



Town of Poughkeepsie Planning & Zoning

1 Overocker Road
Poughkeepsie, NY 12603

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

sdkarge@optonline.net

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): Garrett Jobson & Sandra Jobson

Address: 44 Tree Top Lane, Poughkeepsie, NY 12603

Telephone: (845) 705-8611

Name and Address of Record Owner(s): Garrett Jobson & Sandra Jobson

Name and Address of Attorney or professional representative: n/a

Telephone: n/a

Street Address of all parcels: 44 Tree Top Lane, Poughkeepsie, NY 12603

Tax Map Number of all parcels: 6260-01-421665

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):

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;

Please refer to attached.

- 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;

Please refer to attached.

- 3) Whether the requested area variance is substantial;

Please refer to attached.

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

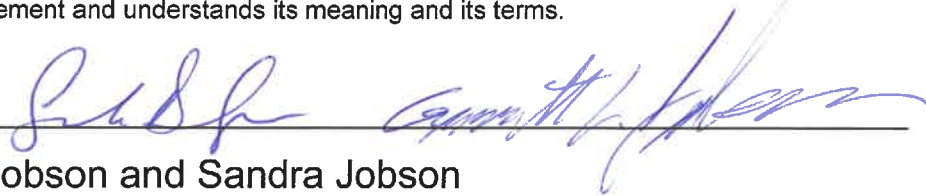
Please refer to attached.

- 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.

Please refer to attached.

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: Garrett Jobson and Sandra Jobson

Date: _____

3/2/2023

Supplemental Application for Area Variance – Fence Variance

Garrett Jobson & Sandra Jobson
44 Tree Top Lane, Poughkeepsie, NY 12603
(845) 705-8611

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;

This variance seeks approval to maintain 3 additional, 5' high with a 1' decorative lattice topper fence panels along the front yard, north side only, to supplement the properties existing fencing system, attached please find fence certificate of compliance issued prior to the 3 panels being installed. Additionally attached, please see photos, plan, and receipt of work of 3 panel installation. There are no undesirable changes produced or detriment to nearby properties caused by the additional 3 fence panels. The 3 additional fence panels are consistent with other fence panels in the neighborhood for height, location, and aesthetics. Tree Top Lane is a dead-end street, the subject property is located near the end of the road. The traffic volume is extremely low, vehicle speeds are also low, and the requested variance would not adversely affect sight distance provided to driveways.

- 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;

This requested variance mitigates the negative environmental and economic impacts caused by the driveway permit issued by the Town for the adjacent property, 46 Tree Top Lane, for environmental impacts - specifically noise and visual, and economic impacts - specifically to help preserve our home property value. As the new driveway is used, often two vehicles deep, daily and for overnight parking, creating a noise nuisance and visually unappealing, as we are forced to view their vehicles always parked along our front yard property line.

- 3) Whether the requested area variance is substantial;

The variance requested is minor and consistent with other front yard fence heights in the neighborhood, see attached photos of 25 Tree Top Lane, just four houses down from our property of 44 Tree Top Lane.

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

The requested variance has no adverse effect and provides mitigations to adverse environmental and economic impacts created by the driveway permit issued, without proper zoning review/documentation, to the adjacent property, 46 Tree Top Lane.

- 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 fence is currently in-place and provides noise and visual mitigation caused by the adjacent property new driveway being used by the owner as their new, primary parking area. The fence also provides economic mitigation as it helps to preserve the aesthetics, thereby preserving our home property value.

AFFIDAVIT TO BE COMPLETED BY OWNER

State of New York

SS:

County of Dutchess

_____ 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.

[Signature] [Signature]
Applicant/Owner

Sworn to before me this 2 day of March, 2023.

[Signature]
Notary Public



**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): Garrett Jobson and Sandra Jobson

Address: 44 Tree Top Lane, Poughkeepsie, NY 12603

Telephone: (845) 705-8611

Description of the Project: Variance approval of over height, front yard fence.

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: 44 Tree Top Lane, Poughkeepsie, NY 12603

Tax Map Number of all parcels: _____

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

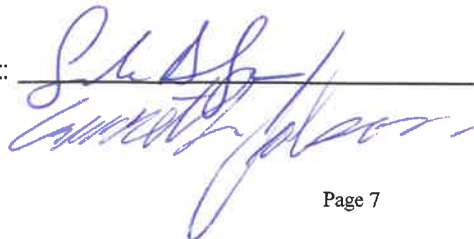
Is the project site located in an Agricultural District? Yes No

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: 3/2/23



Certificate Of Compliance
Town of Poughkeepsie
One Overocker Road
Poughkeepsie, NY 12603
(845) 485-3655

Application Number: Z20200009
Date Filed: 05/22/2020
Certificate Issued: 09/04/2020
Certificate Number: Z20200009

Sec- Blk- Lot: 6260-01-421665-0000

Project Location: 44 Tree Top Ln

Owner:

Contractor

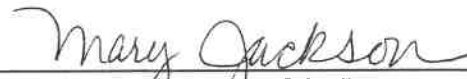
Heating Contractor

Plumber

Jobson, Garrett L W
44 Tree Top Ln
Poughkeepsie, NY, 126030000

Project Description: Six feet High Fence at the Back and Side yards

The above party applied for and received a permit to construct the above structure. A site inspection on this structure was made and approved by this office.



Signature of the Inspector

AVP FENCE

PAUL VOGELSANG
845-702-1524

14 RADCLIFFE ROAD
POUGHKEEPSIE, NY 12601

Job Invoice

SOLD TO <i>Garrett + Sandra Jobson</i>	DATE ORDERED <i>11/28/2020</i>	ORDER TAKEN BY
	PHONE NO.	CUSTOMER ORDER #
<i>44 Tree Top Lane</i>	JOB LOCATION <i>845-849-3318</i>	STARTING DATE
	JOB PHONE	TERMS

QTY.	MATERIAL	UNIT	AMOUNT	DESCRIPTION OF WORK
<i>3</i>	<i>Sector Cedar with Lattice SQ with Caps</i>	<i>375</i>		
			<i>1125</i>	MISCELLANEOUS CHARGES
	<i>paid in Full chk # 2714</i>			
	<i>Thank you Pauli Vogelsang Holiday</i>			
	TOTAL MATERIALS			TOTAL LABOR

WORK ORDERED	TOTAL LABOR
DATE ORDERED	TOTAL MATERIALS
DATE COMPLETED	TOTAL MISCELLANEOUS
CUSTOMER APPROVAL SIGNATURE	SUBTOTAL
AUTHORIZED SIGNATURE <i>Paul Vogelsang</i>	TAX
	GRAND TOTAL

Supplemental Photos for Area Variance – Fence Variance

Garrett Jobson & Sandra Jobson, 44 Tree Top Lane, Poughkeepsie, NY 12603, (845) 705-8611



46 Tree Top Lane—New & Existing Driveway - View of existing and newly constructed driveway. View includes the 3 new fence panels requesting a fence variance. Photos shows how fence mitigates environmental and economic adverse impacts on 44 Tree Top Lane, adjacent property, through screening.



44 Tree Top Lane—Existing Home - View of 3 new fence panels from 44 Tree Top Lane, mitigated viewshed from requested fence variance.



25 Tree Top Lane—Existing Fence - View of other existing fence in immediate neighborhood which show requested variance is minor and consistent with other front yard fence heights, location and aesthetics.