



# *Town of Red Hook*

## *Zoning Board of Appeals*

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### **TOWN OF RED HOOK ZONING BOARD OF APPEALS October 12, 2016**

#### ***AGENDA (revised)***

#### **Preliminary Business**

- 7:00 Call to Order - Roll Call
- Approval of August 10, 2016 Minutes
- Review of Planning Board Minutes
- Comments from the Chairman

#### **Discussion**

Appeal 16-05, Fred C. Cartier, application for an area variance to erect a fence, six feet in height, within the 35 foot setback, for the two front yards, on a corner lot. *The Town Zoning Code § 143-28 A Fences and Walls limits fences to four feet in height when erected in the required front yard.* The subject parcel is 6272-17-191168 in the R1 zoning district. The above cited property is located at 7 Adams Rd. in the Town of Red Hook.

#### **Review of Appeal**

Appeal 16-06, Jeremy Anderson, application for an area variance to erect a fence, seven (7) feet in height, in the required front yards of the corner property. *Section 148-28 A of the Town Zoning Law limits the height of fences in the required front yard to four (4) feet, and six (6) feet in a side yard, and Section 148-28 D of the Town Zoning Law requires that all fences and walls on corner lots shall conform to Section 143-16 B, which prohibits any fence, wall, hedge, structure, or planting, over three feet in height, above the curb level, if any, or above the existing road level, within the triangle formed by the intersecting street lines, or their projections, where corners are rounded, and a straight line, joining said street lines, at points which are 30 feet distant from their point of intersection, measured along said street lines, or projections, on corner lots, with intersections.* The subject property is located at 354 Metzger Rd. in the Town of Red Hook. It is located in the RD3 zoning district, Tax Grid # 6271-00-249843.

## Review of Appeal

Appeal 16-08, Matthew Nucci, application for an area variance to construct a 5' x 8' stone fireplace 5' from the rear property line. *Section 143-18 of the Town of Red Hook Zoning Code defines the proposed fireplace as an accessory structure, and Section 143-18 A (2) of the Town of Red Hook Zoning Codes does not permit an accessory structure less than 20' from the rear property line.* The subject parcel is 6373-00-003907, in the RD3 zoning district, located at 222 Pitcher Lane, in the Town of Red Hook.

## Review of Appeal

Appeal 16-10, Frank Doherty representing Redwing Properties Inc., application for an area variance to bring into compliance an existing, detached garage (accessory structure), measuring 809 square feet, consisting of a 16' x 24', and a 17' x 25' section, 7' from the rear property line. *Section 143-18 A (2) of the Town of Red Hook Zoning Codes does not permit an accessory structure less than 20' from the rear property line.* The subject parcel is 6473-00-102396, in the RD3 zoning district, located at 608 Turkey Hill Rd., in the Town of Red Hook.

## Review of Appeal

Appeal 16-09, AMJ Properties, aka Funshine Daycare, represented by Don Triebel, application for five (5) area variances to alter the parking aisle width, the parking area and play area setbacks, the building coverage and the lot coverage for a commercial daycare center, on a 1.204 acre lot. The subject parcel is 6273-00-921623 in the RD1.5 zoning district, and is located at 208 Rockefeller Lane, in the Town of Red Hook. The Applicant has applied for the following variances:

1. A variance from § 143-77 (C) of the Red Hook Zoning Law, to permit an outdoor play area with side yard setbacks of 10.5' and 10.1', and a rear yard setback of 10.89', where a minimum of 200 square feet, per child, and a minimum of 50 feet for side and rear setbacks, and vegetative and/or landform screening are required .
2. A variance from § 143-26.2(d&e) of the Red Hook Zoning Law, to permit a parking area with a parking aisle width of 24', where a 26' aisle width, for sixty degree parking, with two directional flow, and where a 26' aisle width for perpendicular parking, with one or two directional flow, are required.
3. A variance from § 143-26.2(b) of the Red Hook Zoning Law, District Schedule of Area and Bulk Regulations, to permit a parking area with a side yard setback of 10', where the minimum setback, of 20', or greater distance, as may be required by The District Schedule of Area and Bulk Regulations, is required.
4. A variance from § 143 Attachment 2 District Schedule of Area and Bulk Regulations of the Red Hook Zoning Law, to permit a building coverage of 10.95%, where Maximim Building Coverage, permitted in the R1.5 Zoning District is 10%, and from § 143 Attachment 2:2 (4), requiring not less than 40% of the required minimum open space associated with any non-residential land use, as such is set for the in the District Schedule of Use Regulations, shall be provided between the front building line and the public right of way.
5. A variance from §143 Attachment 2 District Schedule of Area and Bulk Regulations of the Red Hook Zoning Law, to alter the existing, total lot coverage of 33.91% to 32.59%, through the demolition of an existing building, and the construction of a new building, resulting in open space of 67.41%, where 70% is required, in the R1.5 Zoning District.