

Zoning Board Application

APPEAL # _____

| | | |
|----|---|--|
| 1 | Application Date | June 10, 2020 |
| 2 | Applicant(s) Name | Micah + McKaila Devries |
| 3 | Address | 22 Overhill Road, Middletown NY |
| 4 | Phone Number | 845-401-1203 |
| 5 | Email Address | mckailadevries@gmail.com |
| 6 | Property Owners Name | Micah + McKaila Devries |
| 7 | Property Address | 22 Overhill Road, Middletown, NY |
| 8 | Phone Number | 845-401-1203 |
| 9 | Email Address | mckailadevries@gmail.com |
| 10 | Date owner acquired the property | December 13, 2019 |
| 11 | Tax Map Location (Section-Block-Lot) | Sec. 57, Blk. 3, Lot 1 |
| 12 | Street Address | 22 Overhill Road, Middletown NY |
| 13 | Zoning District (circle one) | RA / RA-1 / R1 / R2 / R-AH / RM-B / NC / TC / OR / HC / ENT-L / ENT |
| 14 | Lot Size and Acreage | 26,571.6 sq. ft. / .61 acres |
| 15 | Soil Type described in Town Code | |
| 16 | Application fee | (Check or Cash) Amount-\$ 550 |

Appeal Request:

Any Appeal is made or requested by the applicant for the following:

- Interpretation of the Zoning Law
- Commercial Variance
- Use Variance
- Sign Variance
- Area Variance
- Residential (Decks, Shed, Pool, Addition, Accessory bldg. /structure) (New Structure)
- Accessory building larger than 28ft x 28ft

Other:

Front / Side / Rear / Yard setback from _____ to _____ Section _____

Front / Side / Rear / Yard setback from _____ to _____ Section _____

Front / Side / Rear / Yard setback from _____ to _____ Section _____

Front / Side / Rear / Yard setback from _____ to _____ Section _____

Lot area from _____ to _____ Section _____

State reason and purpose for Request:

We are requesting a 4ft. chainlink fence on a corner lot, which traditionally only allows 3ft. We are requesting this for the safety of our future children and pets.

Applicant must print and submit Environmental Assessment Form. This form must be filled out by going to the following link and following the steps given: www.dec.ny.gov/eafmapper

Has this proposal appeared before the Planning Board? YES NO

Property taxes up to date with the Town of Wallkill? YES NO

Property owner must have their signature notarized on this application:

Owners Signature: 

Notary Public: 

Sworn to before me this date: June 29, 2020

State of New York
County of Orange

BRENDA POTTS
Notary Public, State of New York
No. 01PO6049488
Commission Expires October 16, 2022

Applicant same as owner

Building Inspector signature: _____ Date: _____

APPLICANT DISCLOSURE FORM – ORANGE COUNTY, NY REVIEW UNDER SECTION 239-M OF GENERAL MUNICIPAL LAW

The following is information relative to the below named project which is presently pending before the Town (City/Town/Village) of Wallkill (Planning/Zoning/City/Town/Village) Zoning Board.

Title of Project: DeVries 4ft. fence variance

Municipality: Town/Village/City of Wallkill

(underline one of above)

Nature of Owner or Owners (LLC, Corporation, Partnership, Joint Venture, natural person, professional corporation or other type of business entity or combination of the above):

Natural person

The names of the Members, Officers, Shareholders, Directors, Beneficial Owners owning at least five percent of the Stock or Membership or Partnership Interest or Beneficial interest in the project are:

Mckaila DeVries, Micah DeVries

Short Environmental Assessment Form Part 1 - Project Information

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: DeVries 4ft. Fence Variance | | | | | | | |
| Project Location (describe, and attach a location map): Perimeter of 22 Overhill Road, Middletown NY where property line meets public road. | | | | | | | |
| Brief Description of Proposed Action: We are requesting a fence height variance from 3ft to 4ft on our corner lot where our property line touches public road. We will have a non-obstructive fence (chain link) to ensure visibility guidelines, we just are asking for an extra foot in height. | | | | | | | |
| Name of Applicant or Sponsor: Mckaila + Micah DeVries | | Telephone: 845-401-1203 | | | | | |
| Address: 22 Overhill Road | | E-Mail: mckailadevries@gmail.com | | | | | |
| City/PO: Middletown | | State: NY | Zip Code: 10940 | | | | |
| 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> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table> | NO | YES | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| NO | YES | | | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 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> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO | YES | | | | | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | | | | |
| 3.a. Total acreage of the site of the proposed action? | | <u> .61 </u> acres | | | | | |
| b. Total acreage to be physically disturbed? | | <u> .61 </u> acres | | | | | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | <u> .61 </u> acres | | | | | |
| 4. Check all land uses that occur on, adjoining and near the proposed action. | | | | | | | |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland | | | | | | | |

