



COURTROOM, CITY HALL
1 MUNICIPAL PLAZA
BEACON, NY 12508
THE ZONING BOARD OF
APPEALS WILL MEET AT 7:00
PM. A TRAINING WORK
SESSION WILL TAKE PLACE
AT 7:00 PM AND THE
REGULAR MEETING AND
PUBLIC HEARINGS WILL
BEGIN IMMEDIATELY
THEREAFTER, BUT NOT
LATER THAN 7:30 PM.

September 20, 2022
7:00 PM
Zoning Board of Appeals Agenda

Regular Meeting

1. Review and hold Public Hearing on application submitted by Hannah L. Brooks, 99 E Main Street, Tax Grid No. 30-6054-38-219651-00, in the R1-5 Zoning District, for relief from Section 223-10C (1) to extend a pre-existing nonconforming two-family dwelling by adding a 442 sq. ft. one-story side addition
2. Review and hold Public Hearing on application submitted by Jodi Eilers and Dennis Ulatowski, 25 Vail Avenue, Tax Grid No. 30-6054-46-180558-00, in the R1-10 Zoning District, for relief from Section 223-17 (D) to construct a 2-story rear addition with a proposed 10.4 ft. side yard setback (15 ft. required)

City of Beacon Zoning Board of Appeals Agenda
09/20/2022

Title:

Review and hold Public Hearing on application submitted by Hannah L. Brooks, 99 E Main Street, Tax Grid No. 30-6054-38-219651-00, in the R1-5 Zoning District, for relief from Section 223-10C (1) to extend a pre-existing nonconforming two-family dwelling by adding a 442 sq. ft. one-story side addition

ATTACHMENTS

[99 E Main ZBA Application.pdf](#)

[99 E Main - Plans.pdf](#)

[ZBA Resolution_99 East Main Street.pdf](#)

ZONING BOARD OF APPEALS

City of Beacon, New York

7 hard copies
drawings & elevations
& survey and
application
digital copies to
Dane
1300.- 3rd
Floor
West
last
Aug
for
Sept
Agenda

APPLICATION FOR APPEAL

OWNER: Hannah Brooks

ADDRESS: 99 E Main St

TELEPHONE: 718-614-2612

E-MAIL: HLB458@gmail.com

APPLICANT (if not owner): _____

ADDRESS: _____

TELEPHONE: _____

E-MAIL: _____

REPRESENTED BY: _____

ADDRESS: _____

TELEPHONE: _____

E-MAIL: _____

PROPERTY LOCATION: 99 E Main St

ZONING DISTRICT: R1-5

TAX MAP DESIGNATION: SECTION 6054

BLOCK 38 LOT 219651

Section of Zoning Code appealed from or Interpretation desired:

81-6 (1)(b) 223-17C

Reason supporting request:

least intrusive solution to need for
handicap accessible room and bath

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

Date: 8/24/22

Hannah
Owner's Signature

Fee Schedule	
AREA VARIANCE	\$ 250
USE VARIANCE	\$ 500
INTERPRETATION:	\$ 250

Hannah
Applicant's Signature

****escrow fees may apply if required by Chairman****

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: Hannah Brooks

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

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

99 E. Main St.

Applicant Address: 99 E. Main St.

Project Address: 99 E. Main St.

Project Tax Grid # _____

Type of Application Area Variance

Please note that the property owner is the applicant. "Applicant" is defined as any individual who owns at least five percent (5%) interest in a corporation or partnership or other business.

I, Hannah Brooks, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

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

Hannah Brooks

Signature of Owner

Title if owner is corporation

Office Use Only:	NO	YES	Initial
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)	___	___	___

Application #

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: Hannah Brooks
 Address of Applicant: 99 E Main St. Beacon, NY 12508
 Telephone Contact Information: 718-614-2612

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.
Hannah Brooks	99 E. Main St Beacon, NY	(18)614-2612	purchase then title renewed	Outdoors 7/28/22 (new)

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

(Print) Hannah Brooks

(Signature) Hannah ✓

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Addition to							
Project Location (describe, and attach a location map):							
Brief Description of Proposed Action: Addition of handicap accessible bedroom and bath to existing house in new footprint. Total SF=450 for addition.							
Name of Applicant or Sponsor: Hannah Brooks		Telephone: 718-614-2612 E-Mail: HLB458@gmail.com					
Address: 99 E Main St							
City/PO: Beacon		State: NY	Zip Code: 12508				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td>☒</td> <td>☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: COB Bldg Dept			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td>☐</td> <td>☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3.a. Total acreage of the site of the proposed action?		0.59 acres					
b. Total acreage to be physically disturbed?		0.010 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.59 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

SECTION G. List the names and addresses of each person, business entity, partnership and corporation in the chain of title of the subject premises for the five (5) years next preceding the date of the application.

Name	Address

SECTION H. 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 I. 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, _____ being first duly sworn, according to law, deposes and says that I am (Title) _____, an active and qualified member of the _____, a business duly authorized by law to do business in the State of New York, and that the statements made herein are true, accurate, and complete.

(Print) _____

(Signature) _____

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☒	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	☐	☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	☐	☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	☐	☒	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☒ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	☒	☐	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	☒	☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☒	☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	☐ NO ☐ YES		
_____ <i>gutter</i>			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>HANHAM BROOKS</u> Date: <u>8/24/22</u> Signature: <u>Hanham</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:	☐	☐
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	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.
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)	

one fan.
5000/dwelling



Dutchess County Clerk
 22 Market Street
 Poughkeepsie, NY 12601

Bradford Kendall
 County Clerk

And Another Thing LLC
 99 East Main St Apt 1
 Beacon NY 12508

Document #: 02202252689

NOTICE OF SALE OR TRANSFER OF OWNERSHIP OF YOUR RESIDENTIAL PROPERTY.

To: And Another Thing LLC

Our records show that you are listed as the current owner of record for residential property:

Block #: 0038 Lot #: 219651

Located At: E 99 Main St Beacon NY 125080000

in the county of Dutchess New York on 7/28/2022,

documents were filed at this office to change ownership and transfer title of your property.

To: BROOKS HANNAH

If you have any questions regarding the validity of the documents, and wish to dispute the recording of the transfer, you should obtain legal counsel. If you believe you are a victim of a crime related to this recording, contact your local law enforcement agency or, if in the City of New York, the office of the sheriff.

Sincerely,

Bradford Kendall
 Dutchess County Clerk

*Fyi = After moving upstairs, I
 removed property
 from LLC
 to my own name
 as primary resident.*

*Please note that the specific information contained in this notice and used in the mailing of the same was taken from the conveyance document presented to the office of the County Clerk for recording. This information has not been verified by the County Clerk's office for accuracy or compiled from any other source. As such, the County Clerk's Office makes no guarantees of the accuracy of the information therein.

