



# VILLAGE OF COLD SPRING

85 MAIN STREET

COLD SPRING, NEW YORK 10516

PHONE (845) 265-3611

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## REFERRAL TO THE ZONING BOARD OF APPEALS

**REFERENCE NUMBER:** 2023-08-014

**DATE OF REFERRAL:** August 24, 2023

**OWNER:** John & Carol Scarpa

**ADDRESS:** 14 Constitution Drive, Cold Spring NY 10516

**PHONE #** 413-207-1288

**TAX MAP #** 48.12-2-70

**APPLICANT:** John & Carol Scarpa

**ADDRESS:** 14 Constitution Drive, Cold Spring NY 10516

**PHONE #** 413-207-1288

**PROJECT DESCRIPTION:** 450 SF Addition to for a master bedroom and bath. Variance from the Zoning Board of Appeals (ZBA) is required for Front Yard Setback (25' required, 19'8<sup>1/2</sup>" proposed) and Side Yard Setback (10' required, 1' 0 <sup>1/4</sup>' proposed) as per § 134-17 of the Village Code.

**NOTICE:** The issuance of a Variance from the ZBA is not a Building Permit. A Permit from the Building Inspector **must be issued** before commencing any work.

**Greg Wunner, Code Enforcement Officer**



# VILLAGE OF COLD SPRING

## APPLICATION FOR PERMIT

January 1, 2015 (NO OLD APPLICATIONS WILL BE ACCEPTED)

Application is hereby made pursuant to the New York State Building Construction Code, the Zoning Laws of the Village of Cold Spring and the Cold Spring Village Code for a permit for:

New Building ..... Alteration to Existing Premise ..... Addition to Existing Premise ☒ Gas ..  
Removal of Existing Fuel Tank ..... Installation of New Fuel Tank ..... Demolition of Existing Premise .....  
Installation of Fireplace, Wood Stove, Pellet Stove or Fireplace Insert ..... Site Work ..... Plumbing .....  
Other ..... Swimming Pool ..... Mechanical Equipment, Generator: .....

### PROVIDE SPECIFIC DETAILS OF PROPOSED WORK IN # 5 BELOW

If a permit is granted, any work done thereunder will conform with the plans and specifications therefor submitted and with the layout &/or plot plan also herewith submitted and shall comply with all applicable laws, ordinances and regulations.

1. Owner: John Scarpa + Carol Scarpa Phone #: (413) 207-1288  
Address: 14 Constitution Dr. Cold Spring, NY 10516  
E-Mail: jscarpa jr@gmail.com

2. Applicant: (same as above) Phone #: .....  
Address: .....  
E-Mail: .....

3. Property Tax Map Number: 372601 48.12-2-70

4. Location of Property (GIVE SUFFICIENT DETAILS TO PERMIT READY IDENTIFICATION)

5. The proposed use for which application is made:

Addition totaling approximately 450 ft<sup>2</sup> to add a primary bedroom with bath, relocate existing bedroom, and renovate/expand existing bathroom. Planned addition to expand existing structure into rear yard and remain on ground floor. Crawl space anticipated under proposed addition.

6. LIST OF CONTRACTORS, PUTNAM COUNTY LICENSE & WORKER'S COMPENSATION DISABILITY INSURANCE FORMS MUST BE SUBMITTED BEFORE A BUILDING PERMIT WILL BE ISSUED.

State of New York, County of ..... ss: ..... being duly sworn says: I have read the foregoing application; that the statements and representations made therein are true and correct to the best of my knowledge and belief and I am authorized by the Premise Owner to make this application.

(Signature of Applicant or Agent)

Sworn to before me this ..... day of .....  
Notary Public, ..... County

For Office use only:

Reference No. ....

2023-08-014

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Pd. \$150.00 ✓ # 324  
8/21/23 (JV)

## APPEAL APPLICATION

Appeal No. 2023-08-014

Date 10/3/2023

To the Zoning Board of Appeals, Village of Cold Spring, New York:

I (we) John Scarpa & Carol Scarpa residing at  
14 Constitution Dr, Cold Spring, NY 10516 hereby appeal to the  
Zoning Board of Appeals from the decision of the Village of Cold Spring Building  
Inspector, on application for a building permit  
dated August 21 2023,  
whereby the Building Inspector [ ] Granted [X] Denied

[X] a Building Permit [ ] Certificate of Occupancy

1. Location of the Property 14 Constitution Dr, Cold Spring, NY 10516

2. Zoning District of Property R-1

3. Names and addresses of adjoining property owners: (Including those across the street)

Karen Jackson - 13 Constitution Dr, Cold Spring, NY 10516

Salvatore and Annette Pidola - 12 Constitution Dr, Cold Spring, NY 10516

Peter and Sally Smith - 16 Constitution Dr, Cold Spring, NY 10516

4. Provisions of the Village of Cold Spring Zoning Law involved. (Give article, section, subsection and paragraph by number. Do not quote the ordinance):

§ 134-17 of the Village Code

5. Appeal is made for

[ ] An Interpretation of the Zoning Law or Map.

