

D E C I S I O N

ZBA #88-98

TO: Morton Marcus, Architect
74 Demarest Mill Road, Nanuet, New York 10954

FROM: ZONING BOARD OF APPEALS, TOWN OF ORANGETOWN

RE: To consider an appeal from a denial by the Inspector and an application by Morton Marcus, Architect, as agent for Thomas Eng, owner, to erect an addition and a deck addition to an existing single family dwelling. Applicant requests variances from the requirements of the Orangetown Zoning Code, Section 3.12, R-15 zoning district, Group M as follows:

Column 9 - Required side yard width is 20 feet and 18.43 feet is proposed.

Column 10 - Total width both required side yards is 50 feet and 45.76 feet is proposed.

Column 11 - Required rear yard depth is 35 feet and 21.92 feet is proposed.

Premises are located on the northerly side of Lombardi Road approximately 99 feet east of the intersection of Lombardi Road and White Avenue (street address: 17 Lombardi Road) in the hamlet of Pearl River, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 16, Block 117, Lot 6 and in an R-15 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday evening, November 2, 1988, at which time the Board made the following determination:

Morton Marcus, Architect, Dan Hlavac, Contractor, Thomas Eng and Maria Eng appeared for the application and testified.

They presented the following:

1. A portion of the tax map as a vicinity map.
2. A plot plan based on a survey by Robert Jost dated August 7, 1951.
3. Plans for the proposed addition by Morton Marcus, Architect, dated June 14, 1988, consisting of two sheets.

Mr. Marcus testified that the Engs would like to build an addition to the rear of their house, consisting of a new master bedroom with handicapped bath, and a new deck. Mrs. Eng is confined to a wheelchair, and their present bedroom is upstairs. The proposed new bedroom would be downstairs, and would have a special exit onto the proposed new deck, thereby allowing Mrs. Eng to function completely independently. To further enhance her independence, the deck would be equipped with a ramp leading directly to the driveway. In this way, she would be able to have access to their van without requiring any assistance. A second exit onto the deck is proposed from the dining room, so that the Engs may entertain on the deck and their guests would be able to gain access to the deck without going through the bedroom.

The Board members made a personal inspection of the premises on Sunday, October 30, 1988, and found them to be properly posted and as generally described on the application.

A satisfactory statement, in accordance with the provisions of Section 809 of the General Municipal Law of the State of New York was received.

FINDINGS OF FACT:

The Board, after personal observation of the property, hearing all the testimony and reviewing same, found as a fact, that the applicant had presented sufficient practical difficulty to warrant the granting of the variance requested in that there is no other way to accomplish their goal and allow Mrs. Eng to function independently if the addition is relocated. To reduce the size of the deck and eliminate the side yard variance would make it very difficult for Mrs. Eng to maneuver her wheelchair on the deck.

The granting of the variance would be in harmony with the spirit and purpose of the Code. It would not be detrimental to the neighborhood or neighboring properties. Public safety and welfare would be secured and substantial justice done.

This is the minimum variance requested.

DECISION: In view of the foregoing and the testimony before the Board, the application BE and SAME is **HEREBY APPROVED.**

The foregoing variance is granted in accordance with the plot plan submitted and subject to the applicant obtaining the necessary permits from the Building Department.

Approval of the Board is limited to specific approval of the variance requested and granted.

The Board gives no approval to any building plans of the applicant.

The foregoing variance will lapse if the contemplated construction, for which the variance is granted, is not substantially implemented within one year from the filing of this decision.

A Building Permit must be obtained prior to undertaking the construction approved in this decision. Occupancy will not be made until a Certificate of Occupancy is issued by the Office of Building, Zoning & Planning Administration & Enforcement.

The foregoing resolution was presented and moved by Mr. Visalli, seconded by Mr. Hodge, and carried as follows: Louis E. Kayser, aye; William H. Mowerson, aye; James L. Crosbie, aye; Martin Hodge, aye; Alfred Visalli, aye.

The Clerk of the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy in the Office of the Town Clerk.

Dated: November 2, 1988

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

BY: 

Joan Salomon, Chief Clerk

DISTRIBUTION:

Applicant
ZBA Members
Town Board
Supervisor
Town Clerk
Assessor
Town Attorney
Deputy Town Attorney
OBZPAE file
Sewer Department
Highway Department

