



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): _____

Name of Applicant(s): Dan Arket

Address: 16 Meadow Rd Poughkeepsie, NY 12603

Telephone: 845-629-4446

Name and Address of Record Owner(s): _____

Name and Address of Attorney or professional representative: _____

Telephone: _____

Street Address of all parcels: 16 Meadow Rd. Poughkeepsie, NY 12603

Tax Map Number of all parcels: 134689-6261-01-217679-0000

Zoning District: R-20

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):

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)

Looking to construct a pergola/gazebo approx. 6' from the
side property line. Current allowable setback is 10'

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;

No, the proposed structure will not be visible from the street,
and is contained with an existing property fence.

- 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;

No, the ideal pergola location from optimal practical use is
closer to the fence than setbacks allow.

- 3) Whether the requested area variance is substantial;

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

No effects or impact.

- 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.

No, it is only limited by current setback requirements

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: Dan Arket

Date: 5/20/22

AFFIDAVIT TO BE COMPLETED BY OWNER

State of New York

ss:

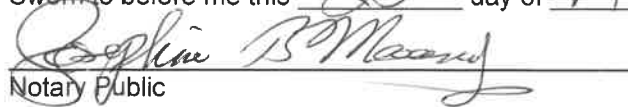
County of Dutchess

Daniel Arket being duly sworn, deposes and says:

1. That I/we are 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 _____, 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.


Applicant/Owner Daniel Arket

Sworn to before me this 20th day of MAY, 2022.


Notary Public

JOSEPHINE B. MOONEY
NOTARY PUBLIC, State of New York
No. 04MO6391835
Qualified in Dutchess County
Commission Expires 5/13/2023

DISCLOSURE OF BUSINESS INTEREST

State of New York }
County of Dutchess } ss:

Daniel Arket being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients, or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project. (Insert name, home address and municipal position held. Attach additional pages as necessary.)

N/A

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

N/A

3. That he/she understands that the Town of Poughkeepsie 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 he/she declares that he/she has examined this affidavit and that it is true and correct.

[Signature]
Agent/Owner

Agent/Owner

Sworn to before me this 22nd day of June, 2022.

[Signature]
Notary Public

CAROL NICHOLSON
NOTARY PUBLIC, State of New York
No. 04NI6182576
Qualified in Dutchess County
Commission Expires 2/25/2024

**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): Daniel Arket

Address: 16 Meadow Rd. Poughkeepsie, NY 12603

Telephone: 845-629-4446

Description of the Project: Seeking area variance to construct pergola/gazebo approx. 6' from property line.

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: 16 Meadow Rd. Poughkeepsie, NY 12603