Zoning Board/Building Dept
1 Municipal Pl.
Beacon NY 12508

August 23, 2022

Dear Zoning Board,

Request is being made for an **Area Variance** to allow a modest ⁴⁴² (450SF) addition of a secure and handicap accessible bedroom and bath for residence at **99 East Main St.** I wish to accommodate my elderly parent and disabled sibling who live in the downstairs floor. This addition will create handicap accessibility and room for help as homecare needs increase.

The proposed single-story addition represents the least intrusive solution possible that allows for both the necessary handicap accessibility and an appearance of the addition that is in harmony with the existing home and landscape. (i.e. finished with similar clapboard appearance and roof; preserve existing mature trees on property).

I believe this request for an area variance is in line with the general purpose and intent of using private property, and the proposed construction is necessary for reasonable use of the property in this circumstance. If granted, it will allow a modest addition to be built onto the residential property. It will not infringe on any neighboring residential properties or negatively affect any neighbor's quality of life, property value, or peaceful co-existence.

Architectural plans and Survey in support of the requested Variance are enclosed. Thank you for your kind consideration.

Respectfully submitted,



Hannah Brooks

99 E Main St, Beacon, NY

SURVEY NOTES

1. Copyright TEC Land Surveying. All Rights Reserved. Reproduction or copying of this document may be a violation of copyright law unless permission of the author and / or copyright holder is obtained.
2. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.
3. Only boundary survey maps with the surveyor's embossed or red inked seal are genuine true and correct copies of the surveyor's original work and opinion. A copy of this document without a proper application of the surveyor's embossed or red inked seal should be assumed to be an unauthorized copy.
4. Certifications on this boundary survey map signify that the map was prepared in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to persons for whom the boundary survey map is prepared, to the title company, to the governmental agency, and to the lending institution listed on this boundary survey map.
5. The certifications herein are not transferable.
6. The location of underground improvements or encroachments are not always known and often must be estimated. If any underground improvements or encroachments exist or are shown, the improvements or encroachments are not covered by this certificate.
7. Subject to the findings of a current title search.
8. Subject to covenants, easements, restrictions, conditions and agreements of record.
9. Subject to any right, title or interest the public may have for highway use.
10. Bearings and North shown hereon are referenced to NAD 83-NY East using NYSNET RTN GPS.

DEED REFERENCE

Doc. #02 2014 7201
Helen LaFalce
To
Helen LaFalce
November 20, 2014

TAX PARCEL NUMBER

City of Beacon, Dutchess County, New York
130200-6054-38-219651

DATE OF SURVEY

Field Completion: September 19, 2019

CERTIFICATIONS

Hannah L. Brooks
Benjamin B. Gordon
Helen LaFalce
Stewart Land Title Insurance Company

AREA

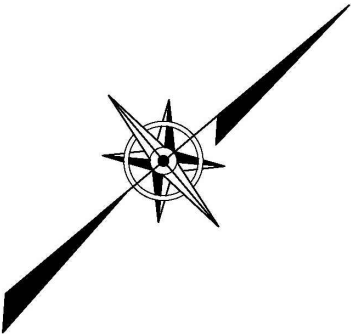
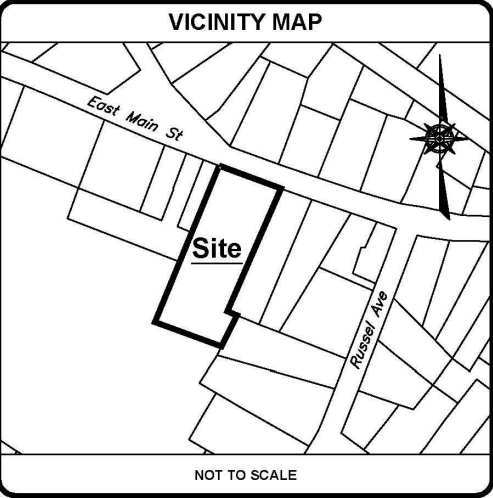
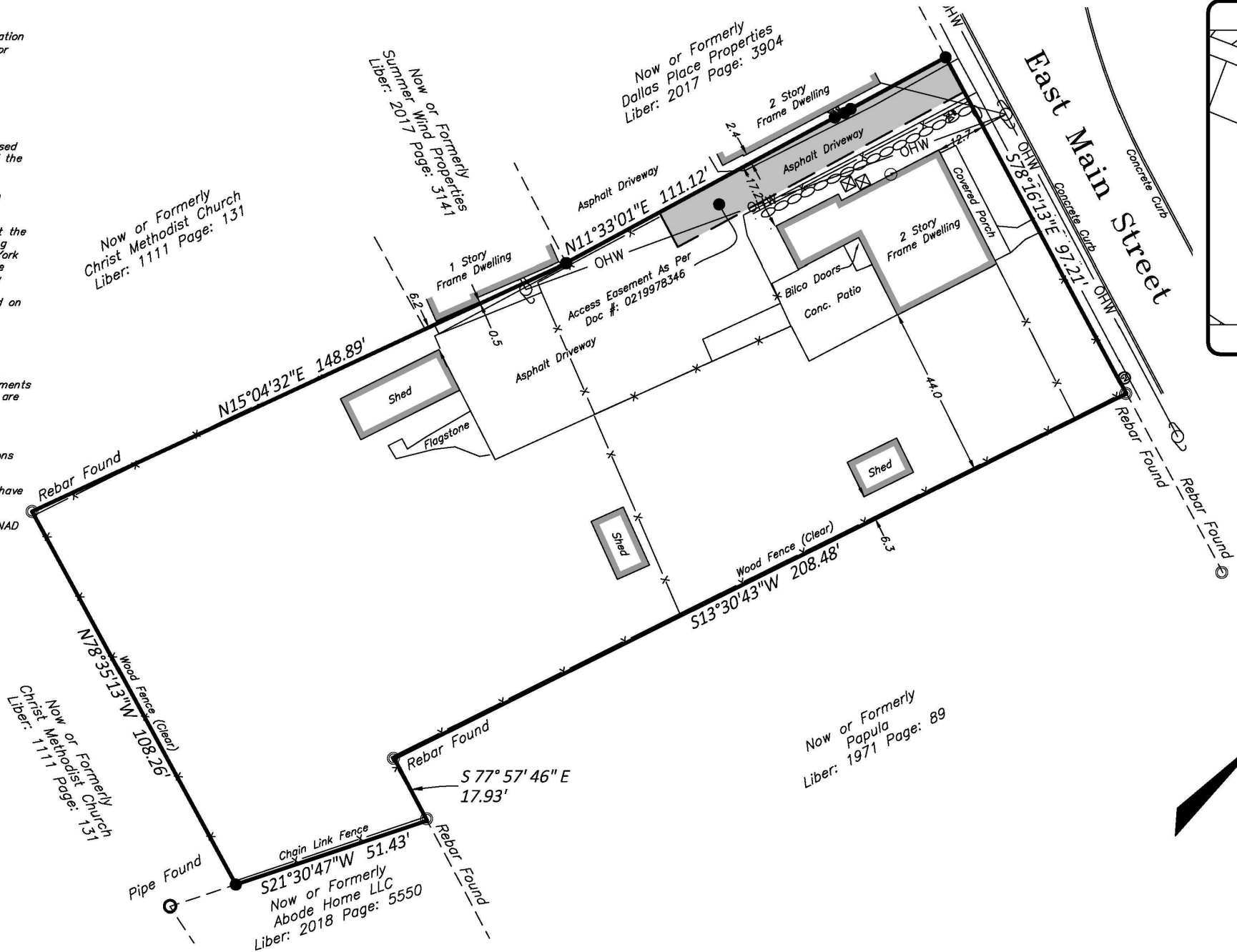
25,987 Square Feet
0.597 Acres