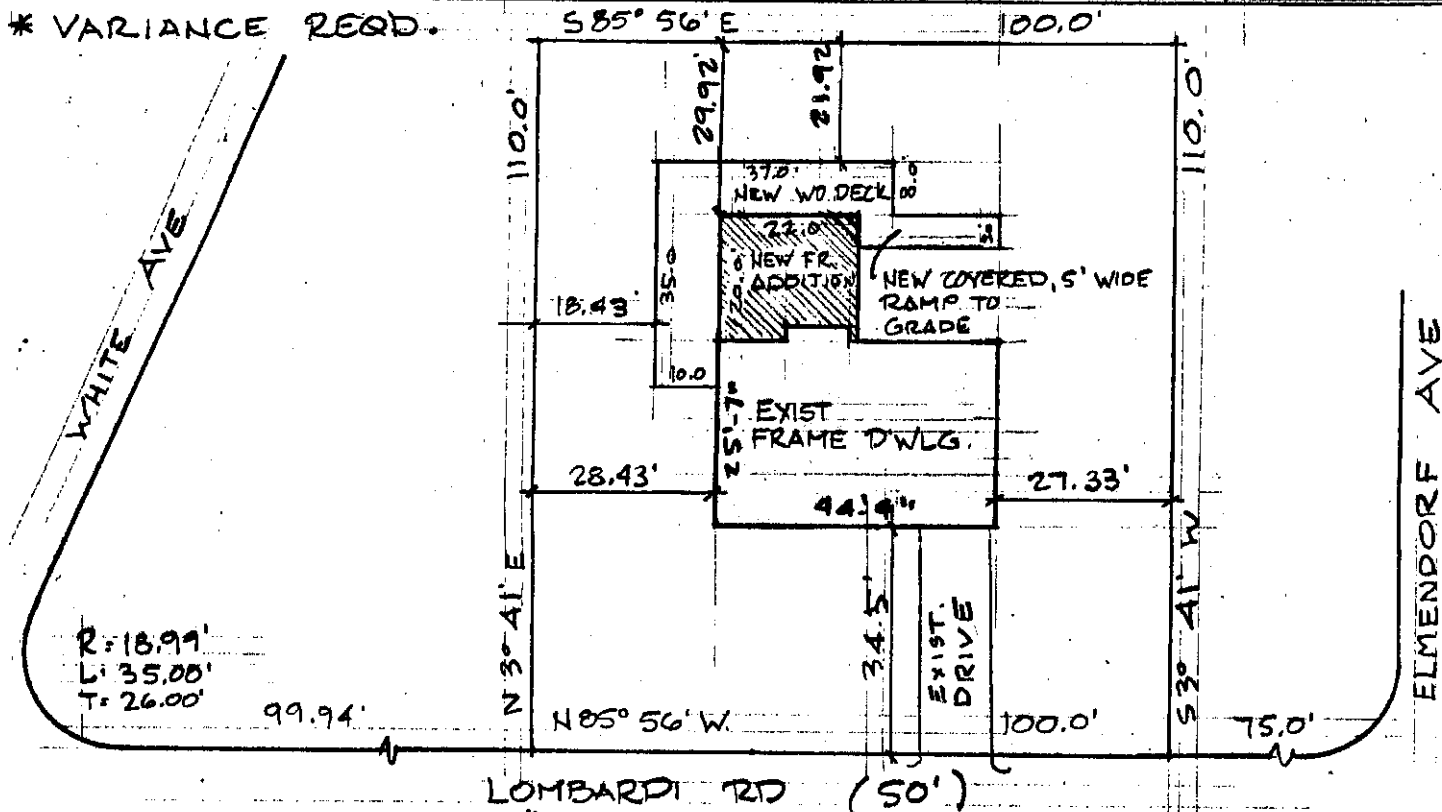
BULK TABLE

R-15

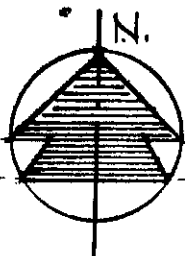
GROUP P

	REQUIRED/ PERMITTED	EXIST.	PROP. ADD.	PROP. DECK	REMARKS
F.A.R.	.020	.1609	.1989	—	
LOT AREA	15000 SF.	11000 S.F.	NO CHANGE	NO CHANGE	
LOT WIDTH	100'	100'	NO CHANGE	NO CHANGE	
FRONT YARD	30'	34.5'	NO CHANGE	NO CHANGE	
SIDE YARD	20'	28.43'	28.43'	18.6 *	
TOT. SIDE YARD	50'	55.76'	55.76'	45.76 *	
REAR YARD	35'	49.92'	29.92 *	21.92 *	
MAX BLDG HT	1-0"	20'/20"	12'/12"	—	
BLDG AREA	2200 SF.	1769.58 SF.	418.3/2187.88	—	

* VARIANCE REQD.



R: 18.99'
L: 35.00'
T: 26.00'



VICINITY MAP SCALE - 1" = 350'

PLOT PLAN TAKEN FROM A SURVEY PREPARED BY ROBERT JOST & DATED AUG 7, 1951

N. Y. REG. NO. 6749
N. J. REG. NO. C-4302

CLIENT
ADDITION TO RESIDENCE
FOR MR THOMAS ENG
LOMBARDI RD
PEARL RIVER, N.Y.