Tax Map Number of all parcels: 134689-6261-01-217679-0000

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? N/A

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

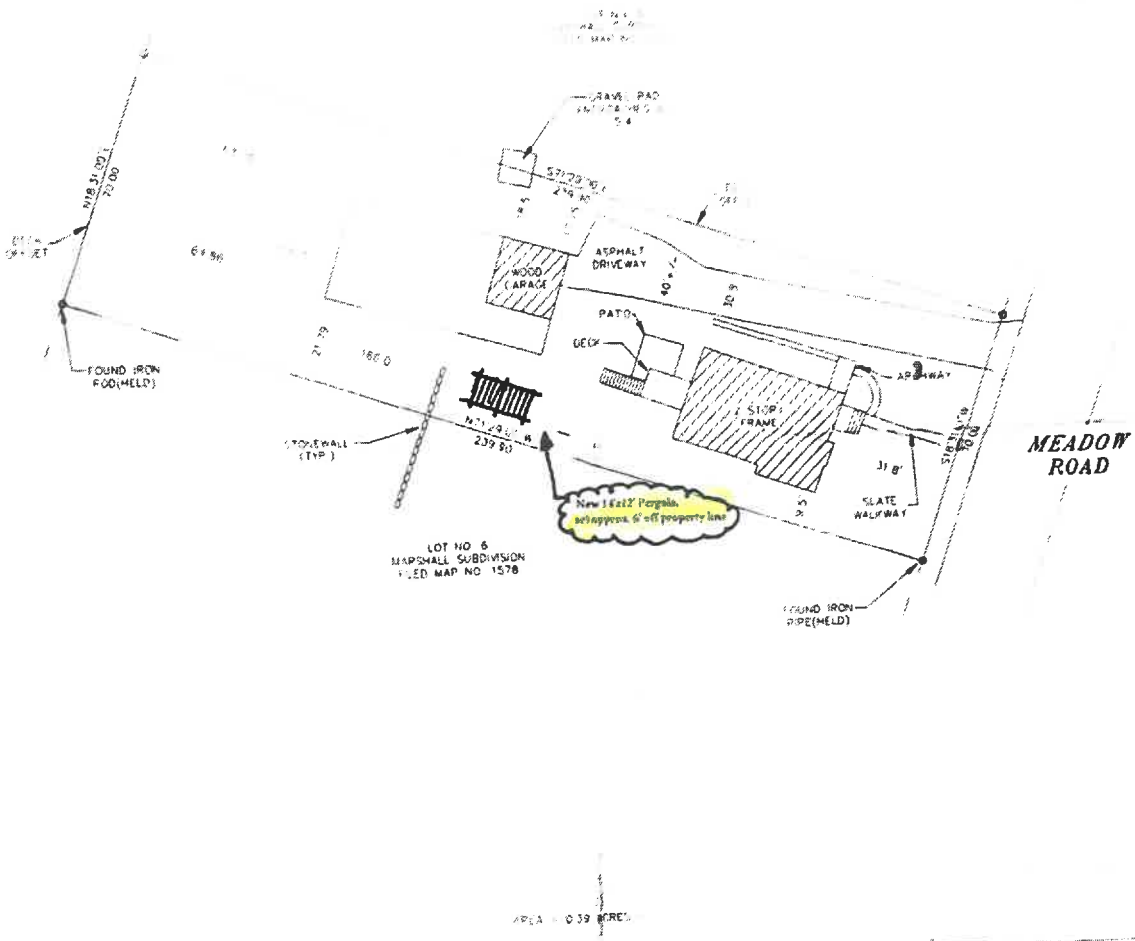
Attach a list of the names and addresses of the owners of land within an agricultural district containing a farm operation located within 500 feet of the boundary of the project property, and the tax parcel number of the farm parcels. Attach a copy of the tax map and indicate with an "X" the farm parcels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

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

Signature of Applicant: 

Date: 6/22/22

N/T
 STAR GAS PROPANE FILL
 LIBER 1972 PAGE 290



AREA = 0.39 ACRES

CERTIFIED TO
 1 THORN MOSS
 2 TOWN OF Poughkeepsie
 3
 4

1. BEING THE SAME PARCEL AS DESCRIBED IN THE LIBER 1972 PAGE 290 AND SUBJECT TO THE RESTRICTIONS AND CONDITIONS THEREIN TOGETHER WITH ANY RIGHT, TITLE OR INTEREST IN AND TO THE CENTER OF THE PUBLIC ROAD SHOWN HEREIN
2. BEING LOT NO. 7 AS SHOWN ON FILED MAP NO. 1578 MARSHALL SUBDIVISION ALLENBORO TOWN OF POUGHKEEPSIE
3. BEING A COPY OF THE ORIGINAL OF THIS SURVEY DRAWN BY AN ORIGINAL OF THE LAND SURVEYOR'S LICENSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES

1. CERTIFICATION INDICATED HEREIN SHOWS THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE PROFESSIONAL LAND SURVEYING ACT AND THE REGULATIONS THEREOF AS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS AND CERTIFICATION SHALL BE VALID TO THE EXTENT OF THE ACT AND THE REGULATIONS THEREOF AND IN THE EVENT OF ANY DISCREPANCY BETWEEN THE SURVEY AND THE ACT AND THE REGULATIONS THEREOF THE SURVEYOR SHALL BE RESPONSIBLE THEREFOR
2. THIS SURVEY IS SUBJECT TO ANY RIGHTS OF A THIRD PARTY WHICH ARE NOT SHOWN ON THIS SURVEY
3. ALL RIGHTS RESERVED COPIES OF THIS SURVEY SHALL BE MADE BY THE SURVEYOR OR HIS EMPLOYEES OR AGENTS AND NO OTHER PERSON SHALL BE PERMITTED TO MAKE ANY OTHER COPIES OF THIS SURVEY
4. THE SURVEYOR'S SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES

MAP OF SURVEY
 FOR
 LOT No. 7
 MARSHALL SUBDIVISION
 TOWN OF POUGHKEEPSIE DUTCHESS CO. N.Y.
 SCALE: 1" = 20'
 MAY 16, 2013

ROBERT V. OSWALD
 LAND SURVEYING
 175 WALSH ROAD LAURANCEVILLE NEW YORK 12540
 (845) 226-6436 FAX (845) 226-1315

NEW YORK STATE

(LICENSE NO. 5022)

FILE NO. 201308R
 216C 8