TEC

LAND SURVEYING

15C TIORONDA AVE. BEACON, NY 12508
845.445.6590

Brendan Johnson, P.L.S.
P.L.S. No. 50919



tax id	130200-6054-38-219651
address	99 EAST MAIN STREET
date	9-18-2019
scale	1"=30'
project no.	19-117
project name	99 EAST MAIN STREET
sheet	1 OF 1

SURVEY

BROOKS HOUSE

EMILY MOSS ARCHITECT

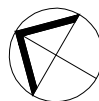
99 E. MAIN ST., BEACON NEW YORK 12508

15 ST.LUKES PLACE BEACON NY 12508 T 917 834 8254

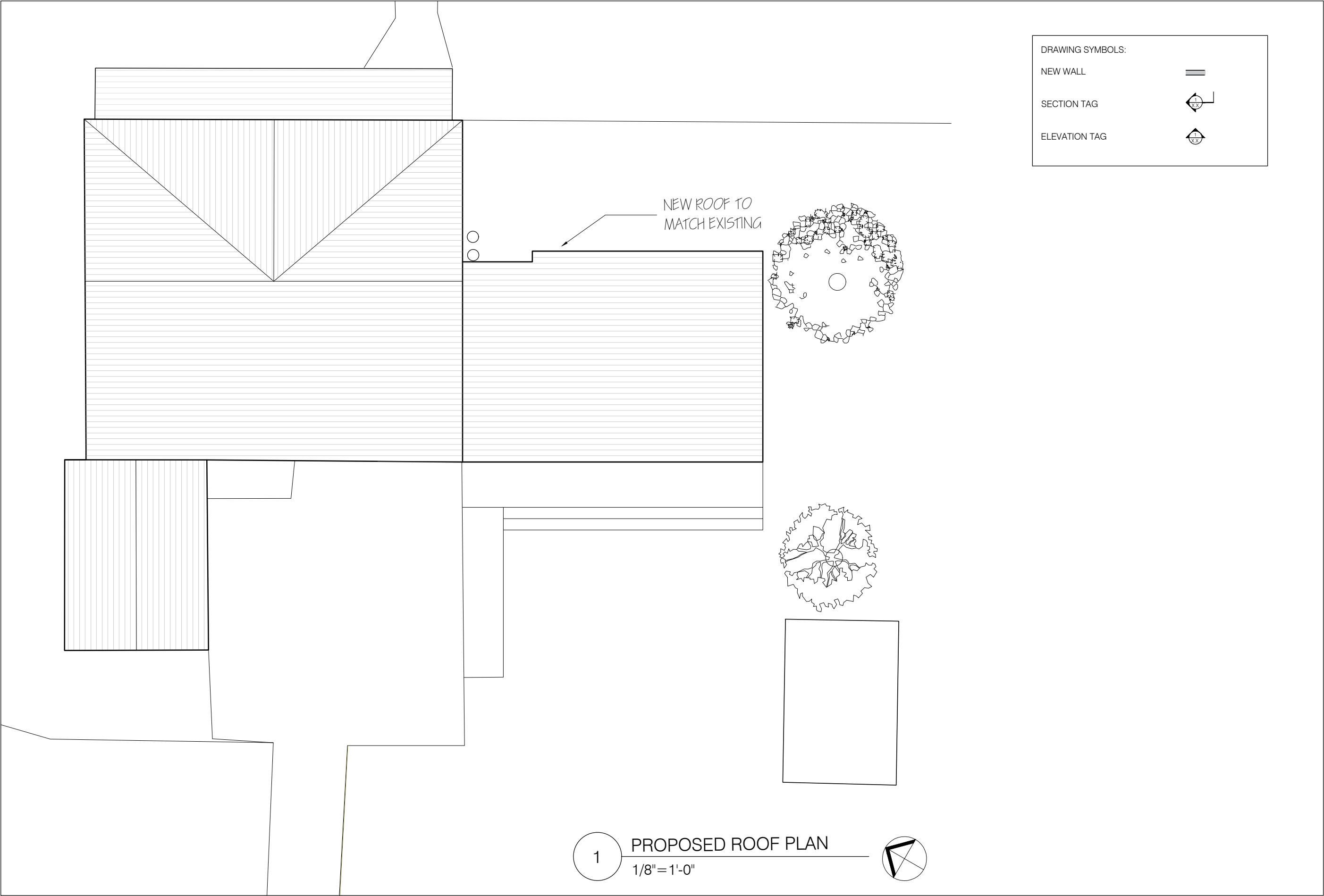
08/21/22

A-0

BUILDING
DEPT
SET

$$1/32'' = 1' - 0''$$

$$1/8'' = 1' - 0''$$


BUILDING
DEPT
SET



DRAWING SYMBOLS:

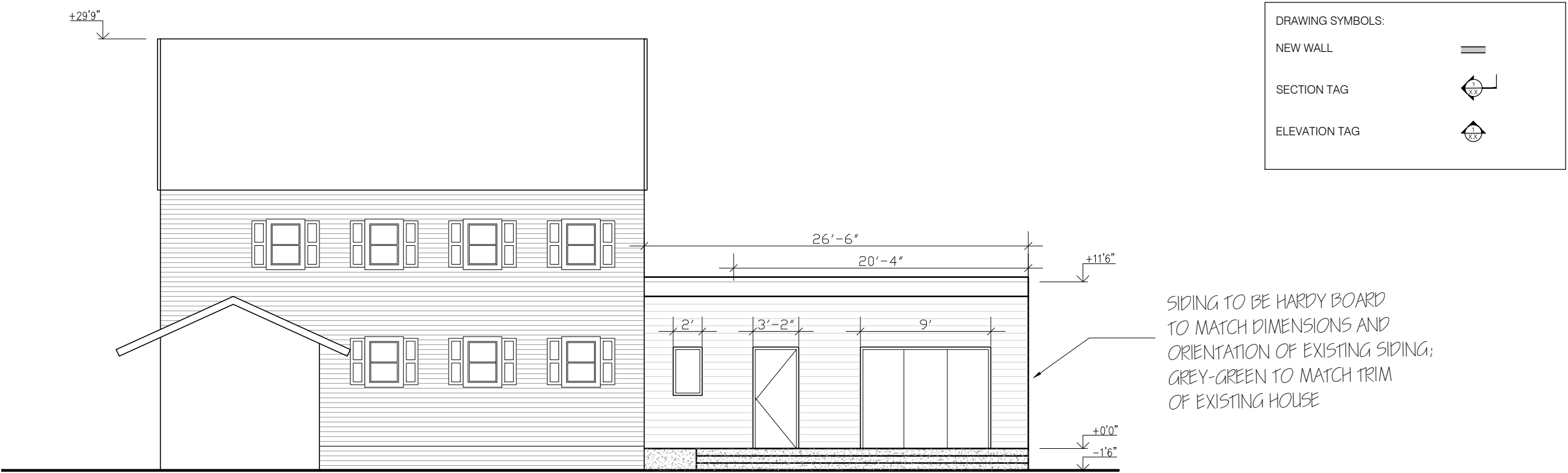
NEW WALL 

SECTION TAG 

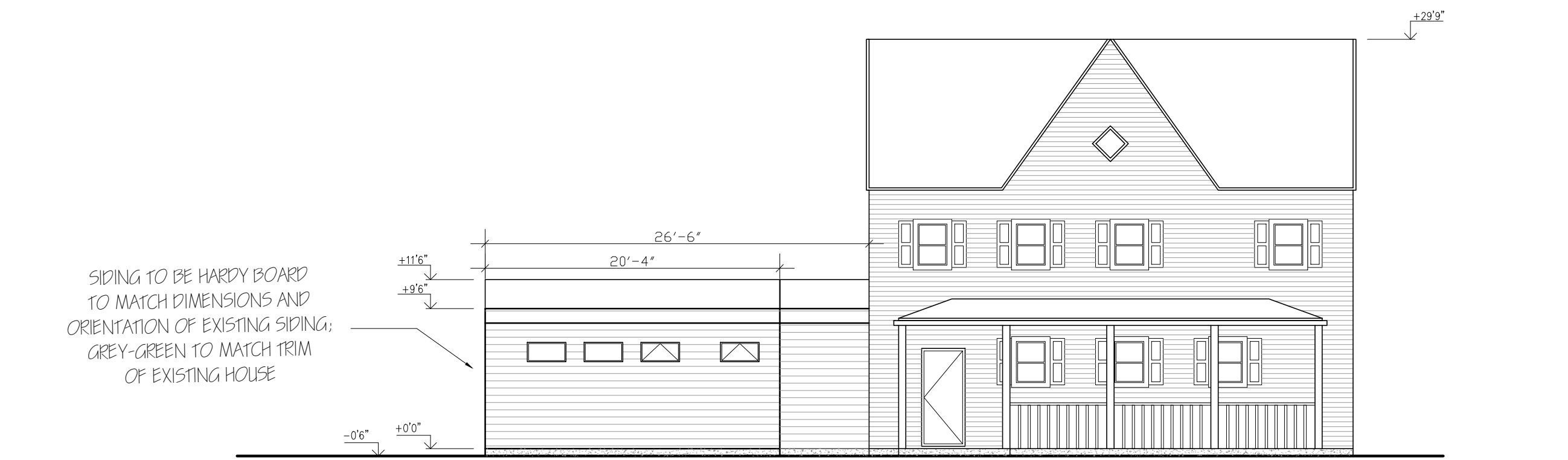
ELEVATION TAG 

1 PROPOSED ROOF PLAN
1/8" = 1'-0" 

ROOF PLAN		BROOKS HOUSE		EMILY MOSS ARCHITECT	
08/21/22		99 E. MAIN ST., BEACON NEW YORK 12508		15 ST.LUKES PLACE BEACON NY 12508	
A-2		BUILDING DEPT SET		T 917 834 8254	



1 REAR/SOUTH ELEVATION
A3 1/8" = 1' - 0"



2 FRONT/NORTH ELEVATION
A3 1/8" = 1' - 0"

SOUTH / NORTH ELEVATIONS	
BROOKS HOUSE	EMILY MOSS ARCHITECT
99 E. MAIN ST., BEACON NEW YORK 12508	15 ST.LUKES PLACE BEACON NY 12508 T 917 834 8254
08/21/22	
A-3	
BUILDING DEPT SET	

DRAWING SYMBOLS:

NEW WALL

SECTION TAG

ELEVATION TAG



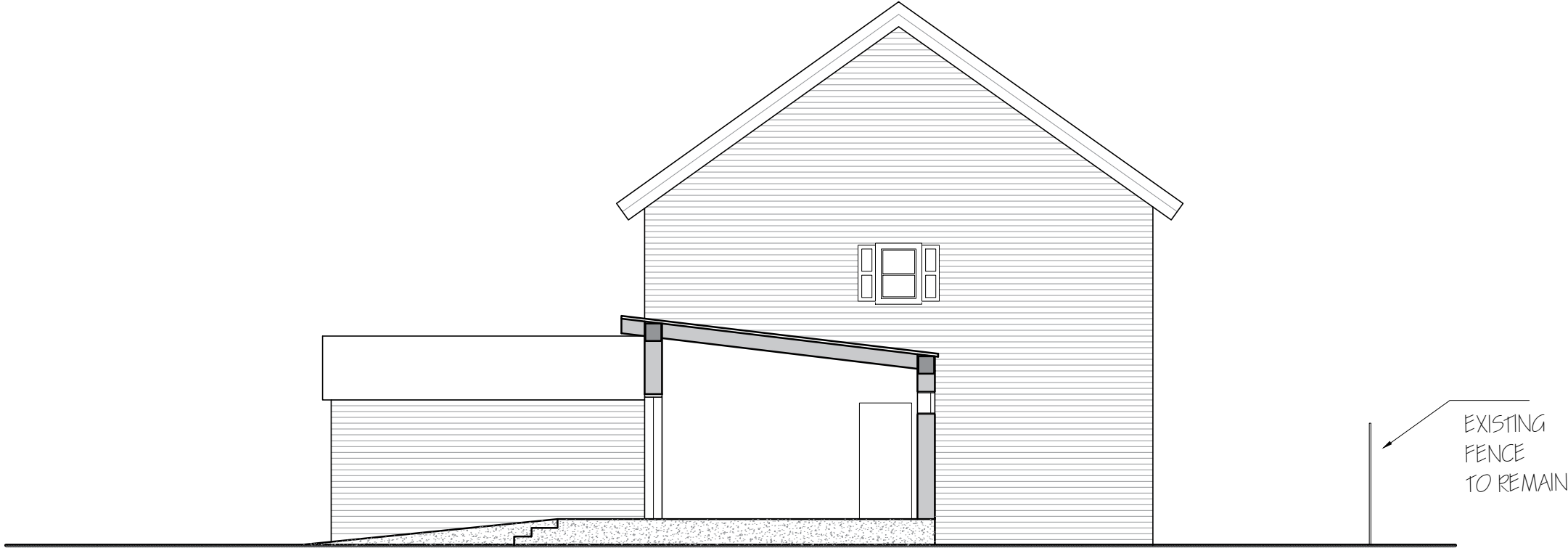
1

A4

SIDE/EAST ELEVATION

1/8" = 1' - 0"