MORTON MARCUS
ARCHITECT
74 DEMAREST MILL ROAD
NANUET, NEW YORK 10954
(914) 623-3230

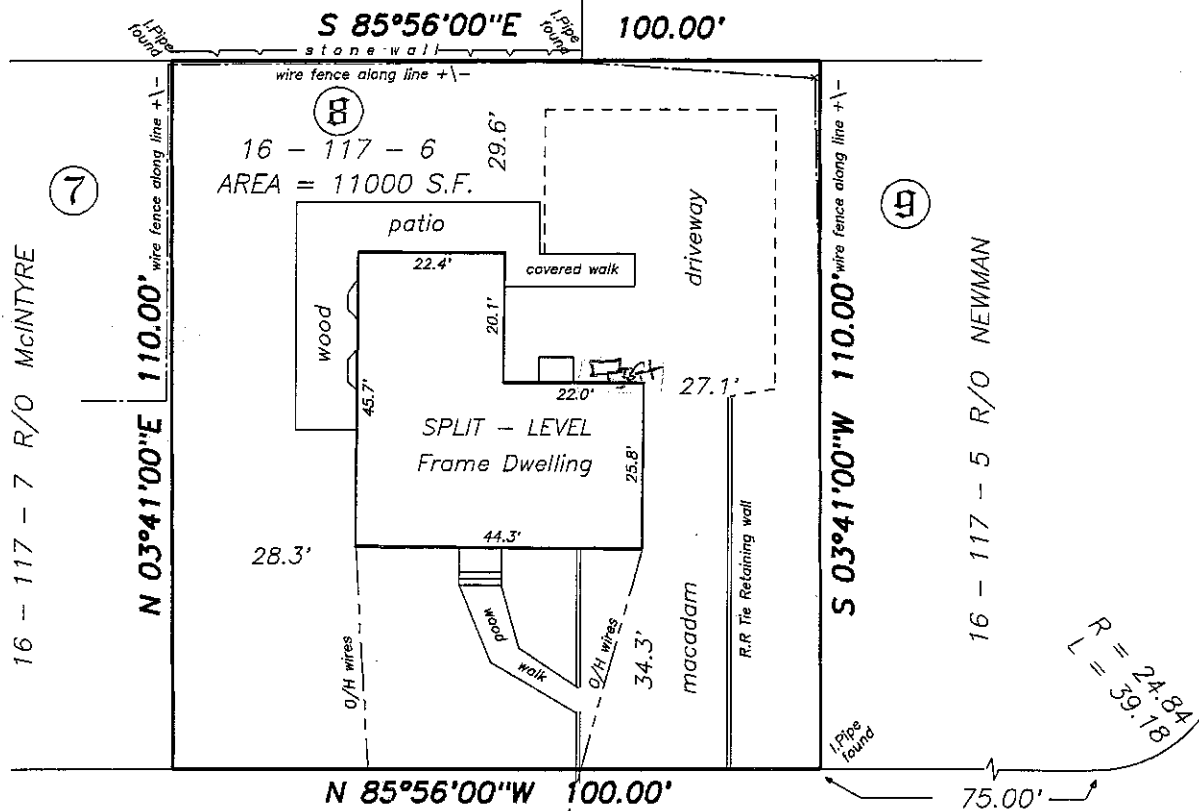
DWG. TITLE
PLOT PLAN
16/117/6

SCALE
1" = 30'
DWN. BY
J.P.
CKD. BY
DATE
8.20.88

DWG. NO.
SP2
OF 1 SHEET
PROJECT NO.
8863

Survey No. 3391

16 - 117 - 8 R/O LYNCH (5) (4) 16 - 117 - 4 R/O MORRIS



16 - 117 - 7 R/O McINTYRE

(7)

N 03°41'00"E 110.00'

16 - 117 - 6
AREA = 11000 S.F.

N 85°56'00"W 100.00'

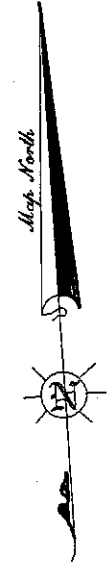
(8)

S 03°41'00"W 110.00'

16 - 117 - 5 R/O NEWMAN

(9)

ELMENDORF 50' WIDE LANE



LOMBARDI 50' WIDE ROAD

BUILDING INSPECTOR'S COPY

RECEIVED

JAN 25 2013

ZONING & BLDG. DEPT.
TOWN OF ORANGETOWN

Reference:

" Brunard Village Inc. Sec 2 "
filed in the Rockland County clerk's office 01/18/1952
Map No. 2179 Book 53 Page 1545
Liber 1073 Page 959

ORANGETOWN TAX MAP NO. 16 - 117 - 6

LOT 8 " SECTION 2 BRUNARD VILLAGE INC. "

Certified To:

THOMAS C. ENG
MARIA E. ENG
CROSSLAND MORTGAGE CORP
CHICAGO TITLE INSURANCE COMPANY

Robert R. Rahnefeld, PLS N.Y. Lic No. 49459

NOTE:
UNAUTHORIZED ALTERATION OR ADDITION TO THIS MAP IS A VIOLATION OF SECT 7209 (2) OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS MAP NOT HAVING THE EMBOSSED SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID. CERTIFICATIONS INDICATED HEREON ARE NOT TRANSFERABLE TO ADDITIONAL INDIVIDUALS INSTITUTIONS THEIR SUCCESSORS AND/OR ASSIGNS OR SUBSEQUENT OWNERS. THIS SURVEY MAP IS SUBJECT TO AN ACCURATE ABSTRACT OF TITLE

Survey Map
for

THOMAS & MARIA ENG

PEARL RIVER

TOWN OF ORANGETOWN * ROCKLAND CO.

SCALE: 1"=30'

NEW YORK

MAY 12, 1993

Robert R. Rahnefeld, P.L.S., P.C.

Professional Land Surveyor & Planner

32 So. Middletown Road, Pearl River, New York, 10965

117-3

Map No. 7133

THIS SURVEY MAP IS BASED ON AN ACTUAL FIELD SURVEY CONDUCTED FOR THIS SPECIFIC TRANSACTION AND SHALL NOT BE USED FOR ANY OTHER PURPOSES UNLESS IT HAS BEEN BROUGHT UP TO DATE BY THE LAND SURVEYOR WHICH PREPARED THE ORIGINAL SURVEY

PERMIT EXPIRES TWO (2) YEARS FROM DATE OF ISSUANCE.
TWO SIX (6) MONTH EXTENSIONS MAY BE GRANTED PRIOR TO EXPIRATION DATE.

APPLICATION FOR BUILDING / DEMOLITION PERMIT

TOWN OF ORANGETOWN

20 Greenbush Road, Orangeburg, NY 10962 Phone: (845) 359-8410 Fax: (845) 359-8526

ZONE: R-15 OFFICIAL USE ONLY ACREAGE: 1.25
 Inspector: Dave Date App Received: 10-13-2020 Received By: [Signature]
 Permit No. 50669 Date Issued: _____
 CO No. _____ Date Issued: _____
 Permit Fee: \$1672 Ck# 1431 Paid By Hendo Contracting
 GIS Fee: \$520 Ck# 1430 Paid By _____
 Stream Maintenance Fee Ck # _____ Paid By _____
 Additional Fee: _____ Ck# _____ Date Paid _____ Paid By _____
 1st 6 mo. Ext.: _____ Ck # _____ Exp. Date: _____ Paid By _____
 2nd 6 mo. Ext.: _____ Ck # _____ Exp. Date: _____ Paid By _____

APPLICANT COMPLETES:

Note: See inside for instructions for completing this application,
PAGES 2, 3 and PAGE 4 must be reviewed and PAGES 3 & 4 must signed by the applicant.

