



# Town of Poughkeepsie

## Planning & Zoning

1 Overocker Road  
Poughkeepsie, NY 12603

845-485-3657 Phone  
845-486-7885/790-4772 Fax

### Town of Poughkeepsie Zoning Board of Appeals

#### Application for Area Variance / Interpretation

APPROVAL REQUESTED FOR: (Check all that apply)

Interpretation

Area Variance



Name of Project (if applicable): Store Space Poughkeepsie

Name of Applicant(s): Storage Cap Poughkeepsie, L.P.

Address: 330 E Crown Point Rd, Winter Garden, Florida, 34787

Telephone: 833-523-2004

Name and Address of Record Owner(s): Storage Cap Poughkeepsie, L.P.

Address: 330 E Crown Point Rd, Winter Garden, FL, 34787

Name and Address of Attorney or professional representative: Mike Ritchie, P.E. Costich Engineering

217 Lake Avenue, Rochester, NY 14608

Telephone: (585)458-3020

Street Address of all parcels: 24 Violet Avenue, Poughkeepsie, New York, 12601

Tax Map Number of all parcels: 6162-10-436570; 6162-10-463586 & 6162-48-428562

Zoning District: Heavy Industrial (I-H)

Have any permits affecting the property been issued by any other governmental agency?

No  Yes . If yes, please list in detail (attach separate pages if necessary):

Has any application(s) for any other permit(s) for any activity affecting the property been submitted to any other governmental agency? No  Yes . If yes, please list in detail (attach separate pages if necessary):

Town of Poughkeepsie Planning Board, NYSDOT, Dutchess Co. DPW, Dutchess Co. Health Dept.

**Attach a copy of the current deed and any easements affecting the property.**

**A) For Interpretation Applications:**

Description of Reason for the Requested Interpretation: (Attach additional pages as necessary)

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**B) For Area Variance Applications:**

Provide a description of the proposed activity with regard to the following standards. (Attach additional pages as necessary)

- 1) Whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the area variance;

Neither an undesirable change in the character of the neighborhood will be produced or detriment to nearby properties will be produced by granting this variance

because the requested variance is less substantial than what currently exists on the property. Existing buildings are located within the buffer and setback, including buildings within 5' of the property line. The proposed project will result in the need for less variances than the existing property requires to comply with code.

- 2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

Due to the configuration of the existing parcel and the required setbacks, a building which complies with the code would not meet the size requirements of the applicant.

- 3) Whether the requested area variance is substantial;

The requested area variances are not substantial because the proposed building will encroach into the setbacks less than the existing buildings encroach.

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environment conditions in the neighborhood or district.

By granting the requested variances, the developer will proceed with site development that will have a positive effect and impact on the physical and environmental condition

of the neighborhood. The development proposes to remove all of the existing non-complying structures on site and replace with (1) storage building with associated driveway and parking. The property will be landscaped to enhance the buffer, the expected traffic generated will not increase and stormwater management will be provided to treat runoff.

- 5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

The alleged difficulty was not self-created in the fact that a number of existing structures currently exist on the property that do not meet the requirements of the code. The

Town/City line bisects the property and further impacts the ability to develop the property. By granting the requested variances, an improvement will be made to the property and neighborhood.

By His/Her signature the Applicant avows that: 1) He/She has read this application and is familiar with its content; and 2) He/She has read, is familiar with, and understands the requirements of the Town Poughkeepsie Code provision(s) affecting or regulating the project for which this application is made; and 3) He/She agrees to comply with the requirements of the Town Poughkeepsie Code provision(s) affecting or regulating the project for which this application is made including any general or special conditions of any permits or approvals granted by any board, agency, or department of the Town of Poughkeepsie; and 4) He/She has read this statement and understands its meaning and its terms.