NG;



2

A4

NORTH-SOUTH SECTION

1/8" = 1' - 0"

EAST ELEVATION / NORTH-SOUTH SECTION

BROOKS HOUSE

EMILY MOSS ARCHITECT

99 E. MAIN ST., BEACON NEW YORK 12508

15 ST.LUKES PLACE BEACON NY 12508 T 917 834 8254

08/21/22

A – 4

BUILDING
DEPT
SET

CITY OF BEACON
ZONING BOARD OF APPEALS

RESOLUTION
Parcel ID# 6054-38-219651

WHEREAS, an application has been made to the City of Beacon Zoning Board of Appeals by Hannah L. Brooks (the “Applicant”) for relief from City Code § 223-10C(1) to permit expansion of a pre-existing nonconforming two-family dwelling with the construction of a 442 square foot one-story side addition to create a handicap accessible room and bath on property located at 99 East Main Street in the R1-5 Zoning District. Said premises being known and designated on the tax map of the City of Beacon as **Parcel ID# 6054-38-219651** (the “Property”); and

WHEREAS, the two-family home on the Property is a legal nonconforming use as it was constructed before the City adopted legislation to prohibit two-family homes in the R1-5 Zoning District; and

WHEREAS, City Code § 223-10C(1) provides that the nonconforming use of a building or structure may be continued, provided that such building or structure shall not be enlarged or extended unless the use therein is changed to a conforming use; and

WHEREAS, the Applicant seeks a variance from the Zoning Board of Appeals to enlarge the existing two-family dwelling; and

WHEREAS, a duly advertised public hearing on the application was held on September 20, 2022 which time all those wishing to be heard on the application were given such opportunity; and

WHEREAS, the Board closed the public hearing on September 20, 2022; and

WHEREAS, the proposed action is a Type II Action pursuant to the New York State Environmental Quality Review Act, and accordingly, no further environmental review is required; and

WHEREAS, the Board considered the benefit to the Applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

NOW, THEREFORE, BE IT RESOLVED, that the Board, from the application, considered each of the factors set forth at Section 81-b(4)(b) of the General City Law and found, with respect to those considerations, as follows:

- 1) As to whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance, the Board found that....
- 2) As to whether the benefit the Applicant seeks can be achieved through another method, feasible for the Applicant to pursue, that does not require the area variance, the Board found that...
- 3) As to whether the requested variance is substantial, the Board found that...
- 4) As to whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, the Board found that
- 5) As to whether the alleged difficulty is self-created, the Board found that ...

BE IT FURTHER RESOLVED, that the Board finds that the requested variance [IS/IS NOT] the minimum variance necessary and adequate to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

BE IT FURTHER RESOLVED, that said application for relief from City Code § 223-10C(1) to permit expansion of a pre-existing nonconforming two-family dwelling with the construction of a 442 square foot one-story side addition to create a handicap accessible room and bath on property located at 99 East Main Street, is hereby [GRANTED/DENIED], subject to the following conditions:

1. No permit or certificate of occupancy shall be issued until the Applicant has paid in full all application and consultant fees incurred by the City in connection with the review of this application.
2. The variance shall be void if the Applicant fails to (i) obtain a building permit within six months from the date of this Resolution; (ii) commence construction within six months following the date of issuance of the building permit; or (iii) complete construction and obtain a certificate of occupancy within 24 months after the date of issuance of said building permit.

BE IT FURTHER RESOLVED, that the Zoning Board of Appeals may grant a six month extension of the variance provided that a written request for an extension is submitted before the variance expire. Such extension shall only be granted upon a showing by the Applicant that the circumstances and conditions upon which the variance were originally granted have not substantially changed.

Dated: September 20, 2022

Mr. David Jensen, Chairman

Chairman Jensen called the roll:

Motion	Second	Zoning Board Member	Aye	Nay
		David Jensen		
		Judy Smith		
		Montos Vakirtzis		
		Jordan Haug		
		Elaine Ciaccio		
		Motion Carried		

City of Beacon Zoning Board of Appeals Agenda
09/20/2022

Title:

Review and hold Public Hearing on application submitted by Jodi Eilers and Dennis Ulatowski, 25 Vail Avenue, Tax Grid No. 30-6054-46-180558-00, in the R1-10 Zoning District, for relief from Section 223-17 (D) to construct a 2-story rear addition with a proposed 10.4 ft. side yard setback (15 ft. required)

ATTACHMENTS

[25 Vail Ave Application.pdf](#)

[25 Vail Avenue Eilers_ZBA_Docs.pdf](#)

[ZBA Resolution_25 Vail.pdf](#)

[25 Vail Letter Lahey.pdf](#)

[25 Vail Letter Ireland.pdf](#)



City of Beacon New York

Certificate of Inspection Application

Parcel Address 25 VAIL AVENUE

Tax ID Number
130200-6054-46-180558-0000

Property Owners Information:

Name JODI EILERS & DENNIS ULATOWSKI

Mailing Address 25 VAIL AVENUE, BEACON, NY 12508

Business Phone # _____ Home Phone # _____

Cell Phone # 415-706-5808 E-mail Address jneilers@hotmail.com

 
Signature of Owner

For office use only:

	Connected to sanitary sewer	Disconnected	Waiver Requested	Waiver Approved
Roof Leaders	_____	_____	_____	_____
Sump Pump	_____	_____	_____	_____
Yard drain	_____	_____	_____	_____
Other (describe)	_____	_____	_____	_____

Signature of Inspector

Inspection Date _____

Expiration Date _____

FEE: \$50.00

ZONING BOARD OF APPEALS

City of Beacon, New York

APPLICATION FOR APPEALOWNER: Jodi Eilers & Dennis UlatowskiADDRESS: 25 Vail Avenue,Beacon, New York 12508TELEPHONE: 415-706-5808E-MAIL: jneilers@hotmail.com

