Name of Municipality: <u>TOWN OF ORANGETOWN</u> Date Submitted:

## 2020 LAND USE BOARD APPLICATION

Please check all th	
Planning Board Zoning Board of Appeals	Residential Historical Board Architectural Board
Subdivision Number of Lots Site Plan Conditional Use Special PermitVariance	Consultation Pre-Preliminary/Sketch Preliminary Final Interpretation
Performance Standards Review Use Variance Other (specify):	ASSIGNED INSPECTOR:  Referred from Planning Board: YES / NO If yes provide date of Planning Board meeting:
Project Name: Shid Runguation	(40 Horne Tooks Rd)
Street Address: 40 Horne Took Ra	<u>d</u>
Fax Map Designation:  Section: Block:  Section: Block:	Lot(s): 5
Directional Location:  On the side of of the intersection of of in the hamlet/village of	of Oak The Rd., in the
Acreage of Parcel	Zoning District Pausades  Postal District Pausades  Fire District Pausades  Sewer District Orangurum
Project Description: (If additional space required, pleasured), usid	ase attach a narrative summary.)
he undersigned agrees to an extension of the statutory time.  Date: Applicant's Signature:	prit for scheduling a public hearing.

# APPLICATION REVIEW FORM

l V				
Applicant: Lai No Aara	van	Phor	ne # 347-4	101-1715
Address: 40 Horus (01)	(Post Office)	ed Pa	alvades i	NY 10964
Property Owner: Lawal Address: 40 Horne Street Name & Number	arana Tooka (Post Office)		ne# 3470 Palcisas	10/18/5 les 11/109
Engineer/Architect/Surveyor: J	JAKUR		Phone #	47-427-7330
Address: Street Name & Number	(Post Office)	City	State	Zip Code
Attorney:		Phone #		
Address: Street Name & Number	(Post Office)	City	State	Zip Code
Contact Person:		Phone #		
Address:Street Name & Number	(Post Office)	City		
GENER	RAL MUNIC	CIPAL LAW is within 500 fe all that apply)		Zip Code
IF ANY ITEM IS CHECKED, A REVIE PLANNING UNDER THE STATE	W MUST BE DO GENERAL M	ONE BY THE <b>R</b> OUNICIPAL <b>L</b> AW	OCKLAND COUNTY , SECTIONS 239 L,	Commissioner of M, N, AND NN.
State or County Road Long Path Municipal Boundary		Cou	e or County Park inty Stream inty Facility	
List name(s) of facility checked abo	ove:			
Referral Agencies:				
RC Highway Department RC Drainage Agency NYS Dept. of Transportation NYS Thruway Authority Adjacent Municipality Other		RC Dept. of NYS Dept. of Palisades Ir	of Environmental Re f Health of Environmental Con nterstate Park Comm	nservation

# APPLICATION REVIEW FORM

# FILL IN WHERE APPLICABLE. (IF THE FOLLOWING DOES NOT APPLY PLEASE MOVE ON TO THE NEXT PAGE)

If subdivis	sion:		
1)	Is any variance from the subdivision regulations required?		
2)	2) Is any open space being offered? If so, what amount?		
3)	Is this a standard or average density subdivision?		
If site plan	1:		
1)	Existing square footage		
2)	Total square footage		
	Number of dwelling units		
If <b>special</b> —	permit, list special permit use and what the property will be used for.		
	ental Constraints:  pes greater than 25%? If yes, please indicate the amount and show the gross		
and net area_			
	eams on the site? If yes, please provide the names		
Are there we	tlands on the site? If yes, please provide the names and type:		
Project Hi	story: ect ever been reviewed before?		
_			
	a narrative, including the list case number, name, date, and the board(s) you appeared ne status of any previous approvals.		
belole, and ti	ie status of any previous approvais.		
<del></del>			
List tax map s	section, block & lot numbers for all other abutting properties in the same ownership as		
_			