Property Location: 17 Lombardi Road, Pearl River
Section: 69.05 Block: 2 Lot: 65

Property Owner: Thomas + Maria Eng
Mailing Address: 17 Lombardi Rd, Pearl River
Email: Marisole333@optonline.net Phone #: (845) 596-6387

Lessee (Business Name): _____
Mailing Address: _____
Email: _____ Phone #: _____

Type of Business /Use: _____
Contact Person: Kenny Henderson Relation to Project: Contractor
Email: Kenny@Hendocontracting.com Phone#: 845-638-0555

Architect/Engineer: _____ NYS Lic # _____
Address: _____ Phone#: _____
Builder/General Contractor: Hendo Contracting, Inc. RC Lic # HO2749-AG
Address: 19 Third St, New City, NY 10956 Phone#: 845-638-0555

Plumber: _____ RC Lic # _____
Address: _____ Phone#: _____
Electrician: Romeo Electric RC Lic #: _____
Address: 46 Walter St, Pearl River Phone#: 845-825-1053

Heat/Cooling: _____ RC Lic#: _____
Address: _____ Phone#: _____

Existing use of structure or land: Single Family
Proposed Project Description: Build Three Season Sunroom

Proposed Square Footage: 308 sq ft Estimated Construction Value (\$): 30,000

BUILDING DEPARTMENT COMPLETES BELOW

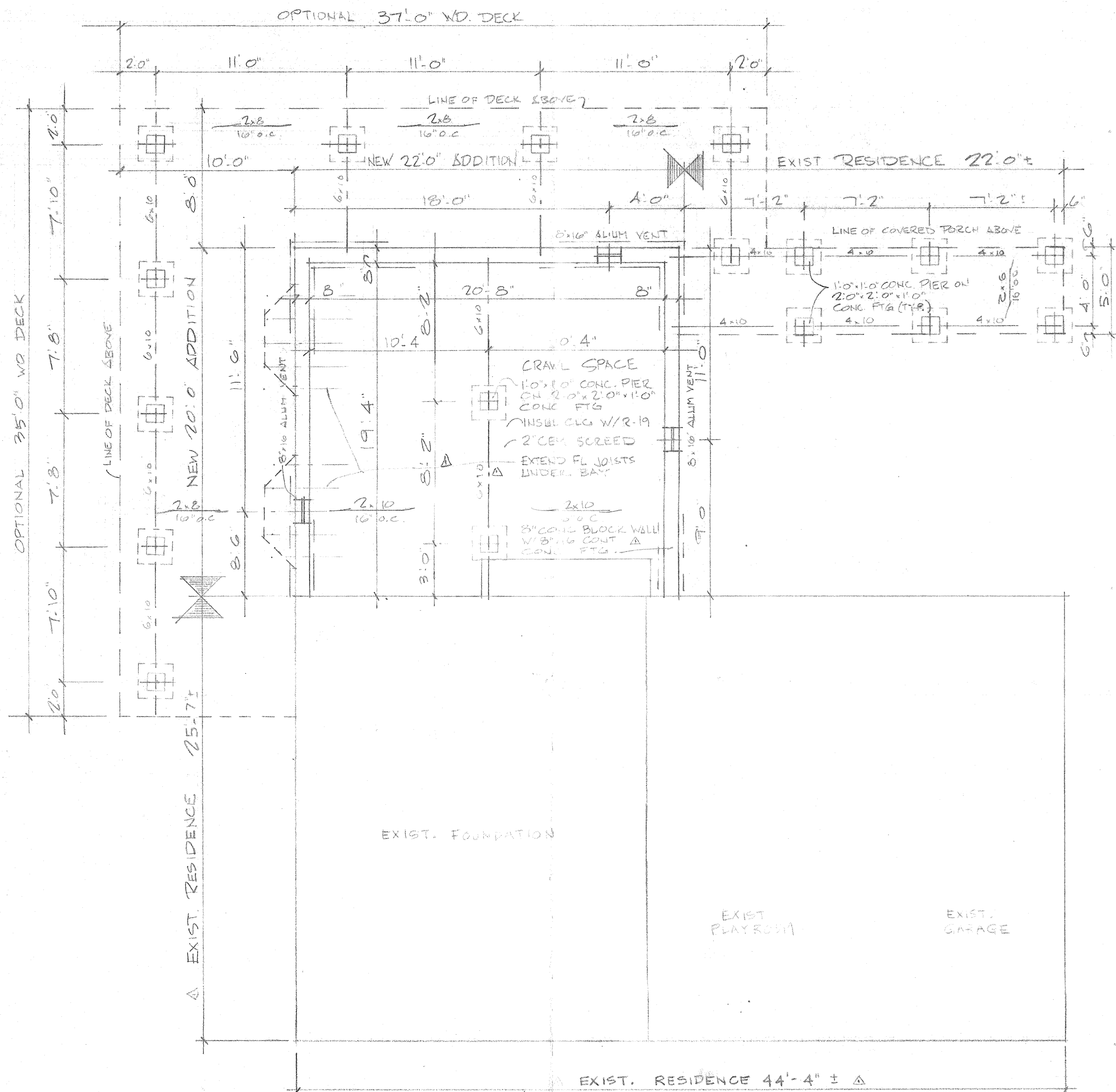
PLANS REVIEWED: _____

PERMIT REFERRED / DENIED FOR:
Chapter 43, Article 3.12, Column 1 = R-15 District, Column 2 = Group M, Column 3 = FAR
Column 4 = Max FAR 20% w/ 23% program, Column 11 = Min Rear Yard 35'
w/ 15.98' program. 2 Variance Request.
Variance - Side, FAR