Applicant Signature: \_\_\_\_\_

Print Name: **Robert Consalvo**

*President + CEO*

Date: **04/12/2022**

**AFFIDAVIT TO BE COMPLETED BY OWNER**

State of Florida

County of Orange

SS:

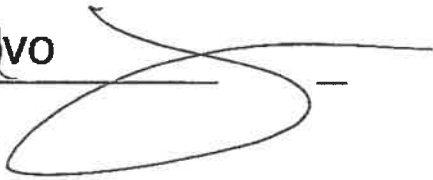
**Robert Consalvo**

being duly sworn, deposes and says:

1. That I/we are the authorized representative of the Owner(s) of the within property as described in the foregoing application for Zoning Board of Appeals approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize **Robert Rice**, to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Zoning Board of Appeals approval that I/we expressly grant permission to the Zoning Board of Appeals and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Zoning Board of Appeals action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
5. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Town Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Zoning Board of Appeals, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Town of Poughkeepsie, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Town Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.


**Robert Consalvo**

Applicant/Owner



Sworn to before me this 12<sup>th</sup> day of APRIL, 2022.

Notary Public

 SABRINA PERNALETE



**SABRINA PERNALETE**  
Commission # HH 168190  
Expires August 23, 2025  
Bonded Thru Budget Notary Services

**AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER**

State of New York }  
County of Monroe } ss:

Michael Ritchie being duly sworn, deposes and says:

1. That I/we are the Agent of Owner/Licensed Professional named in the foregoing application for Zoning Board of Appeals approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That he/she resides at 217 Lake Avenue in the County of Monroe and the State of New York.
3. That I/we understand that by submitting this application for Zoning Board of Appeals approval that I/we expressly grant permission to the Zoning Board of Appeals and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Zoning Board of Appeals action. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
4. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Town Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Zoning Board of Appeals, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Town of Poughkeepsie, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Town Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
5. That I/we understand that the Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we has examined this affidavit and that it is true and correct.

Michael Ritchie  
Applicant/Agent

Applicant/Agent

Sworn to before me this 13<sup>th</sup> day of April, 2022.

[Signature]  
Notary Public

**NICHOLAS J SUDORE**  
Notary Public - State of New York  
No: 01SU6391600  
Qualified in Monroe County  
My Comm. Expires May 13, 2023

SUDORE  
September 1, 2021  
2023

**Town of Poughkeepsie Zoning Board of Appeals  
Agricultural Data Statement**

In accordance with §283-a of the New York State Town Law and §305-a of the Agriculture and Markets Law, this Data Statement will be used to evaluate the potential impacts of a proposed development on farm operations in agricultural districts.

Name of Applicant(s): Storage Cap Poughkeepsie, L.P.

Address: 330 E Crown Point Rd, Winter Garden, Florida, 34787

Telephone: 833-523-2004

Description of the Project: Construction of a +/- 123,774 sq. ft. climate controlled indoor storage facility with parking, drive aisle, utilities and stormwater management.

APPROVAL REQUESTED FOR: (Check all that apply)

Interpretation	<input type="checkbox"/>	Area Variance	<input checked="" type="checkbox"/>
Use Variance	<input type="checkbox"/>	Special Use Permit	<input type="checkbox"/>
Accessory Apartment	<input type="checkbox"/>		

Project Address: 24 Violet Avenue, Poughkeepsie, New York, 12601

Tax Map Number of all parcels: 6162-10-436570; 6162-10-463586 & 6162-48-428562

Is any portion of the project site currently being farmed? no

Is the project site located in an Agricultural District? Yes  No

Who is farming the site? \_\_\_\_\_

Does the person farming the site: Rent  Own  the land?

Attach a list of the names and addresses of the owners of land within an agricultural district containing a farm operation located within 500 feet of the boundary of the project property, and the tax parcel number of the farm parcels. Attach a copy of the tax map and indicate with an "X" the farm parcels within 500 feet of the project property.

I hereby confirm that the information provided herein is true and accurate.

Signature of Applicant:  Date: \_\_\_\_\_