



Town of Poughkeepsie Planning & Zoning

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3657 Phone
845-486-7885/790-4772 Fax
BESENKOPF@GMAIL.COM

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): Deck

Name of Applicant(s): John Todd Broomhead

Address: 11 Lyford Street

Telephone: (845) 473-0236

Name and Address of Record Owner(s): 11 Lyford Street
Poughkeepsie, NY 12601

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

Telephone: N.A.

Street Address of all parcels: 11 Lyford Street, Poughkeepsie, NY 12601

Tax Map Number of all parcels: 134689-6162-06-319949-0000

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)

N.A.

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;

An 8 foot side yard setback variance would not produce an undesirable change in the neighborhood since the new deck would not be closer to the side property line than the existing original deck.

- 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;

It would not be possible to replace the current deck without an area variance as the current deck and house were constructed within the 20 feet current side yard setback that is required.

- 3) Whether the requested area variance is substantial;

I am requesting an 8 foot side yard setback variance, and that is not substantial, since the new deck would be no closer to the property line than the existing deck.

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

An 8 foot side yard setback variance would not have an adverse effect or impact on the neighborhood, since the new deck would be no closer to the side property line than the current, original deck.

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.

This difficulty was not self-created, as I am only seeking to replace an existing deck with a newer deck and the current side yard setback regulations were established after the house and original deck were constructed.

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: John Todd Broomhead

Date: 8/9/2023

AFFIDAVIT TO BE COMPLETED BY OWNER

State of NY }
County of Dutchess }

ss:

John Todd Broomhead 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]
Applicant/Owner

Applicant/Owner

[Signature]
Notary Public

NWAN T. MARC
Notary Public, State of New York
Qualified in Dutchess County
Reg. No. 01MA6308389
My Commission Expires July 21, 2026

DISCLOSURE OF BUSINESS INTEREST

State of NY }
County of Dutchess } ss:

John Todd Broomhead 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.)

None.

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.)

None.

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

[Signature]
Notary Public

NWAN T. MARC
Notary Public, State of New York
Qualified in Dutchess County
Reg. No. 01MA6308389
My Commission Expires July 21, 2026

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): John Todd Broomhead

Address: 11 Lyford Street, Poughkeepsie, NY 12601

Telephone: (845) 473-0236

Description of the Project: Replace existing deck with new deck.

APPROVAL REQUESTED FOR: (Check all that apply)

Interpretation

Area Variance

Use Variance

Special Use Permit

Accessory Apartment

Project Address: 11 Lyford Street, Poughkeepsie, NY 12601

Tax Map Number of all parcels: 134689-6162-06-319949-0000

Is any portion of the project site currently being farmed? No, it is not being farmed.

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

Who is farming the site? Nobody is farming the site.

Does the person farming the site: Rent NA Own NA 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: [Signature]