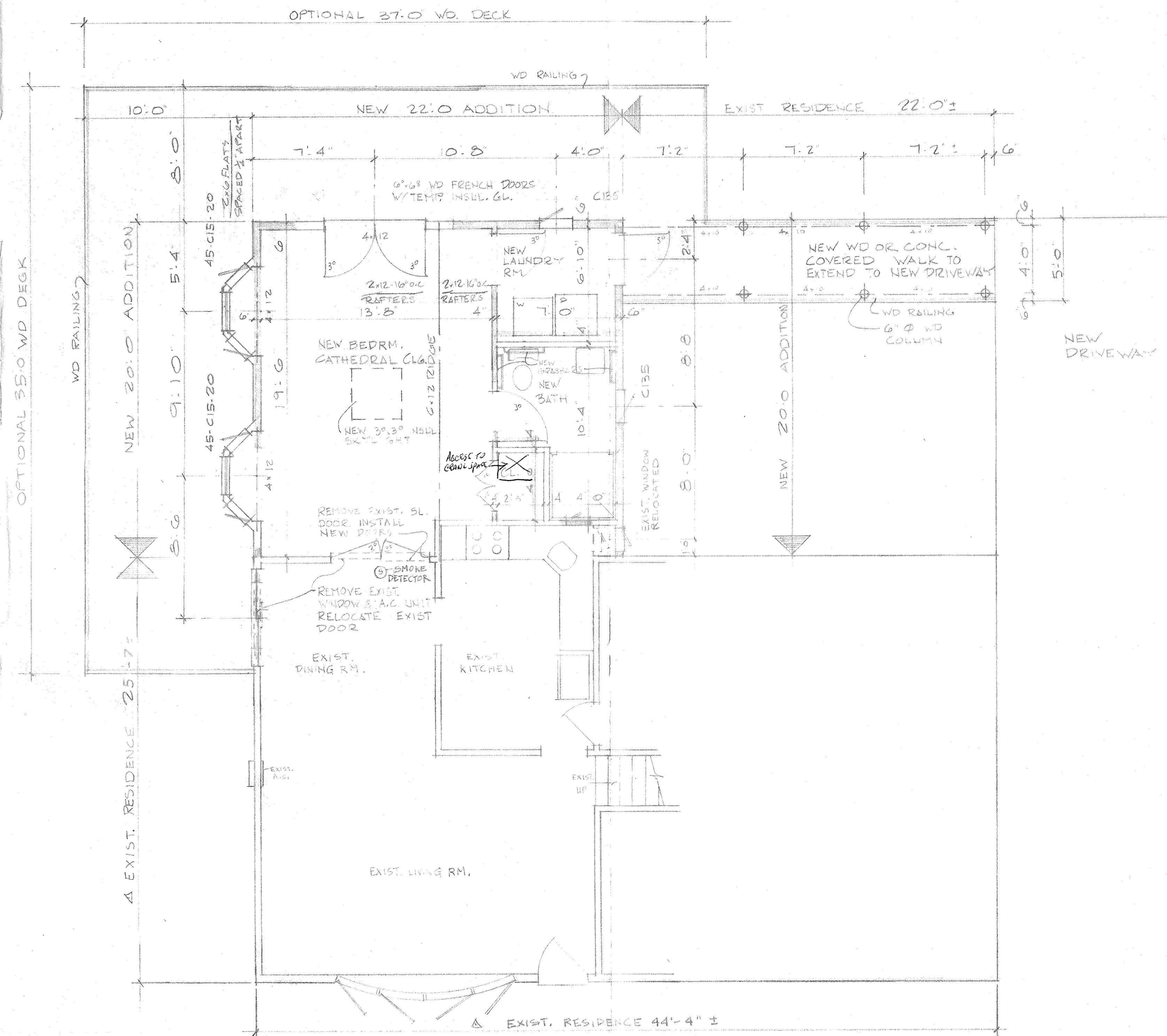
Revised by Rick
Dec 8, 2020

FOR OFFICE USE ONLY SECTION BLOCK LOT NAME PERMIT #

ENG



CRAWL SPACE PLAN



FLOOR PLAN

GENERAL NOTES:

- ALL LUMBER TO BE #2 HEM, FIR OR BETTER.
- DOUBLE JOISTS UNDER ALL PARTITIONS PARALLEL TO JOISTS.
- ALL WOOD GIRDERS TO BE BUILT-UP OF 2" MEMBERS.
- DOUBLE HEADERS & TRIMMERS AT ALL OPENINGS UNLESS NOTED.
- WINDOW SILLS TO BE MAX. OF 3'-6" ABOVE FIN. FLOOR EXCEPT IN KITCHEN & BATH AREAS.
- WINDOWS TO HAVE INSUL. GLASS OR STORM WINDOWS.
- ALL DOORS OPENING ON TO AN UNHEATED SPACE ARE TO BE INSULATED OR ARE TO HAVE STORM DOORS.
- ALL WORK TO CONFORM TO N.Y.S. ENERGY CODE.
- ALL WORK TO CONFORM TO ALL CODES & AUTHORITIES HAVING JURISDICTION.
- TO THE BEST OF MY KNOWLEDGE, BELIEF AND PROFESSIONAL JUDGMENT, SUCH PLANS, & SPECIFICATIONS ARE IN COMPLIANCE WITH THE N.Y.S. ENERGY CONSERVATION CONSTRUCTION CODE APRIL 1, 1987.
- ALL EXTERIOR LUMBER TO BE WELDMANIZED.
- ALL AREAS DISTURBED OR ALTERED BY NEW CONSTRUCTION ARE TO BE LEVELED, PATCHED AND/OR REPAIRED TO MATCH EXISTING MATERIALS.

SUMMARY OF TOTAL THERMAL RATING
 If the Total Thermal Rating is zero (0) or greater, the proposed design for the building envelope complies with the Energy Code.