| | | |
|---|--|--|
| <p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> | | |
| <p>Applicant/sponsor name: <u>Mckaila DeVries</u></p> | | <p>Date: <u>6/10/2020</u></p> |
| <p>Signature: <u></u></p> | | |

FENCES (No permit required)

§249-9. Lot yard and requirements

Corner lots.

(1) On a corner lot, each lot line which abuts a street shall be deemed to be a front lot line, and the required yard along both lot frontages shall be a required front yard. The owner shall elect, and so designate on the plot plan, which of the remaining two required yards shall be the required side yard and the required rear yard.

(2) At all street intersections, no obstructions to vision shall be maintained, erected or planted on any lot within the triangle formed by the intersecting street lines and a line drawn between points along such street lines 30 feet distant from their point of intersection.

Existing lots.

(1) Nothing shall prohibit the use of a lot of less than the prescribed area, width or depth when it can be substantiated that such lot is owned by the same owner and owned separately from any adjoining tracts of land prior to December 12, 1961, provided that all other provisions of this chapter are fully complied with, also including a single, legally created lot, approved by the Planning Board in a signed subdivision plat held in ownership created by an arm's length transaction separate from any adjacent parcel.

[Amended 12-9-2009 by L.L. No. 8-2009]

(2) No lot shall be formed from part of a lot already occupied by a building unless such building, all yards and open spaces connected therewith and the remaining lot comply with all requirements prescribed by this chapter for the district in which said lot is located and is an approved subdivision. No permit shall be issued for the erection of a building on any new lot thus created unless such building and lot comply with all provisions of this chapter.

Exceptions to yard requirements:

(1) Chimneys, arbors, open trellis or unroofed steps.

(2) Terraces which do not exceed one foot in height from the ground level.

(3) Overhanging roofs, not to exceed 10% of the required yard depth.

(4) Windowsills or belt courses not to exceed six inches.

(5) Awnings or movable canopies not to exceed 10 feet.

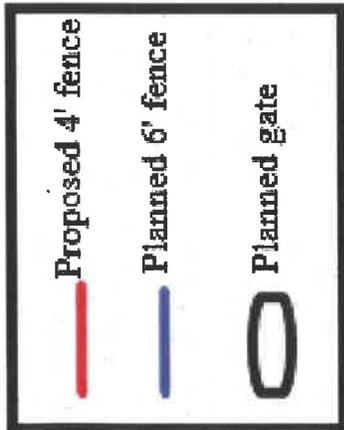
(6) Fences or walls for the RA, RA-1, R-2 and R-1 Districts with a maximum height of six feet in the rear and side yards and a maximum of four feet in the front yard, except on corner properties where the maximum height shall be three feet.

[Amended 8-25-1993 by L.L. No. 10-1983; 10-13-1994 by L.L. No. 5-1994; 7-26-2007 by L.L. No. 15-2007]

(a) For corner lots, no fence, in a required front yard, shall have more than 50% of its area opaque.

(b) No fence or wall shall infringe on the corner lot visibility area mentioned in Subsection A(2).

(7) If two or more existing dwellings are located within 200 feet on each side of a proposed dwelling, on the same side of the street and within the same block, and are within the same district, said proposed dwelling need not have a required front yard greater than the average setback of the existing dwellings.



Robertson Drive

OVERHILL ROAD

50-0-10-07

OVERHILL ROAD

S39.40'W 206.22'

157.00'

N50'20'W

N39.40E 97.93'

cont. 0.572 acres

50-1-19
L2261-P325

rod

rod

rod

water service

water service

gas service

power line

SEWER SERVICE

asphalt driveway

HOUSE

WELL

pipe

N-20'00' L-132.84'

4'

4'

4'

4'

4'

4'

6'

6'

6'