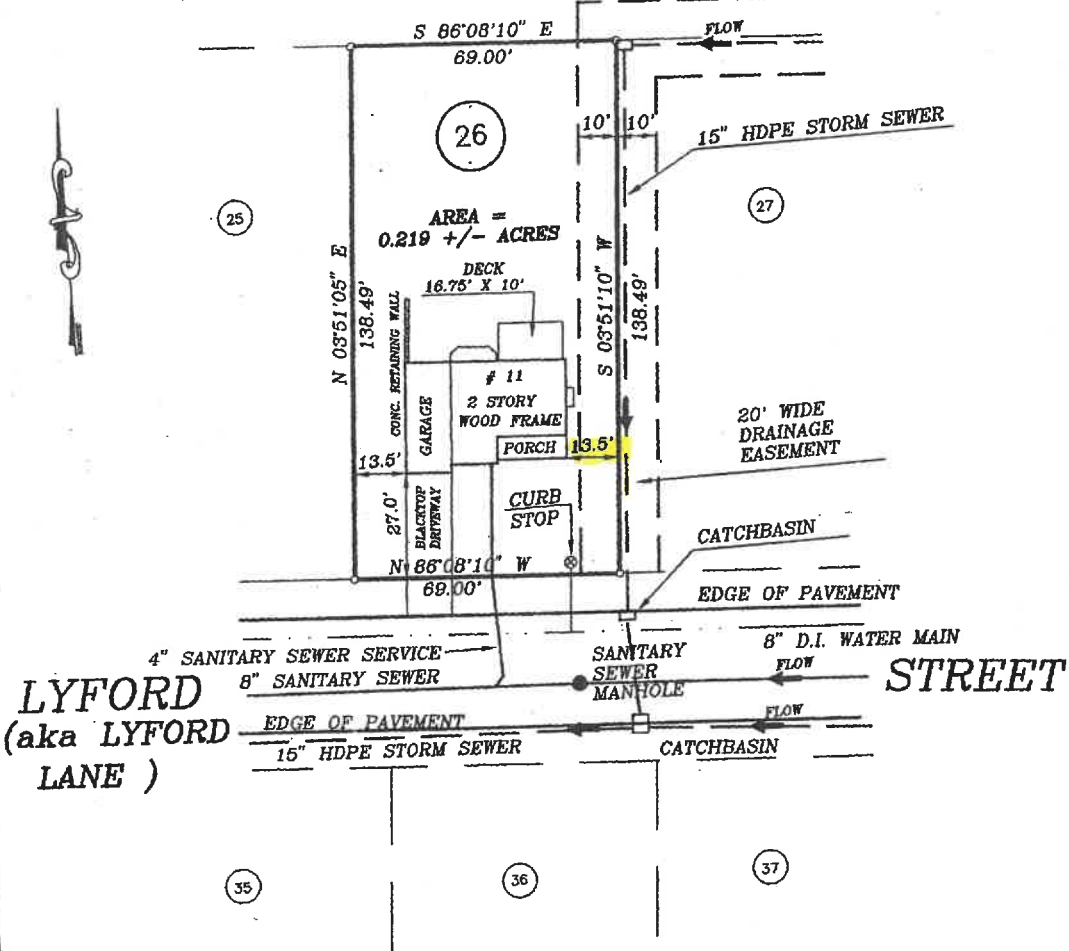
Date: 8/9/2023

Description of Project

The reason for this appeal to the Town of Poughkeepsie Zoning Board of Appeals is that I wish to replace an existing deck attached to the rear of my home on 11 Lyford Street with a new deck. Construction of the new deck would require a variance of the current side property line setback.

The existing deck is 10' X 16.75', and it is original to the home. The replacement deck would be 12' x 17'. The R20 District requires a side yard setback of not less than 20 feet, and the current deck—and the house itself—are within that 20 feet. Apparently, the side yard setbacks were different when the homes on Lyford Street were constructed. It is for that reason that I am requesting a variance of 8 feet so that the current deck can be replaced.

OPEN SPACE AREA



LYFORD
(aka LYFORD
LANE)

STREET

REFERENCE: MAP ENTITLED SUBDIVISION PLAT PREPARED FOR FULTON GROVE DEVELOPMENT CORP. ON FILE AT THE DUTCHESS COUNTY CLERKS OFFICE AS FILE MAP NO. 10027A

THIS IS TO CERTIFY TO LINDA L. WING & NORMAN H. WING, HOME FUNDING, INC., c/o REPUBLIC BANCORP MORTGAGE INC., ITS SUCCESSORS AND/OR ASSIGNS AND FUTURE TITLE COMPANY, INC. (TITLE NUMBER 800-1995) THAT THE SURVEY SHOWN HEREON WAS MADE OCTOBER 13, 1995. UPDATED DECEMBER 6, 1995.

E. Martin

PAGGI & MARTIN
ENGINEERS & SURVEYORS
54-56 MAIN STREET
POUGHKEEPSIE NEW YORK
12601

SURVEY MAP PREPARED FOR
LINDA L. WING
and
NORMAN H. WING
SITUATE IN THE TOWN OF POUGHKEEPSIE
NEW YORK
OCTOBER 1995
SCALE: 1"=30'
94-030(26)

