

APPEAL APPLICATION

Appeal No. \_\_\_\_\_  
Date \_\_\_\_\_

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

I (we) Seam Conway + Luke Hall residing at 18 Morris Ave, 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 1 story addition at front of house, bath renovation, garage roof replacement, dated 4/4 2024, whereby the Building Inspector [ ] Granted [  ] Denied

[  ] a Building Permit [ ] Certificate of Occupancy

1. Location of the Property 18 Morris Ave, Cold Spring, NY 10516

2. Zoning District of Property R-N

3. Names and addresses of adjoining property owners: (Including those across the street) (all addresses are in Cold Spring, NY 10516)

David + Boris May 16 Morris Ave  
Laura E. Kaszack 20 Morris Ave  
James Parrella + Eugenie Milroy 1 Lakeside Dr. (morning 71 Morris Ave)  
Village of Cold Spring 85 Main St. (McConville Park)

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 Do not quote the ordinance):

5. Appeal is made for

- [ ] An Interpretation of the Zoning Law or Map.
- [ ] A Special Permit under the Zoning Law or Map.
- [  ] 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):

NA

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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:

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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.

NA

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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:

The proposed one-story addition at the front of the existing house, containing a mudroom and bathroom enlargement, would encroach into the 10' side yard requirement. The existing north side yard is non-conforming at 5.6' and the proposed addition, built within the existing footprint, would have a side yard setback of 6.9'. The existing garage is non-conforming as it encroaches into the front and side yard required setbacks. The existing concrete garage roof will be replaced with a new wood framed roof, with new decking and railing. The overall height of the garage would increase by approximately 7", and the added bulk requires a variance.

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

A variance is being sought to solve some practical issues with the existing house and garage. Due to water damage, the existing concrete garage roof is failing, and there is a rotted beam between the external and internal garage. The plan is to remove and replace the concrete roof and the rotted beam. The addition would be built on top of the internal portion of the garage, helping to mitigate water run-off to the garage below.

Although the 50 sf addition is relatively small, it would improve the functionality of the existing house. Its proposed location, with the new mudroom off the existing tight front entry, is the most practical. The bathroom enlargement would make the existing bathroom more accessible.

The proposed addition would be tucked into the open northwest corner of the existing house, and not go past the lines of the existing facades. Its new walls would set back 6" and 12" from the west and north facades, respectively. The massing of the addition would be in keeping with the existing house, with its shed roof the same pitch as the existing front shed dormer and the overhang aligning with the existing. It is designed to blend in and have minimal impact on the existing house and its surroundings. The added bulk in both the front and side yard solves the practical issues, benefits the homeowners, while minimizing any potential negative impact to the neighbors.

Signature: Martine Sanchez

Date: 4/10/24



4/26/24

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 **R-1** Village of Cold Spring, NY Zoning Board of Appeals

Property Owner: **SEAN CONWAY + LUKE HALL**

Date: **4/10/24**

Address: **18 MORRIS AVE, COLD SPRING, NY**

Tax Map #: **48.8-4-20**

Measurement	Zoning Code	Unit	Existing	Proposed	Change	Notes
<b>Main structure or House</b>						Complete this section for the main house.
Front Yard Setback 1 minimum		25 Feet	25.5'	26.2'	+ .7'	
Front Yard Setback 2 (for corner lots) min.		25 Feet	13.2'	13.2'	NONE	Corner lots have 2 front yards
Rear Yard Setback minimum		20 Feet	66.0'	66.0'	NONE	
Side Yard Setback 1 minimum		10 Feet	5.6'	6.9'	+ 1.3'	
Side Yard Setback 2 (not corner lots) minimum		10 Feet	NA	NA	NA	Corner lots only have 1 side yard.
Lot coverage, main structure maximum	N/A	Percent	18.0%	18.0%	NONE	Percent occupied by the main structure.
Stories maximum		2.5 Story	2.0	2.0	NONE	See § 134-2. Word usage and definitions
Height of the building maximum		35 Feet	18.5'	18.5'	NONE	

Measurement	Allowed	Unit	Existing	Proposed	Change	Notes
<b>Accessory Building</b> <b>NA</b>						Complete this section for sheds, garages and other structures that are not the main house.
Height of the building maximum		20 Feet				
Accessory Building Lot Coverage (area) maximum	N/A	Square Feet				
Rear or Side Yard Setback area where building sits	N/A	Square Feet		N/A	N/A	Use allowed values for rear or side yard to calculate the area in square feet of the side or rear yard where the building sits
Rear or Side Yard occupied by building, maximum		30 Percent				
Front Yard Setback (for corner lots), minimum		25 Feet				Corner lots have 2 front yards
Rear Yard Setback, minimum		10 Feet				
Side Yard Setback 1, minimum		10 Feet				
Side Yard Setback 2 (not for corner lots), minimum		10 Feet				Corner lots only have 1 side yard.

Measurement	Allowed	Unit	Existing	Proposed	Change	Notes
<b>Accessory Building</b>						Complete this section for all buildings
Lot Area (Sq. Ft) minimum	7,500	Square Feet				The minimum allowed lot area.
Total Lot coverage, all structures, max	30	Percent				Include the main house and all accessory buildings.