	AREA	U-VALUE	THERMAL RATING	TABLE USED
A. ROOF/CEILING	418.8	.023	+7	6-1
B. NET WALLS	374.7	.047	+9	6-1
C. GLAZING	21.83	.32	-21	6-3
			+18	6-2
D1. FLOORS	418.3	.025	+9	6-1
D2. BASEMENT/CELLAR WALLS				
Wall Perimeter		Feet		
Exposure Above Grade		Feet		
Wall U-Value				
Depth of Wall		Inches	N.R.	
Below Grade				
D3. SLAB INSULATION				
Insulation R-Value			N.R.	
E. INFILTRATION CONTROL				
Conditioned Floor Area		Sq. Ft.	N.R.	
F. SOUTH FACING GLAZING				
South Glass/Total Glass		Percent		
Gl. Area/Gross Wall Area		Percent	N.R.	
Conditioned Floor Area		Sq. Ft.		
TOTAL THERMAL RATING			+26	

A REVISED: 5-19-88

CONTRACTOR TO VERIFY ALL CONDITIONS AND DIMENSIONS ON JOB BEFORE PROCEEDING WITH WORK.

CLIENT
 ADDITION TO RESIDENCE FOR
 T. ENG
 LOMBARDI RD.
 PEARL RIVER, N.Y.

DWG. TITLE
 FLOOR PLANS

SCALE
 1/4" = 1'-0"