# APPLICATION REVIEW FORM

## **AFFIDAVIT**

SWIS

before the	Rockland ge of	olicant, agent or at vice of the following are all	board) in the	being duly sworn policant, in the matter town/village of, Rockland ers of property	リスの人 County, New York. <i>(distance)</i> from
SECTION	•		NAME		ADDRESS
PRINT KEY  78.17-1-22 78.17-1-24 78.17-1-59 78.17-1-60 80.05-1-3 80.05-1-4 80.05-1-5 80.05-1-7 80.05-1-48 80.05-1-48 80.05-1-49 80.05-1-50		NAME Patricia O'Prey Christopher J Capezzuto James R Longobardi Claudia Arietta Jeanne A Di Meglio Dennis Lo Michael Celona Joshua Vaughan Christopher Chin Matthew Butler Yuri N Shigeura Frank K Okazaki Marcy Leif		ADDRESS  33 Horne Tooke Rd,Palisades, 35 Horne Tooke Rd,Palisades, 37 Horne Tooke Rd,Palisades, 36 Horne Tooke Rd,Palisades, 1 iroquois Av,Palisades, NY 6 indian Hill Ln,Palisades, NY 4 Indian Hill Ln,Palisades, NY 40 Horne Tooke Rd,Palisades, 39 Horne Tooke Rd,Palisades, 41 Horne Tooke Rd,Palisades, 914 Delaware St Apt 10,Berkle 747 Capp St,San Francisco, C 5 Indian Hill Ln,Palisades, NY	NY 10964 NY 10964 NY 10964 0964 10964 NY 10964 NY 10964 NY 10964 NY 10964 NY 10964 SY, CA 94710



# OFFICE OF BUILDING, ZONING, PLANNING, ADMINISTRATION AND ENFORCEMENT TOWN OF ORANGETOWN

20 Greenbush Road Orangeburg, N.Y. 10962

Jane Slavin, R.A. Director

(845)359-8410

Fax: (845) 359-8526

# **DENIAL TO THE ZONING BOARD OF APPEALS**

Date: December 31, 2020 Applicant: Karavani Address: 40 Horne Tooke Rd RB: Application Made at: same					
Chapter 43, Table 3.12 Column 1 R-40 District, Column 2 Group I, Column 3 SFR, Column 9 Required Side Yard 30' w/ 14' proposed for the deck and 9.72' for the shed extension. Column 11 Requires 50' Rear yard w/ 24.91' proposed for shed extension.  Three variances required					
·	-				
Section: 80.05 Block: 1	Lot:5				
Dear Karavani :					
Please be advised that the Building Permit Application, which yo	ur submitted on				
November 13, 2020, has been denied. I have enclosed a Xerox copy of your application, where you will find at the bottom the reason for denial.					
In Accordance with Zoning, Chapter 43 Section 10.322 the tip Building Inspector or Similar administrative office is thirty (a determination with the Town Clerk.	me to appeal a determination of a  30) days from the filing of such a				
The Clerk to the Zoning/Board of Appeals, Debbie Arbolino, will assist you in the preparation necessary to appear before the board.					
Sincerely, Mai/2020					
Richard Oliver Deputy Building Inspector					
Ver / Somit	12.31.2021)				
Signature of Director NOTE: PLEASE KEEP FOR YOUR RECORDS 12-31-18-CCC	Date CC: Rosanna Sfraga Liz Decort Debbie Arbolino				

# 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	) m
	ZONE: ( ) OFFICIAL USE ONLY ACREAGE: 189	
	Inspector: Mille Date App Received: 11/13/2020 Received By: 113	w
	Permit No. 50803 Date Issued:	SECTION
		=
	CO No Date Issued:	ĕ
	Permit Fee: \$402 Ck# 1222 Paid By LAINA KARVANI	$ \mathcal{A} $
	GIS Fee: <u>\$20</u> ck# 1333 Paid By !!	0
	Stream Maintenance Fee Ck# Paid By	6
		1 10
	Additional Fee: Ck# Date Paid Paid By	вгос
	1 <sup>st</sup> 6 mo. Ext.: Ck # Exp. Date: Paid By	웃
	2 <sup>nd</sup> 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 3,4,4 must signed by the applicant.	[0]
		1
	perty Location: 40 Horne Toolee Rd. Palisnals	
Sec	tion: 80.05 Block: Lot: 5	
Рго	perty Owner: Cana haravana	4
	Mailing Address: 40 Harre Looke Rd. Palisades Nf	
	Email: L.S. Karavani (a) amour Phone # 34740/176	
Les	see (Business Name):	NAME
	Mailing Address:	m,
	Email:Phone #:	
Тур	e of Business /Use:	
Cor	tact Person: Caina Karavani, Relation to Project: OWNER	1
	Email: 1 SKA VOLVOLNI DOMOU COPHONE#: 34740-1815	10,
Агс	hitect/Engineer:NYS Lic #	[ ]
	Address:Phone#:	
Rni	der/General Contractor: RWS HOWS/LC RC Lic # H-11 405	W.
<b>J</b> u,	Address: 208 F. Rt. 59 \$179 Nanul Phone#	12
) li		' -
TUI		
<b>-</b> 1	Address:Phone#:  ctrician:	
	25 06 (Charles a 000 2001 11:0	
1ea	t/Cooling:RC Lie#:	
	Address:Phone#:	
	sting use of structure or land	
1	posed Project Description: UX UCV CCV + UNSUMUL SINGH	ַבַּ' וֹ
+	or storage & personer use	PERMIT#
	9:629:6 SNED/ Vella +- 14X6	1
10	posed Square Footage: 230 54 1 Estimated Construction Value (\$): 15000	**
	BUILDING DEPARTMENT COMPLETES BELOW	
PLA	NS REVIEWED:	
		1 00
PEF	MIT REFERRED / DENIED FOR:	150
M	gota 43. Table 3.12, Column 1 = R.40 Sestard, Column 2 Chron I,	803
20	lune 3 & S.F.R. Colina & Required Side fand 30' up 14" for dech and	1 12
9.	12 for only extension proposed. Column of Legening Rica yand 50' 10/	
2	1.91 purposed for story extension. Page 1	
	2 Various August	
ز.	L	<u> </u>

