

DEPARTMENT of CODE ENFORCEMENT

429 Warren Street
Hudson, New York 12534
Phone 518 828-3133 Fax 518 828-9241

Lisa Kenneally
Chairwoman, ZBA
City of Hudson
520 Warren Street
Hudson, NY 12534

March 12, 2018

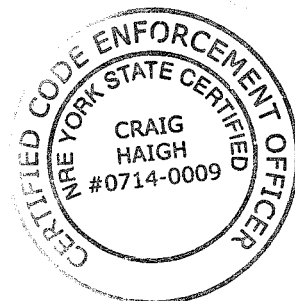
RE: 241 Allen Street
Hudson, NY
#109.51-1-4

Dear Lisa,

Attached is an area variance application from the property owner of the above referenced property. The applicant has applied to my office to remove an existing accessory building in the rear of the property and replace with a new accessory building in the same footprint. The property owner can rebuild within one year and be nonconforming to the required setbacks. The proposal is to change the height of the new accessory building to 21' above grade.

As per section 325-22A1 of the City of Hudson code, the maximum height for accessory buildings is 15' above grade. The applicant is asking for a variance of 6' for the accessory building. The property is located in the R4, Three Story Multiple Residence zoning district and the City of Hudson Historic District. The Historic Preservation Commission has reviewed the proposal and conducted a public hearing which has been approved by the City HPC.

Any questions you may have please contact my office.

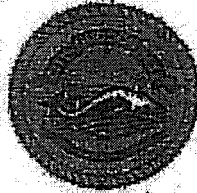


Craig Haigh

Code Enforcement Official

OFFICE USE ONLY

Case#
Application filed Hearing Date
Decision filed



APPLICATION TO THE CITY OF HUDSON, NEW YORK
ZONING BOARD OF APPEALS
FOR AREA VARIANCE

Name of Applicant: New Leaf Building Company

Mailing Address: 6050 State Route 66

City State Zip Nassau, NY 12123

Telephone # 518-526-6675

Location of Property 241 Allen St. Hudson, NY

Tax Map Number 109.51-1-4

Zoning District R4

A. Article and Section Number of Zoning Ordinance being appealed: _____

325-22A-1

(Attach Decision of Code Enforcement Officer)

B. Nature of Variance Requested. Describe Project in Detail.

(Attach additional sheets as needed) Removing existing garage and replacing with a new accessory building in the exact same foot print. The proposed new building exceeds the 15' height limit on accessory structures.

Important: A site plan must accompany this application. It should be drawn to scale by a licensed engineer, landscape, architect or surveyor. The professional's name, address, and phone number noted on drawing. The plan shall show the location of all existing and proposed buildings, parking areas and any other pertinent information.

C. Justification of Variance. (Attach additional sheets as needed):

- (1) An undesirable change will not be produced in the CHARACTER of the neighborhood or a detriment to nearby properties, if granted, because: *The sensitivity of the design takes into account existing nearby structures. Additionally, the height variance being applied for will not shade out or obstruct the views of the neighboring properties.*
- (2) The benefit sought by the applicant CANNOT be achieved by some method Feasible for the applicant to pursue, other than an area variance, because: *the desired use of the new accessory building requires a second story (additional square footage); we wish to strictly follow the existing footprint of the current structure.*
- (3) The amount of relief is not substantial because: *we are asking for a minimal increase in height to roughly 21' above grade, and have considered proximity to nearby utilities and structures in this request.*
- (4) The variance will NOT have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because: *The height variance we are requesting should have no appreciable impact on these concerns.*

(5) Has the requested variance been self created Yes or No.

(6) Additional information about the surrounding topography and building areas that Relate to the difficulty in meeting the code requirements:

N/A

D. County Referrals. General Municipal Law Section 239-m requires certain zoning actions be referred to the County Planning Board before any action is taken. (The Hudson Zoning Board of Appeals by Resolution dated July 8, 1992 and in agreement with the County Planning Board have exempted certain actions that would not be subject to referral.)

(1) Is the property for which the variance is requested within 500 feet of any of the following?

	Yes	No	If yes, please describe
Boundary Line of the City of Hudson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____ _____ _____
Boundary of any existing or proposed County or State Park or recreation area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____ _____ _____
Right of Way of any existing or proposed County or State Parkway, Thruway, Expressway, road, or highway	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____ _____ _____
Any existing or proposed right of way of any stream or drainage channel owned by the County	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____ _____ _____
The existing or proposed boundary of any County or state land on which public building or institution is situated.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____ _____ _____

Area Variance Application

This is the MINIMUM that is necessary and adequate, and at the same time preserves and protects the character of the neighborhood and the health, safety, and welfare of the community.



Signature of Appellant or Authorized Agent
(Agent must submit Authorization from Owner)

Sworn to me this 8th day of February

2018



Notary Public

KATHY-ANNE SCHWEIZER
#01SC5049981

Notary Public, State of New York
Qualified in Columbia County

My commission expires SEPTEMBER 25th, 2021

David W. Welles
PO Box 76
241 Allen Street
Hudson, New York 12534
dwelles@wamsler.us
[917 386-7898](tel:9173867898)

February 8, 2018

Caleb R.C. White
New Leaf Tree Services Inc &
New Leaf Building Company
158 Hudson Avenue
Chatham, NY 12037

Dear Caleb,

By this letter I hereby authorize you to take whatever steps are necessary, including filing for zoning variances if needed, to obtain the approvals needed for your reconstruction of the outbuilding on our property at 241 Allen. As it currently stands the outbuilding cannot be used. We like the plans that you have developed and are pleased that your company can be the general contractor.

Thank you,

A handwritten signature in black ink that reads "D. W. Welles". The signature is written in a cursive style with a long horizontal line extending from the end of the name.