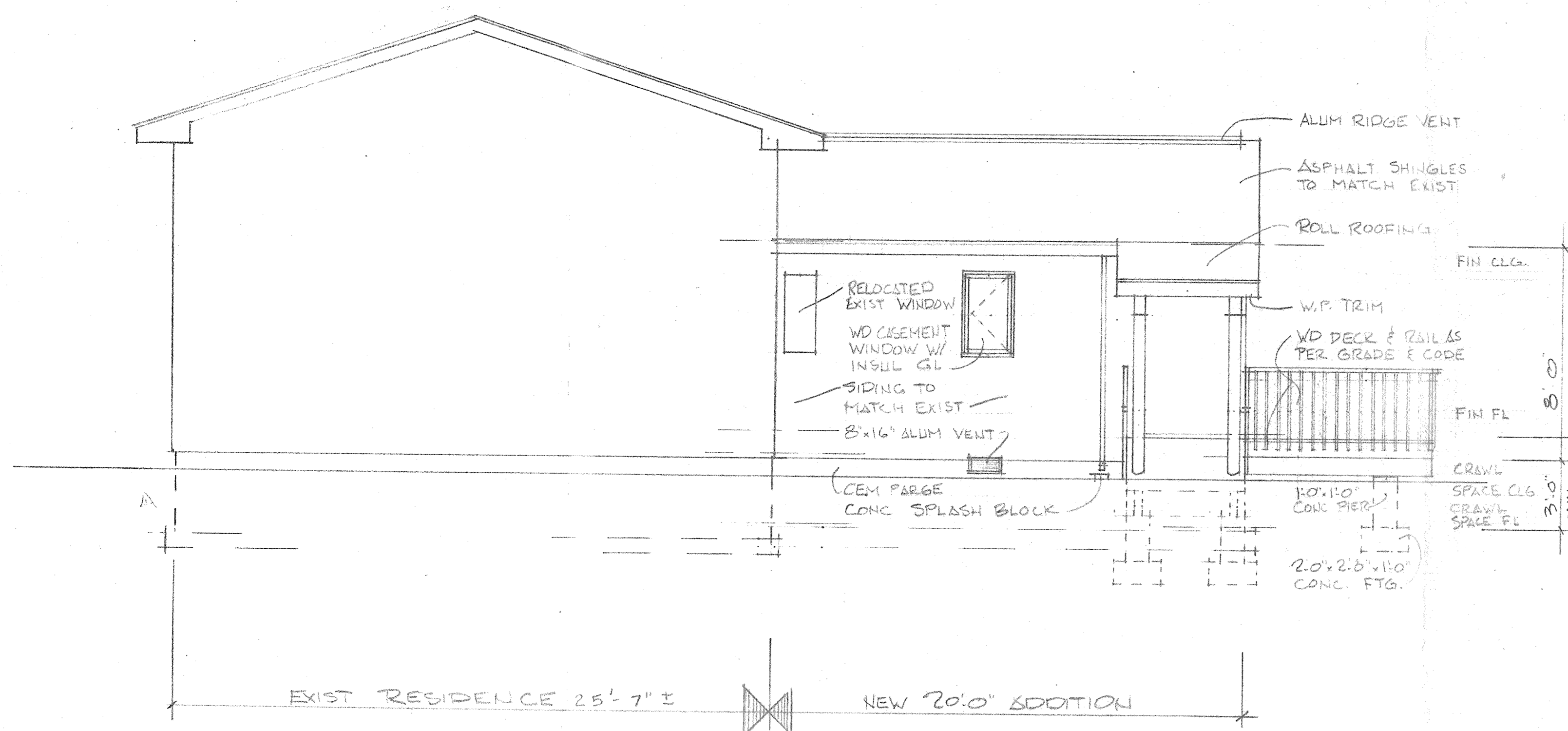
DWG. NO.
 A-2

N. Y. REG. NO. 6749
 N. J. REG. NO. C-4302

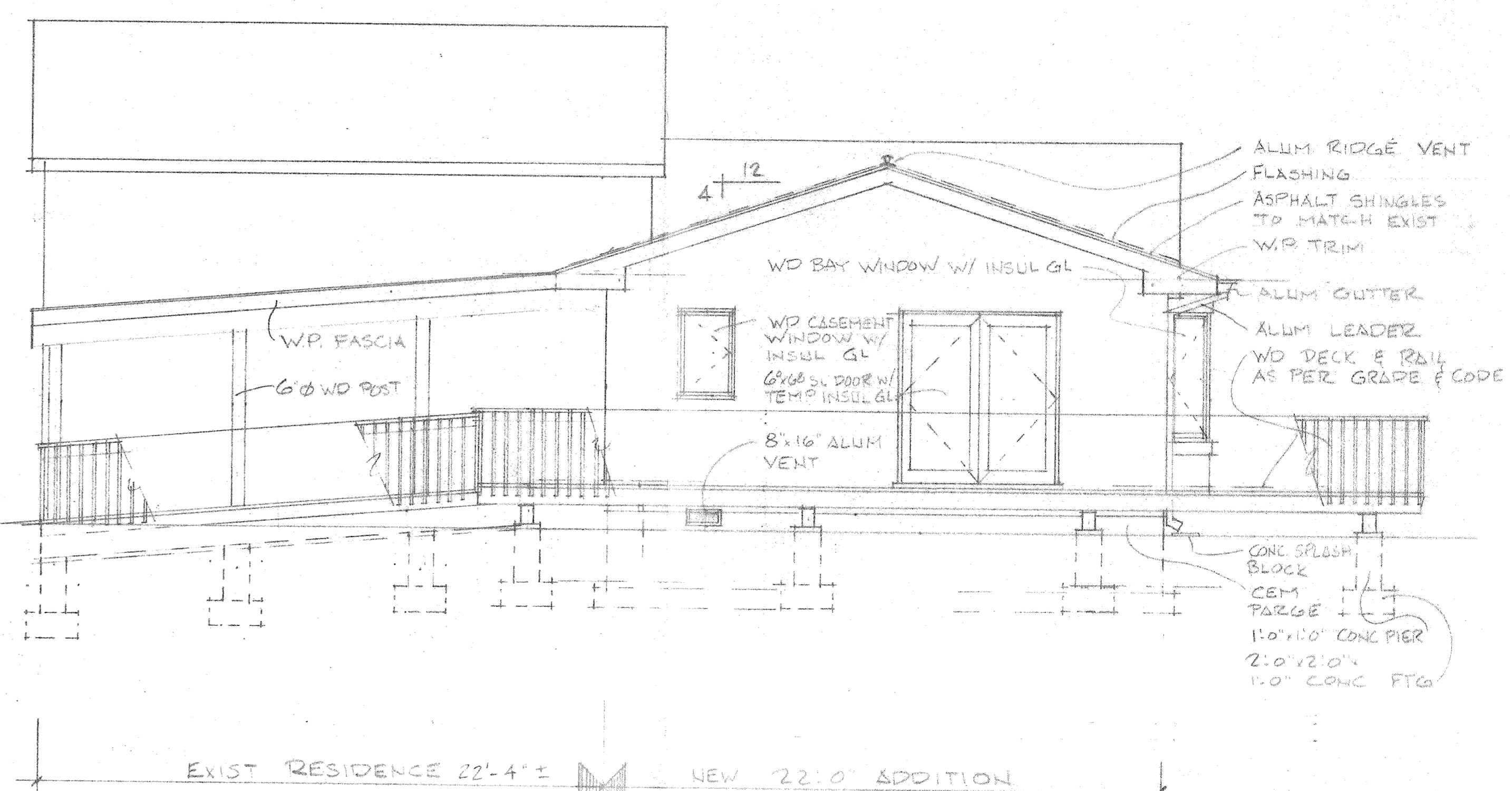
MORTON MARCUS
 ARCHITECT
 74 DEMAREST MILL ROAD
 MANUET, NEW YORK 10954
 (516) 823-3630