[ ] A Special Permit under the Zoning Law or Map.

[X] A Variance to the Zoning Ordinance or Map.

6. Previous appeal. (If there has been a previous appeal set forth the number and date thereof, the relief sought and the decision thereon):

N/A

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7. Reason for appeal. (Complete only that part, which relates to type of appeal checked above. Use extra sheets if needed):

a. INTERPRETATION of the Village of Cold Spring Zoning Law or map is requested.

(1) The reason the interpretation is sought is:

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(2) An exact statement of the interpretation claimed is:

b. A SPECIAL PERMIT is requested.

(1) The reason the permit is sought:

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(2) An exact statement of the use for which the permit is sought:

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(3) The facts showing the use is one permitted as a "special use" by the law and the ability of the applicant to comply with the conditions laid down in the law for the grant of a special use permit.

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c. VARIANCE to the Village of Cold Spring Zoning Law is requested:

1. An exact statement of the details of the variance sought is:

We seek to add to the existing layout of our house to specifically add one net bedroom, the purpose for which is to accommodate a growing family. Our current layout is a 3 bedroom, 1 bath ranch with less than 1,200 sf of livable area. One of the bedrooms is not desirable for habitation as (1) there is no ventilation or window outlet to the outdoors due to the adjoining sunroom, and (2) there is currently a door in it which leads to the garage.

2. The grounds on which the claimed variance should be granted are:

- The design flaws previously detailed deprive us of the reasonable use of our property.
- The variance is the minimum that will accomplish the necessary rehabilitation to our house.
- Granting of the variance will not be injurious to the neighborhood or otherwise to the public welfare.

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



Date: 10/3/2023

Please obtain from the Village Clerk at the Village Office, Cold Spring, New York, a copy of the Zoning Law and Zoning Map and review it before submitting the application and before presenting evidence at the hearing. Be prepared to present facts showing the reasons why the Zoning Board of Appeals should grant the application you are making.

# Zoning Conformance Worksheet for the R-1 Residential District

Village of Cold Spring, NY Zoning Board of Appeals

Property Owner: **MR. JOHN SCARPA**

Address: **14 CONSTITUTION DRIVE**

Tax Map #: **48.12-2-70**

Date: **20 JUNE 2023**

SCARPA, JOHN

Measurement	Zoning Code	Unit	Existing	Proposed	Change	Notes
<b>Main structure or House</b>						
Front Yard Setback 1 minimum		25 Feet	19'-8 1/2"	19'-8 1/2"	NONE	Complete this section for the main house.
Front Yard Setback 2 (for corner lots) min.		25 Feet	N/A	N/A		EXISTING, NON-CONFORMING FRONT
Rear Yard Setback minimum		20 Feet	39'-3 3/4"	35'-8"	13'-7 3/4"	Corner lots have 2 front yards
Side Yard Setback 1 minimum	N	10 Feet	1'-0 1/4"	1'-0 1/4"	NONE	NEW PRIMARY BEDROOM ADDITION
Side Yard Setback 2 (not corner lots) minimum	S	10 Feet	19'-7 1/4"	19'-7 1/4"	NONE	Corner lots only have 1 side yard.
Lot coverage, main structure maximum	N/A	Percent	23.52%	27.9%	4.38%	Percent occupied by the main structure.
Stories maximum		2.5 Story	1STORY	1STORY	NO CHANGE	See § 134-2. Word usage and definitions
Height of the building maximum		35 Feet	17'-5"	17'-5"	NO CHANGE	NEW ADDITION = 14'-7" HEIGHT
<b>Measurement</b>	<b>Allowed</b>	<b>Unit</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change</b>	<b>Notes</b>
<b>Accessory Building</b> N/A						
Height of the building maximum		20 Feet				Complete this section for sheds, garages and other structures that are not the main house.
Accessory Building Lot Coverage (area) maximum	N/A	Square Feet				
Rear Yard Setback area where building sits	N/A	Square Feet		N/A	N/A	Use allowed values for rear yard to calculate the area in square feet of the rear yard where the building sits.
Side Yard Setback area where building sits	N/A	Square Feet		N/A	N/A	Use allowed values for side yard to calculate the area in square feet of the side yard where the building sits.
Rear Yard occupied by building, maximum	30 Percent	30 Percent				
Side Yard occupied by building, maximum	30 Percent	30 Percent				
Front Yard Setback (for corner lots only), minimum		25 Feet				Corner lots have 2 front yards. Use this if the accessory building is in one of the front yards.
Rear Yard Setback, minimum		10 Feet				
Side Yard Setback 1, minimum		10 Feet				
Side Yard Setback 2 (not needed for corner lots), minimum		10 Feet				Corner lots only have 1 side yard.
<b>Measurement</b>	<b>Allowed</b>	<b>Unit</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change</b>	<b>Notes</b>
<b>Accessory Building</b>						
Lot Area (Sq. Ft) minimum		7,500 Square Feet				Complete this section for all buildings
Total Lot coverage, all structures, max		30 Percent				The minimum allowed lot area.
						Include the main house and all accessory buildings.

[illegible]