, assuring the continued operation of said parking facility during the life of the structure or the land use the parking is designed to serve, is filed on the land records prior to approval of the plans for said parking facility. In any residence district, no off-street parking facility shall be developed in any required front yard or in any required side or rear yard adjacent to a street line or in any other side or rear yard within five feet of the lot line. However, off-street parking spaces shall be permitted in residential districts as indicated in Â§223-17C.
3. Review and hold a public hearing for the application submitted by Robert Martin, 907 Wolcott Avenue, Tax Grid No. 30-5954-52-967609-00, in the R1-10 Zoning District, to allow the addition of a second floor to the existing single-family home, which requires relief from the following: Â Section 223-17 D. to allow for a 5 ft side yard setback (east yard) (15 ft required)

City of Beacon Zoning Board of Appeals Agenda
06/18/2024

Title:

Approval of the May 21, 2024, minutes

ATTACHMENTS

City of Beacon Zoning Board of Appeals Agenda
06/18/2024

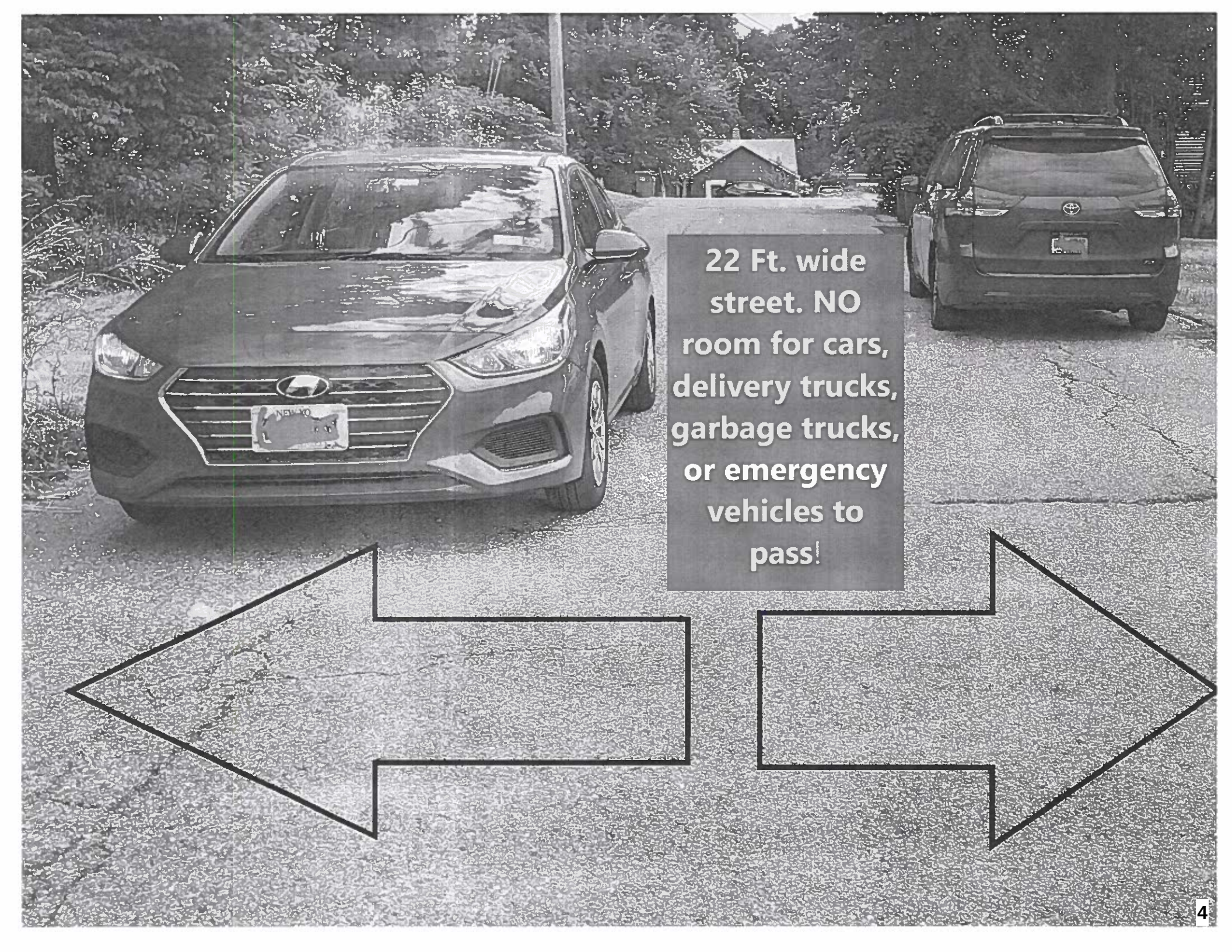
Title:

Continued review and public hearing for the application submitted by Jason and Jodi McCredo, 11 Highland Place, Tax Grid No. 30-6054-31-327768-00, in the R1-5 Zoning District, to relocate the driveway to the front of the home, which requires relief from the following:

Section 223-26 C. (1) Location. The off-street parking facilities which are required by this section shall be provided on the same lot or premises with such structure or land use; except that off-street parking spaces required for structures or land uses on two or more adjoining lots may be provided in a single common facility on one or more of said lots, provided that a binding agreement, in a form approved by the Corporation Counsel, assuring the continued operation of said parking facility during the life of the structure or the land use the parking is designed to serve, is filed on the land records prior to approval of the plans for said parking facility. In any residence district, no off-street parking facility shall be developed in any required front yard or in any required side or rear yard adjacent to a street line or in any other side or rear yard within five feet of the lot line. However, off-street parking spaces shall be permitted in residential districts as indicated in §223-17C.

ATTACHMENTS

[11 Highland ZBA street parking images.pdf](#)



**22 Ft. wide
street. NO
room for cars,
delivery trucks,
garbage trucks,
or emergency
vehicles to
pass!**



City of Beacon Zoning Board of Appeals Agenda
06/18/2024

Title:

Review and hold a public hearing for the application submitted by Robert Martin, 907 Wolcott Avenue, Tax Grid No. 30-5954-52-967609-00, in the R1-10 Zoning District, to allow the addition of a second floor to the existing single-family home, which requires relief from the following:

Section 223-17 D. to allow for a 5 ft side yard setback (east yard) (15 ft required)

ATTACHMENTS

[907 Wolcott ZBA 6.18.24 app.pdf](#)

[907 Wolcott denial ltr 5.10.24.pdf](#)

[907 Wolcott ZBA 6.18.24 public comment Mendelson.pdf](#)

ZONING BOARD OF APPEALS

City of Beacon, New York

APPLICATION FOR APPEAL

OWNER: Robert Martin
845-522-0334 (H)
TELEPHONE: 845-597-7184 (W)

ADDRESS: 907 Wolcott Ave
Beacon, NY 12508
E-MAIL: bobmartin7007@gmail.com

APPLICANT (if not owner): _____

ADDRESS: _____

TELEPHONE: _____

E-MAIL: _____

REPRESENTED BY: _____

ADDRESS: _____

TELEPHONE: _____

E-MAIL: _____

PROPERTY LOCATION: 907 Wolcott Ave ZONING DISTRICT: R1-10

TAX MAP DESIGNATION: SECTION 5954 BLOCK 52 LOT 967609

Section of Zoning Code appealed from or Interpretation desired:

nonconforming use 223-17D

Reason supporting request:

To increase the value of the house, property and neighborhood.

Supporting documents submitted herewith: Site Plan, Survey, etc. as required:

Site Plan

Date: 05/10/2024

↑ ↑

Owner's Signature

Fee Schedule

AREA VARIANCE	\$ 250
USE VARIANCE	\$ 500
INTERPRETATION:	\$ 250
ESCROW FEE:	\$1000
I & I INSPECTION:	\$50

Applicant's Signature



City of Beacon Building Department

APPLICATION PROCESSING RESTRICTION LAW Affidavit of Property Owner

Property Owner: Robert Martin

(Applicant)

If owned by a corporation, partnership or organization please list names of persons holding over 5% interest in business.

List all properties in the City of Beacon that you hold a 5% interest in.

Applicant Address: 907 Wolcott Ave

Project Address: same

Project Tax Grid #: 130200

Type of Application: Building Permit

*** Please note that the property owner is the applicant. "Applicant" is defined as any individual who owns at least five percent interest in a corporation or partnership or other business.**

I, Robert Martin, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.
(Check statements that are **true**)

1. No violations are pending for ANY parcel owned by me situated within the City of Beacon. ☒
2. Violations are pending on a parcel or parcels owned by me situated within the City of Beacon. ☐
3. ALL tax payments due to the City of Beacon are current. ☒
4. Tax delinquencies exist on a parcel or parcels owned by me in the City of Beacon. ☐
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon. ☐
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current. ☒


Signature of Owner

Title if owner is corporation

Office Use Only:

Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)

ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)

ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)

NO YES Initial

CITY OF BEACON
1 Municipal Plaza, Beacon, NY
Telephone (845) 838-5000 • <http://cityofbeacon.org/>

INDIVIDUAL DISCLOSURE FORM

(This form must accompany every land use application and every application for a building permit or certificate of occupancy submitted by any person(s))

Disclosure of the names and addresses of all persons) filing a land-use application with the City is required pursuant to Section 223-62 of the City Code of the City of Beacon. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A

Name of Applicant: Robert Martin

Address of Applicant: 907 Wolcott Ave Beacon, NY 12508

Telephone Contact Information: 845-597-7184 (w)

SECTION B. List all owners of record of the subject property or any part thereof.

