

**TOWN OF RHINEBECK
ZONING BOARD OF APPEALS
AGENDA
July 19, 2017 7:30 PM**

I. CALL TO ORDER

II. MINUTES

Approval of Minutes for June 21, 2017 meeting.

III. NEW BUSINESS

Gonzalez Case 945/ 24 Pells Road & 18 Pells Road Grid#6270-02-769875 & 6270-02-766853

The Zoning Enforcement Officer (ZEO) reviewed Mr. Gonzalez's proposal for a minor subd. Lot Line Realignment, adjusting the common line between two properties which he owns. Both parcels of land are pre-existing sub-standard in lot acreage, However, he is changing the size and acreage for each lot with his alignment proposal. Also with his alignment proposal, one house situated on one parcel will not meet the rear yard setback.

The two parcels are # 18 and # 24 Pells Road;

Several Area Variances required for the two lots, ref. 125-19; 125-21; 125-22:

- LOT 18: ... 3 area variances
rear yard setback = 25' vs 50' req'd
min lot width = 345' vs 400' req'd
min lot area = 1.2 acre being reduced to 0.96 ac. vs 5.0 ac req'd
- LOT 24: 3 area variances
min lot width = 180' vs 400' req'd
min lot frontage = 175' vs 240' req'd
min lot area = 0.53 ac being increased to 0.79 ac vs 5.0 ac req'd

The project does not meet Town Zoning requirements and therefore requires Area Variances from the ZBA. This project also requires Planning Board approval.

IV. PUBLIC HEARINGS

7.45pm Steven Myron Holl Foundation Case 952/ 60 Round Lake Road Grid# 6370-02-620830

The Zoning Enforcement officers (ZEO) findings are that an Area Variance is required for this proposal: ref. 125-15; 125-19:

- *1 area variance required*
front yard setback *To New Portion* = 90' vs 100' req'd

7:50pm WTR Rhinebeck LLC Ackert Hook Road Grid# 135089-6168-00-651813,686804,669777

The Zoning Enforcement Officer (ZEO) findings are that Area Variances are required for all three lots in this existing 2007 Subdivision:

- LOT 6: ... 1 area variance
side yard setback = 36' vs 50' req'd
- LOT 7: 2 area variances
front yard setback = 62' vs 100' req'd
max lot coverage = 22% vs 20% max allowed
- LOT 8: 2 area variance
front yard setback = 34' vs 100' req'd
side yard setback = 41' vs 50' req'd

The project does not meet Town Zoning requirements and therefore requires Area Variances from the ZBA.

**Eveready Rebuild Diner Restaurant Case # 946 6595 Route 9
Grid#: 6170-00-552684-486696-& 545674**

Reconstruction of 7,000 square foot fire damaged restaurant at 6595 NYS Route 9 North

The owner is proposing a minor subdivision, with the consolidation of the five parcels into one ~ 12 acre parcel. Zoning issues: Prior to the Proposed Subdivision the land contains ten (10) non-compliance issues which all require area variances, Including as follows: Building setbacks, front, side & rear; parking setbacks for front & rear; lot frontage; lot width; maximum pervious coverage; and minimum open space.

Once the Subdivision Lot Consolidation is complete, the project will still require two (2) Area Variances as follows:

1. Front yard setback for building, GB- 60 ft front required, 39 ft provided, Variance required = 21 feet.
2. Maximum Building Coverage allowed is 10%, and proposed is 16%, Variance required. Both Variances refer to Area & Bulk Zoning Requirements, reference is made to Chapter 125, see 125-21.

V. OLD BUSINESS

McClinchey Case#951 3 Hickory Drive Grid# 6070-04-935227

The Zoning Enforcement Officer (ZEO) reviewed the building permit application for a 23 feet x 28 feet addition to the house, with laundry room, two walk in closets, full bath, and master bedroom suite on the subject property. The Hickory Drive property, which is located along the south side of Rhinecliff Road is situated in the RM1 (Residential medium density) zoning district.

Zoning – Two (2) Area Variances required:

This property is situated as a corner lot, and therefore has two front yards. Both Front yards require setbacks of 50 feet each as required along both Buist Rd. and along Hickory Dr. :

Proposed front yard setback for the addition along Hickory = 41 ft. proposed, and 50 ft. setback required;

A proposed setback for the addition along Buist = 8 ft. proposed and 50 ft. required;

Two front yard Variances required ... A 9 ft. variance to the addition along Hickory, and a 42 ft. variance for the house addition along Buist is sought; refer to 125-21

The ZEO's finding is that the site plan layout does not meet the Town zoning code.

VI. CORRESPONDENCE

VII. ADJOURNMENT

**AGENDA IS PUBLISHED ON THE TOWN WEB SITE, AND ON THE TOWN CLERK'S BULLETIN BOARD.
FOR UPDATES TO THIS PUBLISHED AGENDA, PLEASE CALL 845-876-6296 EXT. 24**

***SUBJECT AND TIME ARE APPROXIMATE AND SUBJECT TO CHANGE ***