### **APPLICATION FOR BUILDING/DEMOLITION PERMIT**

AF . LIGANT MUST COMPLETE OR APPLICATION WILL NOT BE ACCEPTED.

ZONING BULK REQUIREMENTS						
Zone:	Group:	Us				
W- 1	Required	Existing	Proposed			
Floor area ratio	15% (5,900 sq	r 6:77/4/2501SF	12. T/a (2581)			
Lot area	40,000 SEV	39 330 DF	No chunge			
Lot width						
Street frontage	100	201	No every			
Front yard setback	50	3+128	Nochange			
Side yard setback Total side yard setback	30	<u> </u>	No change			
Rear yard setback	<u>~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~</u>	$\frac{N/4}{2}$	N/A			
	50	(as. 2+	No change			
Maximum building height	267	/3/33	No Chang			
Number of stories: Co	onstruction Type:	58 occupano	v Class:			
		- Occupanc	y 01853.			
Zoning Chart Information Completed t	y:	The state of the s				
Sewage: (circle one) (Town	County Private					
How many kitchens on the pro						
<ol><li>Are there any renters, tenants</li></ol>	lessees or boarders a	t this property? YES	Ńø			
<ol><li>Are there any other building per</li></ol>	ermits on this property:	? YES(INO)				
<ol><li>Is the property in a flood plain</li></ol>	? YES (NO')					
FFIDAVIT			· · · · · · · · · · · · · · · · · · ·			
tate of New York)						
county of Rockland) SS.: 1/1/1/10/	$\mathcal{D}U\Lambda$					
own / Village of Ului IV U	DVC(1					
Wina Kasawasa	hoing duly s	sworn donacoo and cav	s that he/she is the (circl			
ne) owner, lessee, engineer, surveyor, a	rchitect builder or ager	nt of the owner) in fee o	f the promises to which thi			
pplication applies; that he/she (the appli	cant) is duly authorized	to make this application	in and that the statement			
ontained in the papers submitted herein a	re true to the best of his	/her knowledge and heli	of and that the work will be			
erformed in the manner set forth in the appoint the State Uniform Building Code and a	dication and in the plans	and specifications filed t	herewith, and in accordance			
eclare that the structure or area describe	ed in this application wi	orumances and regulational or in	ns of the municipality, I also sed until I have obtained :			
ertificate of Occupancy or Certificate of Co	mpliance.		occ dimi i tidac obiditica e			
	Ha 11	Signatur	e and Mailing Address			
	<u> 10 H</u>	ony Tooker	<u>L</u>			
	$Q_{a0}i$	CONTRACTOR	1 1196.11			
	- 4000	3/1/2 / /	10/10/			
		Andrew Commence	<del></del>			
I o M	- Comment	A subject of the subj	ne de			
WORN to before me this	day of NO	<i>{</i> .	. 20 20			
1/1	10 ml-ah \\	No. 4-	, 20 <u>//</u>			
fitness:	yunan 10	LKCV1				
quired.)	sonner, Notary signature		c #			
		-				
	OFFICIAL USE OF	NLY:				
Charles In.						
Checked by:						
Permit Granted for:						
Signature:	Date:					
Director, OBZPAE						

### DECISION

### FRONT YARD VARIANCE APPROVED (SEE ADDITIONAL EXCEPTIONS)

To: Laina Karavani 40 Home Tooke Road Palisades, New York 10964 ZBA #16-19 Date: March 16, 2016

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#16-19: Application of Laina Karavani for a variance from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-40 District, Section 3.12, Group E, Column 8 (Front Yard: 50' required, 42.71' proposed) for an addition to an existing single-family residence. The premises are located at 40 Horne Tooke Road, Palisades, New York and are identified on the Orangetown Tax Map as Section 80.05, Block 1, Lot 5; in the R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, March 16, 2016 at which time the Board made the determination hereinafter set forth.