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
Robert Martin	907 Wolcott Ave	845-597-7184 (w) 845-522-0334 (H)	07/06/2006 purchase	Dutchess County

SECTION B. Is any owner of record an officer, elected or appointed, or employee of the City of Beacon or related, by marriage or otherwise, to a City Council member, planning board member, zoning board of appeals member or employee of the City of Beacon ?

☐

YES

☒

NO

If yes, list every Board, Department, Office, agency or other position with the City of Beacon with which a party has a position, unpaid or paid, or relationship and identify the agency, title, and date of hire.

Agency	Title	Date of Hire, Date Elected, or Date Appointed	Position or Nature of Relationship

SECTION C. If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modification and amendments thereto, shall be submitted with the application.

SECTION D. Have the present owners entered into a contract for the sale of all or any part of the subject property and, if in the affirmative, please provide a duplicate original or photocopy of the fully and complete contract of sale, including all riders, modifications and amendments thereto.

☐ YES

☒ NO

I, Robert Martin being first duly sworn, according to law, deposes and says that the statements made herein are true, accurate, and complete.

(Print) Robert Martin

(Signature) 



CITY OF BEACON New York Building Department

*Bruce Flower
Building Inspector*

845-838-5020
Email: bflower@beaconny.gov

May 10, 2024

Robert Martin
907 Wolcott Ave.
Beacon, NY 12508

Dear Mr. Martin,

I have received your application to add a second floor to the existing single-family home on the property located at 907 Wolcott Ave (Grid #5954-52-967609) which is in the R1-10 Zoning District. The addition is being proposed within the existing footprint over the first floor of the current existing house. This application is being denied at this time due to insufficient side yard setback which is required to be 15' on each side of the home. As per the submitted plan only 5' is being proposed on the east side of the home.

223-17. D Schedule of Dimensional Regulations

East Side

Required side yard setback 15'

Proposed side yard setback 5'

The requested variance is 10'

You have the right to appeal this decision with the Zoning Board of Appeals. If you wish to appeal this decision, please contact the Zoning Board of Appeals Secretary regarding the application and instructions.

Sincerely,

Bruce Flower
Building Inspector

BEACON ZONING ISSUE

Attn.: City of Beacon Zoning Board of Appeals

Re: 907 Wolcott Avenue – application to add a second floor to existing single-family home

From: Jack and Carole (Marinaccio) Mendelson

Date: June 17, 2024

We are writing this letter to state our opposition to the request for a zoning variance to allow a second floor to be added to the property at 907 Wolcott Avenue. We own the adjacent property at 911 Wolcott Ave., where we maintain a single-family house on a lot of .6 acres. This property has been in the Marinaccio family for literally a hundred years, and it is where Carole was born, grew up, and attended school.

We believe that the property at 907 Wolcott does not conform to zoning regulations because it contains 3 edifices which together cover more than 25% of the .3 acre lot. Furthermore, one of the structures has been carved into a 2-unit rental property. We are providing photographs of the 3 structures currently in place: the rental property at the front of the lot (2 units), the house behind that, and the 4-car garage further in the back. (These photos also show the many automobiles which are crammed into the back yard and garage.) It does not make sense to allow the expansion of a property that is already overbuilt, overcrowded, and out of compliance with regulations.

In addition, we want to highlight the harm that we would incur if this project were allowed to move forward. First, we would lose much of the privacy we currently enjoy in our back yard, since it would now be visible from the new second floor at 907. Furthermore, a new second floor at 907 would limit the views from the second floor of our house at 911 Wolcott. As a result, the overall effect of the proposed expansion would be to lower the value of our property.

If the applicant wishes to expand their living quarters, one option available to them would be to move to the edifice at the front of their lot, and rent out their current residence. Such an approach would not represent an expansion of the existing 3-edifice arrangement, and thus would not cause us the harm that we have highlighted above.

Thank you for your careful consideration of these issues.

Jack and Carole Mendelson





