

Village of Rhinebeck Application For Zoning Variance

Grid # 135001-6170-18-360250

Zoning District Residential R

Property Location for which Variance is requested 16 Oak Street, Rhinebeck

Request for: AREA VARIANCE USE VARIANCE INTERPRETATION (circle one)

Name of Applicant Pamela Governale

Address of Applicant PO Box 373 Telephone No. 646-235-9898

Red Hook, NY 12571 Work No. 646-235-9898

Nature of Proposal Carriage house (garage first floor, accessory dwelling unit second floor).

Is the subject property in your name? Yes, Pamela Governale, 16 Oak Street LLC

If no, Property Owners Name: 16 Oak Street LLC

Address: PO Box 373, Red Hook, NY 12571

Current Development on the Property Single Family Residential

Has the property been before the Zoning Board of Appeals before? No

If yes, give name of applicant and date: _____

Variance Request: The Applicant requests the following variance from the Village of Rhinebeck Zoning Ordinance:

Section	Pertaining to	From	To
120-28 c (4)	25% rule for accessory dwelling		
120-27 a. (2)	75% rule for accessory structures		

ENCLOSE WITH THIS APPLICATION:

A plot plan, drawn to scale

Existing structures and distances to boundary lines

Existing well and septic locations

Significant features (rock outcroppings, steep slopes, landscaping, etc.)

Proposed structures and distances to boundary lines, septic facilities

North Arrow

Use Variance backup

Environmental Assessment Form (SEQRA) if applicable

I hereby depose and say that all the above statements contained in the papers submitted herewith are true

Signature of Applicant



Date

7/9/2020

REPORT FROM THE ZONING BOARD OF APPEALS

Area Variance

1. Neighborhood or Nearby Properties Impact: If granted, will the variances create an undesirable change in the character of the neighborhood or a detriment to nearby property owners? No. The proposed Carriage House design is in keeping with the character of the neighborhood.
2. Alternative Solution: Can the benefit sought be achieved by some other alternative method other than an area variance? The Planning Board suggested building a 2 family, but architecturally and aesthetically, that would detract from the existing historic school house building.
3. Degree of Change: Do you consider the requested variance substantial? No. The proposed structure is not large for the lot size and when compared with accessory dwellings found in the village.
4. Impact of Change: Will the proposed variance have an adverse impact on the physical or environmental conditions in the neighborhood or district? No. Architecturally and functionally this accessory structure will fit in nicely.

The board of appeals in granting of area variances shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

Use Variance

1. The applicant shall demonstrate that for each and every permitted use under the zoning regulations for the particular district that the property is unable to provide a reasonably return (demonstrated by competent financial evidence) _____
2. Show that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood. _____
3. Will the requested variance, if granted, alter the essential character of the neighborhood? _____
4. Show that the alleged hardship has not been self-created _____

The board of appeals, in granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proved by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

_____ Variance Approved

_____ Variance Denied

_____ Chairman

_____ Date

Based on Village Law Section 7-712-b

rev 1/02