



TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501
TEL: 845-373-8860, x118 FAX: 845-373-9147

ZONING BOARD OF APPEALS APPLICATION

Dear Applicant:

Attached is an application to the Zoning Board of Appeals (ZBA). Please submit all applicable information on the **checklist along with 3 copies and a pdf of all information along with required fees to the Zoning Board of Appeals Office at least three (3) weeks** prior to the ZBA meeting. Meetings are scheduled for the **3rd Monday** of every month at the Amenia Town Hall, 4988 Route 22, at 7:00 P.M. (unless specified otherwise).

The applicant is responsible for any costs incurred for public hearing notices and review of the application by Town consultants, if needed. An Escrow fee is required and will be set by the ZBA Board. If the matter before the Zoning Board of Appeals was cancelled on the part of the applicant, there will be no refund of the application fee. Incomplete applications will not be put on the Agenda. If an applicant decides to postpone or cancel his/her appearance, please telephone the Zoning Board Secretary, x122 or Zoning Enforcement Officer, x118 **AT LEAST 48 HOURS IN ADVANCE**, because there are clerical functions, which must occur (i.e. notifying property owners, notice in the paper, etc.)

Please supply a cover letter and describe the project in your own words including any hardships involved.

The applicant is responsible for adhering to Chapter 121, Sections 121-58 and 121-59 of the Town of Amenia Zoning Law available online at www.ameniany.gov (Quick Link, Town Code) or from the Town Clerk for a fee.

The ZBA may request a site walk prior to a public hearing, however you will be notified by the Secretary prior to any site visit.

I have read the above and fully understand my responsibilities.

Douglas Broughton [Signature] 7-9-24
Name (please print) Signature Date

ZONING BOARD OF APPEALS APPLICATION
Appeal/Variance Checklist

_____ copies with (supplied by the applicant) of the following items are required to apply to the Zoning Board of Appeals for a variance, an interpretation of the Town of Amenia Zoning Law or a reversal of a decision by the Code Enforcement Officer. An application may not be filed until the Code Enforcement Officer has made a decision on a building or zoning permit application, except where an area variance is requested in connection with a special permit or site plan approval from the Planning Board. **Incomplete applications will not be put on the agenda.**

CHECKLIST

_____ Complete Appeals/Variance Application with pdf

_____ Disclosure of Interest Form

_____ Cover letter (describing the project in detail including any hardships involved)

_____ Agricultural Data Statement (for Use Variances only) if the property is in an agricultural district and contains a farm operation, or if the property is within 500 feet of a farm operation in an agricultural district.

_____ Building Permit Application with copies of all drawings and maps submitted to the Building Department showing the proposed building(s) and site alterations with dotted lines and showing the existing building(s) and other improvements with solid lines.

_____ Building Inspector's Denial (Decision of the Code Enforcement Officer)

_____ Site Plan of the property showing (within ¼ mile radius) adjacent or nearby villages or towns, county or state parks or other recreation areas, county or state roads or highways, county owned or managed streams or drainage channel and state-owned lands with public buildings, all other building locations and setbacks from other buildings and property lines noted with measurements.

_____ Copies of all applications, attached information, and decisions if the matter is being heard by another Board

FEEES:

_____ Application \$350.00 (separate check made payable to Town of Amenia)

_____ Variance

_____ Interpretation

_____ Reversal of Decision by Code Enforcement Officer

_____ Escrow - \$2500 (separate check made payable to Town of Amenia)

\$ _____ Total (checks made payable to Town of Amenia)

ZONING BOARD OF APPEALS APPLICATION

Project Name: Broughton Solar

(one or other)

Type of Application (check all that apply):

- Area Variance 121-59.D
- Use Variance 121-59.C
- Reversal or Modification of Decision of CEO 121-59.B
- Interpretation of Zoning Text or Map 121-59.A
- Other (Please explain)

Property Address:
Block 194282 Lot(s) _____ Zone _____
District: SR

Current Use(s)
Proposed Use(s) and/or Structures:

Primary Contact Person:
Use/Activity

Brief Description of Proposed
Solar Ground Mount
(attach additional sheets, if necessary)

Address: 388 Old Rt. 22 Wassaic 12592
Telephone: 6466215838
Email: blackrabbit@mindspring.com
Date Title Acquired:

Name of Property Owner:

Provisions of the Zoning Law relating to this
Application, and variance(s) from zoning, if any
30' & 30' variance

Douglas Broughton / Maria Laura Quintana
Address: 388 Old Rt. 22 Wassaic 12592
Telephone: 6466215838
Email: blackrabbit@mindspring.com

Is there an existing Special Permit, Variance,
And/or Site Plan approval for your property?
Yes, granted on:
No

Name of Applicant (if different)

Address:
Telephone:
located
Email:
Relationship to owner:

Does the property contain a farm operation
within an agricultural district or is the property
boundary within 500 feet of a farm operation
Located in an agricultural district?

