



Town of Poughkeepsie

Planning & Zoning

1 Overocker Road
Poughkeepsie, NY 12603

SD FAKHOURY@GMAIL.COM

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): Final Garage space under existing APN

Name of Applicant(s): Seif Fakhoury

Address: 128 N. Grand Ave - Poughkeepsie, NY 12603

Telephone: (845) 774-9261

Name and Address of Record Owner(s): Same

Name and Address of Attorney or professional representative: N/A

Telephone: _____

Street Address of all parcels: 128 N. GRAND AVE - Poughkeepsie, NY 12603

Tax Map Number of all parcels: 6162 - 20 - 809189

Zoning District: R20

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):

BUILDING PERMIT APPLICATION SUBMITTED - EXISTING APARTMENT EXPANSION

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)

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 undesirable change - All interior and existing structure and apartment.

- 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 - existing garage space under existing apartment to be made as part of same living space.

- 3) Whether the requested area variance is substantial;

No - existing structure and apartment is already above garage to be converted

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

No - all existing and all interior work

- 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 - I am new owner of property as of 10/2022. Violations of lack of C.O. inherited and I want to rectify

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: _____

Seif Fakhoury

Date: _____

2/12/23

**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): Self Fekhoury

Address: 128 N. Canal Ave - Poughkeepsie, NY 12603

Telephone: (845) 774-9261

Description of the Project: Converting existing garage to living space in existing home

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: 128 N. Canal Ave - Poughkeepsie, NY 12603

Tax Map Number of all parcels: 6162-20-809189

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? NA

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.

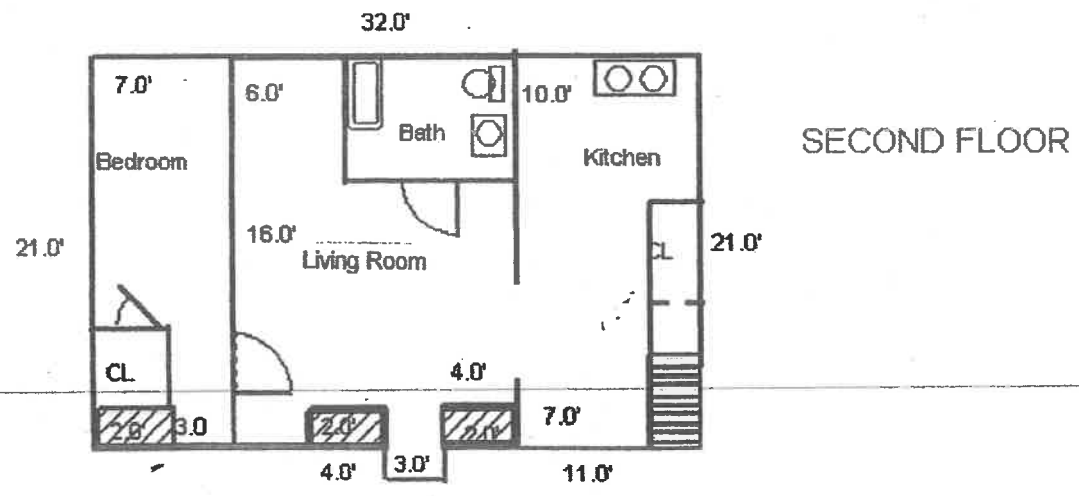
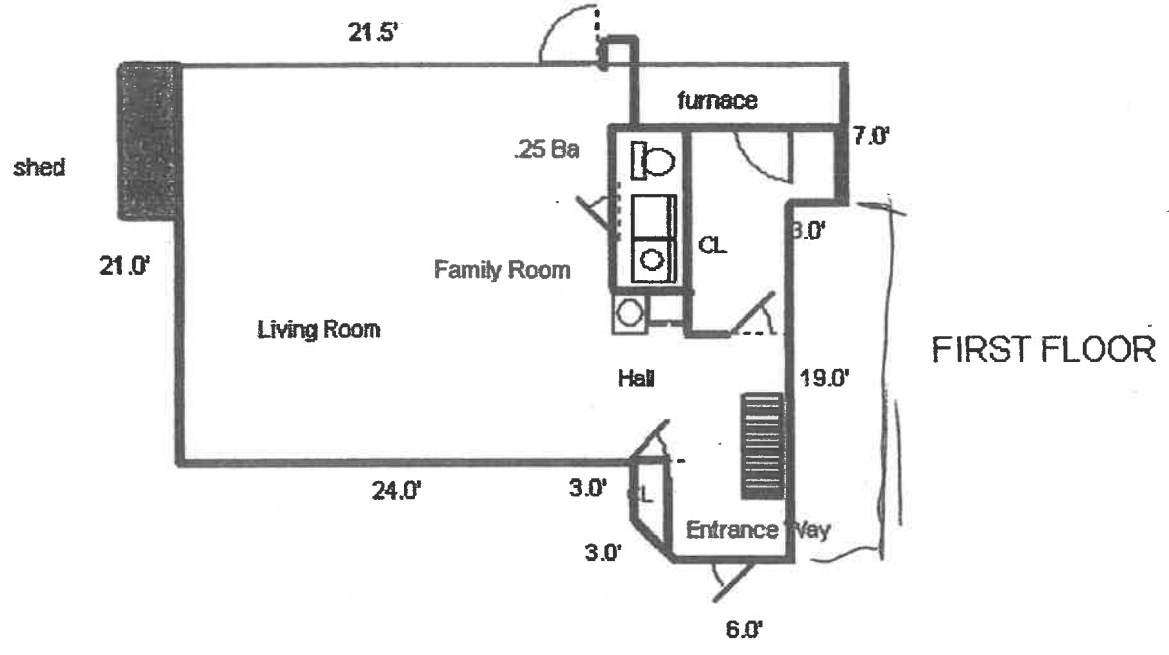
I hereby confirm that the information provided herein is true and accurate.