APPLICANT (if not owner): _____

ADDRESS: _____

TELEPHONE: _____

E-MAIL: _____

REPRESENTED BY: _____

ADDRESS: _____

TELEPHONE: _____

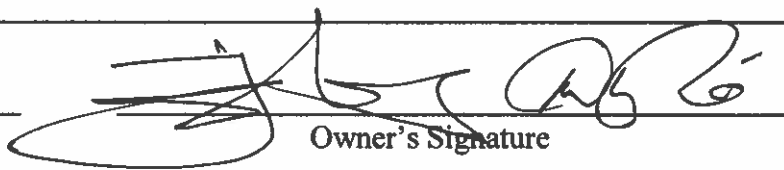
E-MAIL: _____

PROPERTY LOCATION: 25 Vail Ave., BeaconZONING DISTRICT: R1-10TAX MAP DESIGNATION: SECTION 6054BLOCK 46 LOT 180558

Section of Zoning Code appealed from or Interpretation desired:

Reason supporting request:

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

Site Plan & Exterior ElevationsDate: 08-05-22


Owner's Signature

Fee Schedule

AREA VARIANCE \$ 250

USE VARIANCE \$ 500

INTERPRETATION: \$ 250

Applicant's Signature****escrow fees may apply if required by Chairman****

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: Jodi Eilers & Dennis Ulatowski

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

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

Applicant Address: 25 Vail Avenue, Beacon, New York 12508

Project Address: 25 Vail Avenue, Beacon, New York 12508

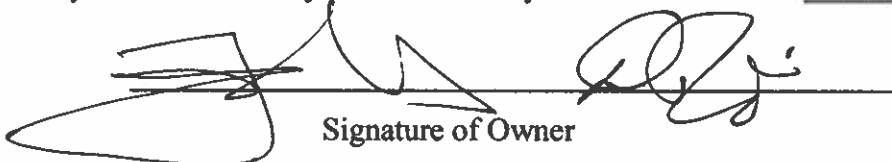
Project Tax Grid # 130200-6054-46-180588-0000

Type of Application _____

Please note that the property owner is the applicant. "Applicant" is defined as any individual who owns at least five percent (5%) interest in a corporation or partnership or other business.

I, Jodi Eilers & Dennis Ulatowski, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

1. No violations are pending for ANY parcel owned by me situated within the City of Beacon X
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 X
4. Tax delinquencies exist on a parcel or parcels owned by me within 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
___	___	___
___	___	___
___	___	___

FOR OFFICE USE ONLY

Application #

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: Jodi Eilers & Dennis Ulatowski

Address of Applicant: 25 Vail Avenue, Beacon, New York 12508

Telephone Contact Information: 415-706-5808

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.
Jodi Eilers	25 Vail Avenue, Beacon, New York 12508	415-706-5808	Purchased: 03-25-22	04-28-22 Dutchess County Clerk
Dennis Ulatowski	25 Vail Avenue, Beacon, New York 12508	408-674-0506	Purchased: 03-25-22	04-28-22 Dutchess County Clerk

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

☒

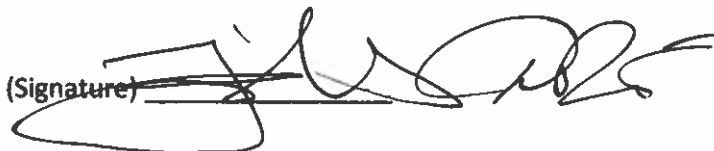
NO

Jodi Eilers &

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

(Print) Jodi Eilers & Dennis Ulatowski

(Signature)



Application #

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

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

Disclosure of the names and addresses of all persons or entities owning any interest or controlling position of any Limited Liability Company, Partnership, Limited Partnership, Joint Venture, Corporation or other business entity (hereinafter referred to as the "Entity") filing a land-use application with the City is required pursuant to Section 223-62 of the City Code of the City of Beacon. If any Member of the Entity is not a natural person, then the names and addresses as well as all other information sought herein must be supplied about the non-natural person member of that Entity, including names, addresses and Formation filing documents. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A.**IF AFFIANT IS A PARTNERSHIP, JOIN VENTURE OR OTHER BUSINESS ENTITY, EXCEPT A CORPORATION:**

Name of Entity	Address of Entity
Place where such business entity was created	Official Registrar's or Clerk's office where the documents and papers creating entity were filed
Date such business entity or partnership was created	Telephone Contact Information

Name of Entity	Telephone Contact Information
Principal Place of Business of Entity	Place and date of incorporation
Method of Incorporation	Official place where the documents and papers of incorporation were filed

SECTION B. List all persons, officers, limited or general partners, directors, members, shareholders, managers, and any others with any interest in or with the above referenced Entity. List all persons to whom corporate stock has been pledged, mortgaged or encumbered and with whom any agreement has been made to pledge, mortgage or encumber said stock. Use a supplemental sheet to list additional persons.

[illegible]

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.
Jodi Eilers	25 Vail Avenue, Beacon, New York 12508	415-706-5808	Purchased: 03-25-22	04-28-22 Dutchess County Clerk
Dennis Ulatowski	25 Vail Avenue, Beacon, New York 12508	408-674-0506	Purchased: 03-25-22	04-28-22 Dutchess County Clerk

SECTION D. Is any owner, of record or otherwise, an officer, director, stockholder, agent or employee of any person listed in Section B-C?

☐ YES ☒ NO

[illegible]

SECTION E. Is any party identified in Sections A- C 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 F. Was any person referred to in Sections A-D known by any other name within five (5) years preceding the date of the application?

☐ YES ☐ NO

[illegible]

SECTION G. List the names and addresses of each person, business entity, partnership and corporation in the chain of title of the subject premises for the five (5) years next preceding the date of the application.

Name	Address

SECTION H. 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 I. 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, _____ being first duly sworn, according to law, deposes and says that I am (Title) _____, an active and qualified member of the _____, a business duly authorized by law to do business in the State of New York, and that the statements made herein are true, accurate, and complete.