Yes:
 No

Not Applicable:

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1. DESCRIPTION OF PREMISES

Size of Lot Width 1276.50 ft. Depth 420.4 ft Area 4.247 sq-ft acres

Coverage (portion of lot occupied by all structures)

Max. allowable _____ sq. ft. _____ per cent
Existing _____ sq. ft. _____ per cent
Proposed _____ sq. ft. _____ per cent

Principal or Main Building

Height: Max. allowable 11.52 sq. ft. _____ per cent
Existing _____ sq. ft. _____ per cent
Proposed _____ sq. ft. _____ per cent

Floor area - not required for single and two-family structures:

Maximum permitted 1152 sq. ft. Existing _____ sq. ft. Proposed _____ sq. ft.

Front Yard Depth -

Minimum required 28.4 ft. Existing _____ ft. Proposed _____ ft.

Side Yard

Minimum required 135 ft. Existing _____ ft. Proposed _____ ft.

Smaller Side Yard

Minimum required N/A ft. Existing _____ ft. Proposed _____ ft.

Larger Side Yard

Minimum required N/A ft. Existing _____ ft. Proposed _____ ft.

Rear Yard Depth

Minimum required 55 ft. Existing _____ ft. Proposed _____ ft.

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Accessory Structure (CANOPY)

Location: Front Yard _____ Side Yard Rear Yard _____

Height: Existing 2 stories _____ ft.
 Proposed _____ stories _____ ft.

Distance from:

Front Lot Line: Existing 30 ft. Proposed _____ ft.
Side Lot Line: Existing 300 ft. Proposed _____ ft.
Rear Lot Line: Existing 30 ft. Proposed _____ ft.
Main Building: Existing 60 ft. Proposed _____ ft.
Other Accessory
Structures: Existing _____ ft. Proposed _____ ft.

2. ATTACHED, MULTIPLE AND JOINT OCCUPANCY BUILDINGS ONLY

Useable Open Space:

Required:	Width _____ ft.	Depth _____ ft.	Area _____ ft.
Existing:	Width _____ ft.	Depth _____ ft.	Area _____ ft.
Proposed:	Width _____ ft.	Depth _____ ft.	Area _____ ft.

Number of habitable rooms in each dwelling unit (list each unit separately)

ZONING BOARD OF APPEALS APPLICATION

1. **SPECIFIC RELIEF REQUESTED** (Complete where applicable, attach additional sheets if necessary)

A. Interpretation of the Zoning Law is requested because:

B. **REVERSAL OR MODIFICATION** of a decision of the Code Enforcement Officer is requested because:

C. A **USE VARIANCE** is requested for these reasons (all blanks must be filled in)

1. The applicant cannot realize a reasonable return from the property for any use allowed by the Zoning Law because:

The property was acquired in the year 2017 for \$ 50,000. The applicant has invested \$ 320,000 in the property since that time, and the largest return than can be expected from using the property as a live/work (most valuable use allowed by the Zoning Law) is \$ 250K per year. The value of the property under the current Zoning Law, as determined by competent financial evidence submitted herewith, is \$ 510,000. The expected return and/or property value from other uses allowed by the Zoning Law ranges from \$ 500,000 to \$ 700,000. (Please attach a list of all permitted and special permit uses and their probable return and value).

2. The hardship relating to this property is unique, and does not apply to a substantial portion of the district or neighborhood because:

3. The variance will not alter the essential character of the neighborhood because: We have no neighbors - no homes will be built due to power line location.

4. The hardship is not self-created because: I am currently attempting to purchase closest property to solar panels.

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D. AN AREA VARIANCE is requested for these reasons:

1. If the variance is granted, the applicant will have the following benefit: *Solar Power*

2. There will not be an undesirable change of the neighborhood or a detriment to nearby properties because: *We have no neighbors or homes able to be built for over 300' minimum*

3. The applicant cannot attain the benefit of having the variance by any other method because:

4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because:
We have no close neighbors

PREVIOUS APPEAL

A previous appeal _____ has _____ has not been made with respect to this decision of the Building Inspector or with respect to this property.

Such an appeal(s) was (were) in the form of:

- A requested interpretation _____ Appeal No. _____, dated _____
- A request for variance _____ Appeal No. _____, dated _____



TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501
(845) 373-8118, Ext. 122-124 Fax (845) 373-9147

ESCROW FOR PROFESSIONAL SERVICES

Date: _____

Applicant: Douglas Broughton / Maria Laura Quintero

Project Name: Broughton Solar

Location: Wassac

Description of Project: Grand Mount Solar

Amount Requested: \$ \$2500.00 Minimum Balance: \$ \$500.00

The Town of Amenia _____ Board is currently reviewing your application for _____. This Board is requesting that you place in escrow sufficient funds to be used to defray reasonable costs incurred by the Town for professional services and inspections required throughout the entire review process, as authorized by the Town Code of the Town of Amenia.

Based on estimated review costs, you are requested to deposit \$2500.00 in the escrow account. Should the balance of this account fall below \$500.00, you will be notified and requested to replenish the account to the requested amount.

The escrow account does not provide for the other development, application and filing fees set forth in the Town of Amenia Town Code and Schedule of Fees. The applicant must make timely, direct payment of those other fees as a prerequisite to continued review of the application.

All parties agree to the terms and conditions stated herein.

J Westfall
Town of Amenia ZBA Board

[Signature]
Applicant