Signature of Applicant: 

Date: 2/10/23

Building Sketch

Borrower/Client Aaron P. Woods			
Property Address 128A. North Grande Ave. (cape)			
City Poughkeepsie	County Dutchess	State N.Y.	Zip Code 12603
Lender Fairway Mortgage Corporation			



SKETCH CALCULATIONS

Misc. Area

shed

A1 : 3.0 x 8.0 =

24.0

24.0

Misc.Space#3

A2 : 4.0 x 2.0 =

8.0

8.0

Total Misc. Area

8.0

Living Area

First Floor

A3 : 0.5 x 35.1x0.1 =

2.1

A4 : 35.1 x 7.0 =

245.8

A5 : 32.1 x 13.9 =

445.8

A6 : 8.1 x 3.0 =

24.4

A7 : 0.5 x 2.1x2.1 =

2.3

A8 : 6.0 x 2.1 =

12.7

733.1

Second Floor

A9 : 32.0 x 21.0 =

672.0

Misc Space #1

-8.0

Misc Space #2

-8.0

656.0

Misc Space #1

A12 : 4.0 x 2.0 =

8.0

8.0

Misc Space #2

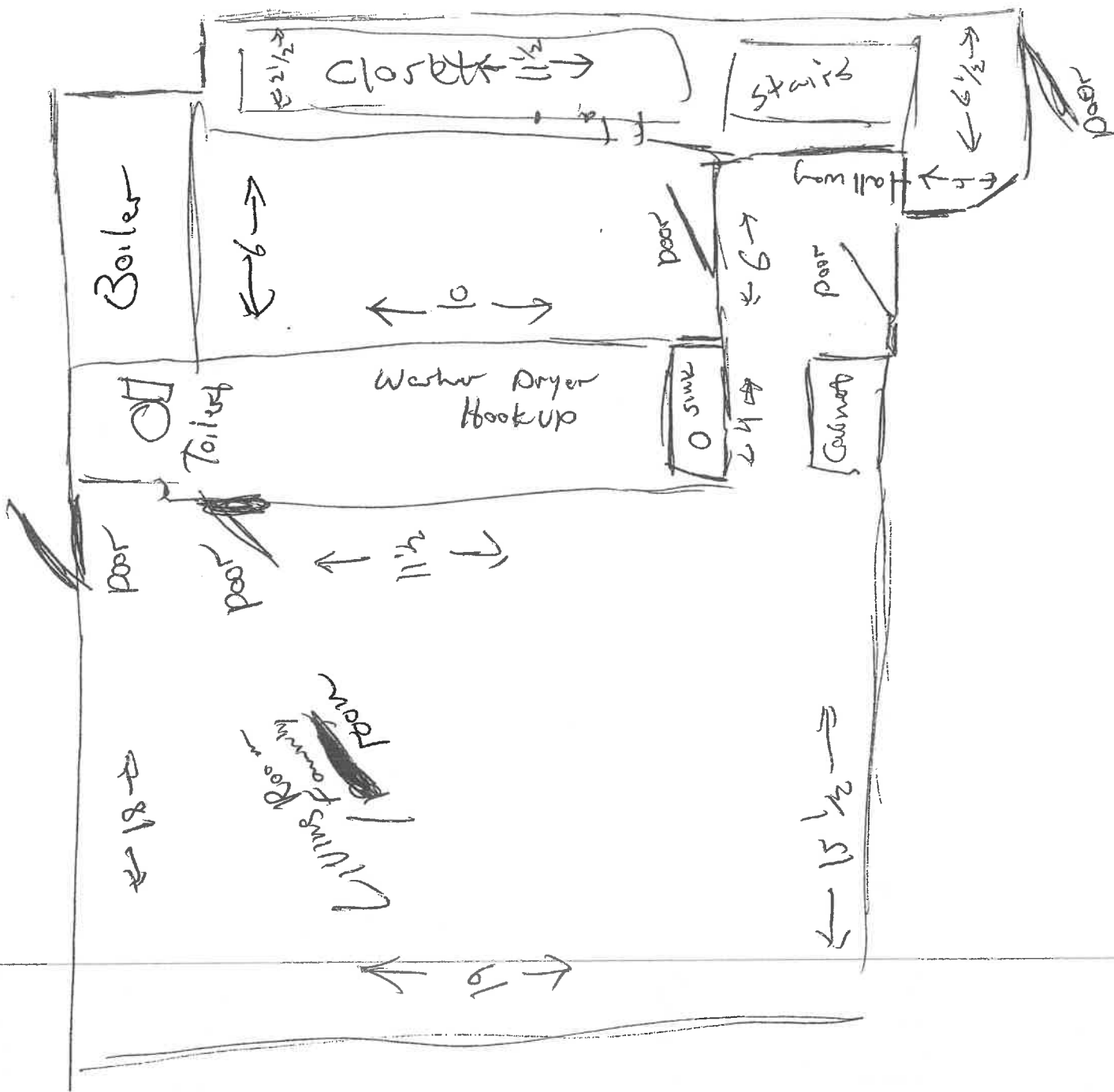
A13 : 4.0 x 2.0 =

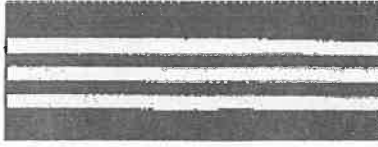
8.0

8.0

Total Living Area

1373.1





Dutchess County Clerk Recording Page

Record & Return To:

VANDEWATER & VANDEWATER
85 CIVIC CTR PLAZA, STE 101
PO BOX 112
POUGHKEEPSIE, NY 12601

Date Recorded: 11/30/2022
Time Recorded: 12:25 PM

Document #: 02 2022 4797

Received From: RIVER CITY ABSTRACT

Grantor: WOODS AARON P
Grantee: FAKHOURY SEIF

Recorded In: Deed
Instrument Type:

Tax District: Town of Poughkeepsie

Examined and Charged As Follows :

Recording Charge: \$200.00
Transfer Tax Amount: \$1,100.00
Includes Mansion Tax: \$0.00
Transfer Tax Number: 2658

Number of Pages: 4

***** Do Not Detach This Page
*** This is Not A Bill**

Red Hook Transfer Tax:

RP5217: Y
TP-584: Y

County Clerk By: cni
Receipt #: 38181
Batch Record: 254

Bradford Kendall
County Clerk



0220224797

ST 60856 TP 3p
60-
140
1000
1300

THIS INDENTURE, made the 19 day of October, 2022,

BETWEEN

Aaron P. Woods, residing at 128 N. Grand Avenue, Poughkeepsie, NY 12603 ✓

party of the first part, and

Seif Fakhoury, residing at 22 Poplar Street, Poughkeepsie, NY 12603 ✓

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) Dollars, lawful money of the United States and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the **Town of Poughkeepsie, County of Dutchess and State of New York**, and being more completely described in **SCHEDULE "A"**, attached hereto and made a part hereof.

SUBJECT to covenants, conditions, restrictions and rights of way of record, if any.

BEING the same premises conveyed to the Grantor herein by deed from Aaron P. Woods, and Mary F. Woods dated October 9, 2002 and recorded October 22, 2002 at Doc. No. 02-2002-10445 in the Dutchess County Clerk's Office.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the

cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:



Aaron P. Woods

STATE OF NEW YORK, COUNTY OF DUTCHESS SS:

On the 19 day of October, in the year 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **Aaron P. Woods** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

RETURN TO:
Danielle Strauch, Esq
VanDewater & VanDewater, LLP
85 Civic Center Plaza, Suite 101
Poughkeepsie, NY 12601

Section: 6162
Block: 20
Lot: 809189
Town Of Poughkeepsie
County of Dutchess

TITLE NO. RCA-ST-60856

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Poughkeepsie, County of Dutchess and State of New York, being bounded and described as follows:

BEGINNING at a point in the Easterly line of North Grand Avenue, said point being the Northwesterly corner of lands now or formerly Pelzek (Liber 1911 cp 046);

THENCE along the said Easterly line of North Grand Avenue North 17-45-30 East 50.52 feet to a point;

THENCE along the southerly line of lands now or formerly Paquet (Liber 455 cp 315) South 80-34-00 East 158.00 feet to a point;

THENCE along the westerly line of lands now or formerly Croshier (Liber 919 cp 285) South 10-56-20 West 50.00 feet to a point; said point being the former point of beginning for the herein described parcel, said point also being 150 feet westerly, measured at right angles from the westerly line of Crestwood Boulevard;

THENCE along the northerly line of the said lands now or formerly Pelzek (Liber 1911 cp 046) North 80-34-00 West 164.00 feet to the point or place of **BEGINNING**.

~~For conveyancing only,
to be conveyed~~

~~Together with all right, title if intended and
interest of, in and to any streets and road
abutting the above described premises, to the
center line thereof.~~

DISCLOSURE OF BUSINESS INTEREST

State of NY

County of Dutchess

}
} ss: 131-74-8679
}

Self Fakhoury 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 No Business Interest

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 No Business Interest

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 17th day of February, 2023.

[Signature]
Notary Public

SHELLEY A. POSPIECH
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PO4747083
Qualified in Ulster County
My Commission Expires June 30, 2023

AFFIDAVIT TO BE COMPLETED BY OWNER

State of NY }

County of Dutchess }

ss: 131-74-8679

Self Felkhay 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 [Signature]

Applicant/Owner _____

Nojary Public Jelena Tesich