(Print) _____

(Signature) _____

617.20
Appendix B
Short Environmental Assessment Form

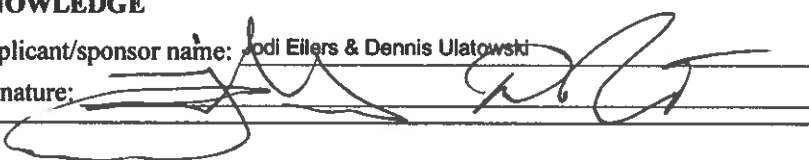
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Addition and Alteration to Residence							
Project Location (describe, and attach a location map): 25 Vall Avenue, Beacon, New York 12508							
Brief Description of Proposed Action: Alteration to residence with a single story and two story addition							
Name of Applicant or Sponsor: Jodi Ellers & Dennis Ulatowski		Telephone: 415-706-5808 E-Mail: jnellers@hotmail.com					
Address: 25 Vall Avenue							
City/PO: Beacon		State: New York	Zip Code: 12508				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☒</td> <td style="text-align: center; padding: 2px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☒</td> <td style="text-align: center; padding: 2px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
3.a. Total acreage of the site of the proposed action? .23 acres b. Total acreage to be physically disturbed? .0072 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .23 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☒	N/A ☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☐	YES ☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☐	YES ☒	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☒	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☒	YES ☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☒	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☒	YES ☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES	NO ☒	YES ☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ ☒ NO ☐ YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Jodi Eilers & Dennis Ulatowski		Date: 08-05-22
Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	☐ ☐	☐ ☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	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.
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)	

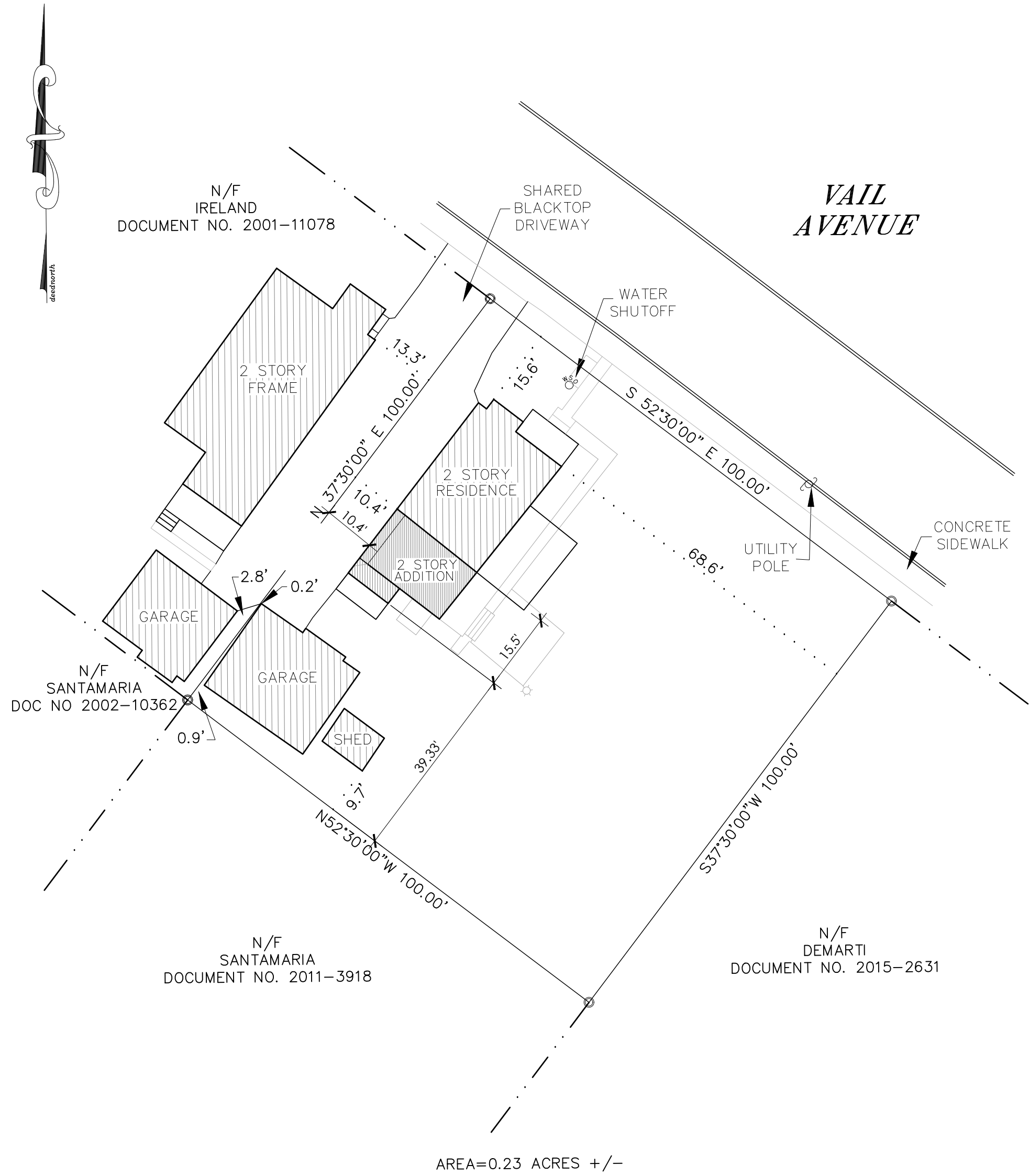
PRINT

SCHEDULE OF DIMENSIONAL REGULATIONS

Zoning District	Minimum Lot Size Area				Minimum Yards			Minimum Distance Between Building Same Lot	Maximum Height Main Building	Maximum Percent Building Coverage		Maximum Number of Units per Building	Minimum Open Space	Zoning District
	Area (sq. ft.)	Per Unit (sq. ft.)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear (feet)			Multifamily	All Other			
R1-10	10,000	10,000	85	100	25	15	35	xxx	2.5 / 35	N.A.	25%	1	xxx	R1-10

Building Coverage: 16.2%
Residence (including addition): 1050 sq. ft.
Garage: 483 sq. ft.
Shed: 78 sq.ft.
Total: 1611 sq. ft.

Actual Lot Size: 10,000 sq.ft.
Actual Lot Width: 100'
Actual Lot Depth: 100'



1 SITE PLAN
1"=20'

INFORMATION FOR SITE PLAN EXTRACTED FROM SURVEY PREPARED BY ROBERT V. OSWALD, LAND SURVEYOR, LICENSE NO. 50031, DATED APRIL 14, 2022



2 EXISTING SOUTH ELEVATION
NTS



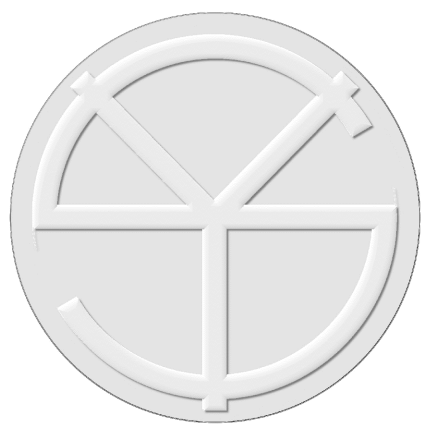
3 EXISTING WEST ELEVATION
NTS



4 EXISTING NORTH ELEVATION
NTS



5 EXISTING EAST ELEVATION
NTS



SERGE YOUNG, ARCHITECT

Comprehensive Architectural Design

79 East Willow Street Beacon, New York 12508
tel: 845.475.6143 email: serge@sergeyoung.com

It is the responsibility of the contractor to distribute all drawing updates and changes to the appropriate subcontractors in a timely manner. Please destroy any and all outdated drawings.