DATE
 6-14-88

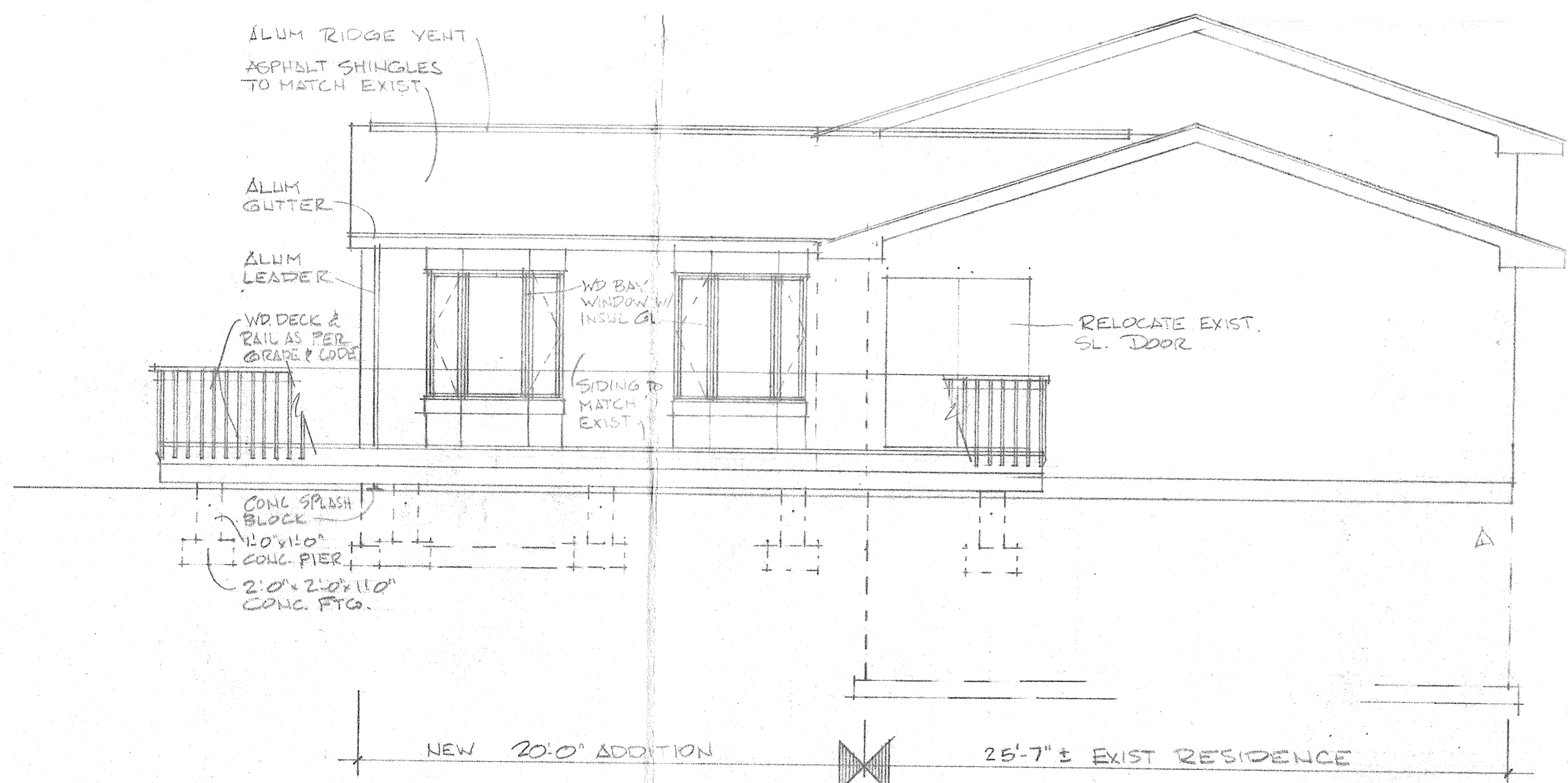
PROJECT NO.
 2595



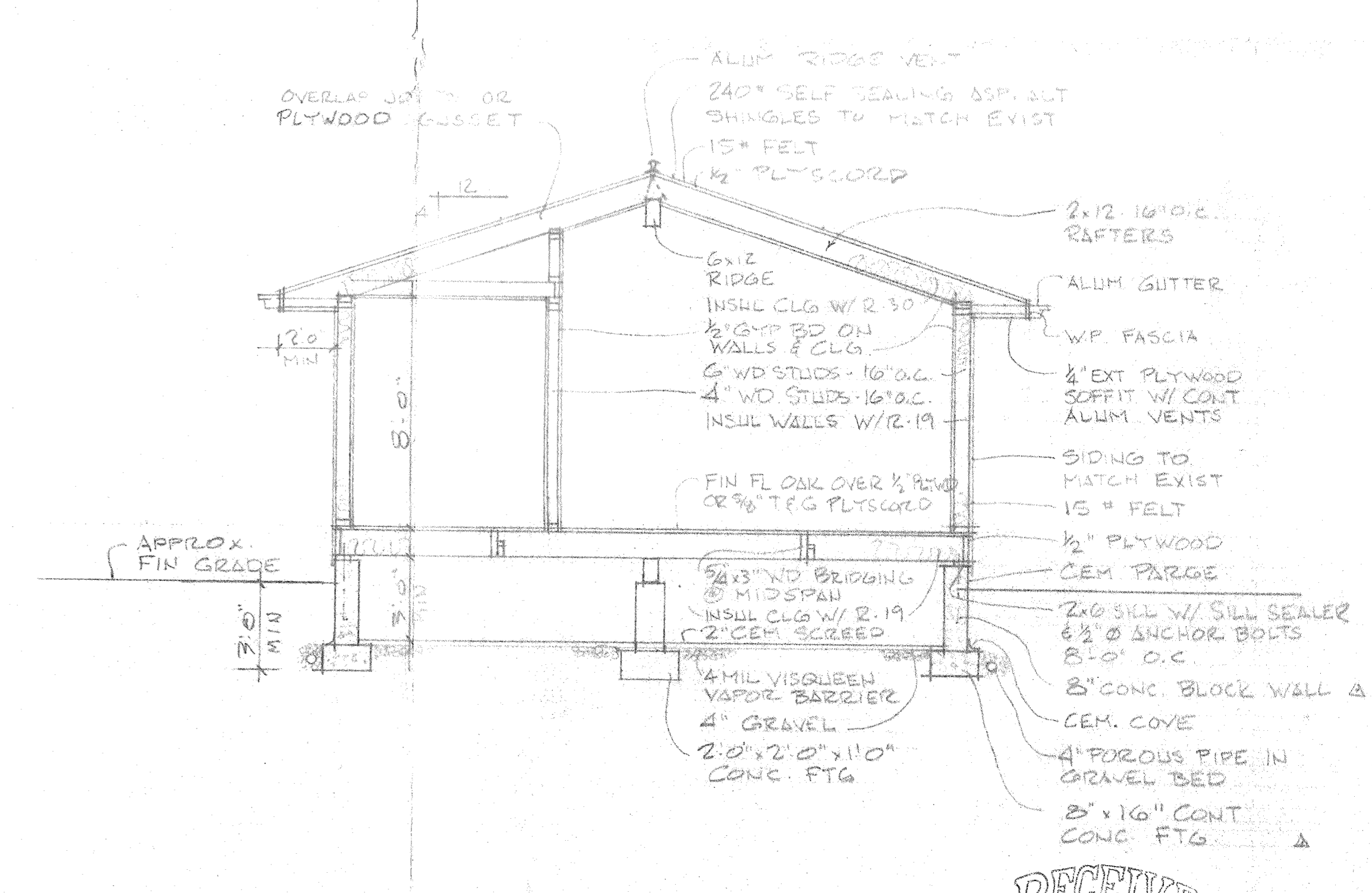
RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION



SECTION

RECEIVED
AUG 22 1988
ZONING BLDG. DEPT.
TOWN OF ORANGETON

A REVISED: 8-19-88

CONTRACTOR TO VERIFY ALL CONDITIONS AND DIMENSIONS ON JOB BEFORE PROCEEDING WITH WORK.

	CLIENT	DWG. TITLE
	ADDITION TO RESIDENCE FOR T ENG LOMBARDI RD PEARL RIVER, NY	ELEVATIONS, SECTION
N. Y. REG. NO. 6749 N. J. REG. NO. C-4302	ARCHITECT 74 DEMAREST MILL ROAD NANUET, NEW YORK 10954 (914) 623-3230	SCALE 1/8" = 1'-0" DWN BY MKC CKD BY DATE 8-14-88
PROJECT NO. 8803		DWG. NO. A-1 OF 2 SHEETS PROJECT NO. 8803