Laina Karavani and Joshua Vaughn appeared and testified.

The following documents were presented:

- Architectural plans with site plan with the latest date of 10/27/2015 (3 pages) not signed or sealed by Robert Hoene, Architect.
- A letter dated February 9, 2016 from the County of Rockland Division of Environmental Health signed by Scott McKane, P.E., Senior Public Health Engineer.
- 3. A letter dated March 3, 2016 from the Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
- 4. A letter dated March 16, 2016 from the Rockland County Highway Department signed by Sonny Lin, P.E..

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Salomon and carried unanimously.

On advice of Dennis Michaels, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination that the foregoing application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (9), (10), (12) and/or (13); which does not require SEQRA environmental review. The motion was seconded by Mr. Quinn and carried as follows: Mr. Feroldi, aye; Mr. Bosco, aye; Mr. Quinn, aye; and Mr. Sullivan, aye. Ms. Castelli and Ms. Salomon were absent.

Laina Karavani testified that she needs to add a master bedroom, with a master bathroom that is handicap accessible; that she is adding the minimal amount possible to achieve these goals; that the house is situated on a corner lot which means that she has two front yards and because of the location of the existing plumbing she is adding on behind the existing kitchen; that ideally she would have liked to go straight back with the existing line of the house but she didn't want to ask to increase the non-conforming front yard and doing this would increase it slightly because of the curve of the property; and that she appreciates the Board considering this because it would allow for a comfortable hallway and bathroom.

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Karavani ZBA#16-19 Page 2 of 4

### Public Comment:

No public comment.

The Board members made personal inspections of the premises the week before the meeting 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 New York was received.

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Salomon and carried unanimously.

### FINDINGS OF FACT AND CONCLUSIONS:

After personal observation of the property, hearing all the testimony and reviewing all the documents submitted, the Board found and concluded that the benefits to the applicant if the variance(s) are granted outweigh the detriment (if any) to the health, safety and welfare of the neighborhood or community by such grant, for the following reasons:

- The requested front yard variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The house is on a corner lot that has two front yards and the applicant needs to have handicap accessibility.
- 2. The Board is allowing the applicant to submit revised plans that would allow a wider hallway and larger handicap accessible bathroom that would create no less than a 35' front yard setback from the northeast corner of the proposed addition.
- 3. The requested front yard variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The house is on a corner lot that has two front yards and the applicant needs to have handicap accessibility.
- 4. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining a variance.
- The requested front yard variance is not substantial. The house is on a corner lot that has two front yards and the applicant needs to have handicap accessibility.
- 6. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvements, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the area variances.

TOWN OF GEARS OFFICE TOWN GLEAKS OFFICE

DECISION: In view of the foregoing and the testimony and documents presented, the Board: RESOLVED, that the application for the requested front yard variance is APPROVED; and, alternatively, Resolved to approve the Horne Took Road Front Yard setback of no less than 35' at the northeast corner of the proposed addition, subject to the Applicant submitting a revised Site Plan, Bulk Table and Architectural elevations (if applicable) depicting this 35' setback in form satisfactory to the Building Inspector; and FURTHER RESOLVED, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

### General Conditions:

- (i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.
- (ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.
- (iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.
- (iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.
- (v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

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Karavani ZBA#16-19 Page 4 of 4

The foregoing resolution to approve the application for the requested front yard variance as requested and submitted; and, alternatively, to approve the Horne Took Road Front Yard setback of no less than 35' at the northeast corner of the proposed addition, subject to the Applicant submitting a revised Site Plan, Bulk Table and Architectural elevations (if applicable) depicting this 35' setback in form satisfactory to the Building Inspector; was presented and moved by Mr. Bosco, seconded by Mr. Quinn and carried as follows: Mr. Bosco, aye; Mr. Feroldi, aye; Mr. Quinn, aye; and Mr. Sullivan, aye. Ms. Castelli and Ms. Salomon were absent.

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

DATED: March 16, 2016

ZONING BOARD OF APPEALS TOWN OF ORANGETOWN

> Deborah Arbolino Administrative Aide

### DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR-G.M.

TOWN CLERK
HIGHWAY DEPARTMENT
ASSESSOR
DEPT. OF ENVIRONMENTAL
MGMT. and ENGINEERING
FILE, ZBA, PB
CHAIRMAN, ZBA, PB, ACABOR

TOWN OF CRANCETOWN YOUR OFFICE TOWN CLERKS OFFICE