It is a violation of the law for any person, unless acting under the direction of a licensed Architect, to alter any part of these documents in any way. If an item bearing the seal of an architect is altered, the altering Architect shall affix to his item the seal and the notation "altered by" followed by his signature and the date of such alteration, and specific description of the alteration.

Issue / Revision
08.25.22 Issued to Bldg. Dept.

EILERS / ULATOWSKI

PROJECT DESCRIPTION:
ADDITION & ALTERATION TO RESIDENCE FOR JODI EILERS AND DENNIS ULATOWSKI

PROJECT LOCATION:
25 Vail Avenue
Beacon, New York 12508

Drawing Title:
SITE PLAN & EXISTING VIEWS

Project number:
0045
Date:
Eilers_ZBA_Docs.dwg
Drawn by:
SY
Checked by:
SY

Drawing number:

SP1

Number of Sheets:



1 **PROPOSED SOUTH ELEVATION**
1/4"=1'-0"



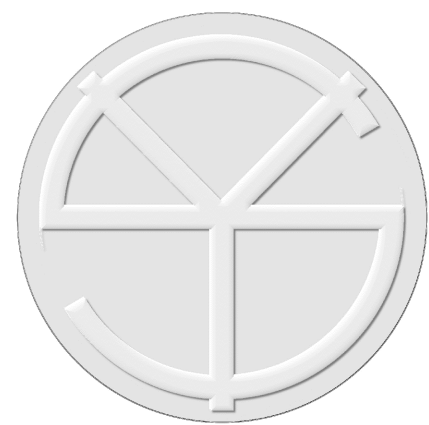
2 **PROPOSED WEST ELEVATION**
1/4"=1'-0"



3 **PROPOSED NORTH ELEVATION**
1/4"=1'-0"



4 **PROPOSED SOUTH ELEVATION**
1/4"=1'-0"



SERGE YOUNG, ARCHITECT

Comprehensive Architectural Design

79 East Willow Street Beacon, New York 12508

tel: 845.475.6143 email: serge@sergeyoung.com

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It is a violation of the law for any person, unless acting under the direction of a licensed Architect, to alter any part of these documents in any way. If an item bearing the seal of an architect is altered, the altering Architect shall affix to his item the seal and the notation "altered by" followed by his signature and the date of such alteration, and specific description of the alteration.

Issue / Revision
08.25.22 Issued to Bldg. Dept.

EILERS / ULATOWSKI

PROJECT DESCRIPTION:

ADDITION & ALTERATION TO RESIDENCE FOR JODI EILERS AND DENNIS ULATOWSKI

PROJECT LOCATION:

25 Vail Avenue
Beacon, New York 12508

Drawing Title:

ELEVATIONS

Project number:
0045

Date:

Eilers_ZBA_Docs.dwg

Drawn by:
SY

Checked by:
SY

Drawing number:

A1

Number of Sheets:

CITY OF BEACON
ZONING BOARD OF APPEALS

RESOLUTION
Parcel ID# 6054-46-180558

WHEREAS, an application has been made to the City of Beacon Zoning Board of Appeals by Jodi Eilers and Dennis Ulatowski (the “Applicants”) for a 4.6 foot side yard setback variance where the minimum side yard setback is 15 feet pursuant to City Code § 223-17(D) and 223 Attachment 1, to construct a two-story addition with a proposed 10.4 side yard setback on property located at 25 Vail Avenue in the R1-10 Zoning District. Said premises being known and designated on the tax map of the City of Beacon as **Parcel ID# 6054-46-180558** (the “Property”); and

WHEREAS, a duly advertised public hearing on the application was held on September 20, 2022 which time all those wishing to be heard on the application were given such opportunity; and

WHEREAS, the Board closed the public hearing on September 20, 2022; and

WHEREAS, the proposed action is a Type II Action pursuant to the New York State Environmental Quality Review Act, and accordingly, no further environmental review is required; and

WHEREAS, the Board considered the benefit to the Applicants if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

NOW, THEREFORE, BE IT RESOLVED, that the Board, from the application, considered each of the factors set forth at Section 81-b(4)(b) of the General City Law and found, with respect to those considerations, as follows:

- 1) As to whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance, the Board found that....
- 2) As to whether the benefit the Applicants seek can be achieved through another method, feasible for the Applicants to pursue, that does not require the area variance, the Board found that...

- 3) As to whether the requested variance is substantial, the Board found that...
- 4) As to whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, the Board found that
- 5) As to whether the alleged difficulty is self-created, the Board found that ...

BE IT FURTHER RESOLVED, that the Board finds that the requested variance [IS/IS NOT] the minimum variance necessary and adequate to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

BE IT FURTHER RESOLVED, that said application for a 4.6 foot side yard setback variance where the minimum side yard setback is 15 feet pursuant to City Code § 223-17(D) and 223 Attachment 1, to construct a two-story addition with a proposed 10.4 side yard setback on property located at 25 Vail Avenue, is hereby [GRANTED/DENIED], subject to the following conditions:

1. No permit or certificate of occupancy shall be issued until the Applicants have paid in full all application and consultant fees incurred by the City in connection with the review of this application.
2. The variance shall be void if the Applicants fail to (i) obtain a building permit within six months from the date of this Resolution; (ii) commence construction within six months following the date of issuance of the building permit; or (iii) complete construction and obtain a certificate of occupancy within 24 months after the date of issuance of said building permit.

BE IT FURTHER RESOLVED, that the Zoning Board of Appeals may grant a six month extension of the variance provided that a written request for an extension is submitted before the variance expires. Such extension shall only be granted upon a showing by the Applicants that the circumstances and conditions upon which the variance were originally granted have not substantially changed.

Dated: September 20, 2022

Mr. David Jensen, Chairman

Chairman Jensen called the roll:

Motion	Second	Zoning Board Member	Aye	Nay
		David Jensen		
		Judy Smith		
		Montos Vakirtzis		
		Jordan Haug		
		Elaine Ciaccio		
		Motion Carried		

Monday Sept 19, 2022

To Whom It May Concern:

Please be advised re: variance for
25 Vail Ave, Etko/Vlatowski. I have no issues
regarding this matter. Actually I have seen
plans and feel it will be a wonderful improvement
to the street. I live at 28 Vail, directly across
the street from 25 Vail residence. It is my hope
plans are approved by the City Board.

Thanking You-

Bonita S. Laley

28 Vail Ave

Beacon Ny 12508 (845) 831-4177

21 Vail Avenue

Beacon, NY 12508

September 19, 2022

To: City of Beacon Zoning Board of Appeals:

I am the next-door neighbor to the 25 Vail Avenue property (owners Eilers/Ulatowski) who are requesting a zoning variance.

I would like to advise you that I have no objection to the variance request being granted.

Very truly yours,


Sandra Ireland