



Historic Town of Hyde Park

Zoning Board of Appeals

4383 Albany Post Rd

Hyde Park, NY 12538

Office: (845) 229-5111 x 2 Fax: (845) 229-0349

"Working with you for a better Hyde Park"

APPLICATION NO. _____

APPLICATION TO THE ZONING BOARD OF APPEALS
TOWN OF HYDE PARK, NEW YORK
REQUEST FOR AREA VARIANCE(S)

(TYPE, OR PRINT IN DARK INK)

I. **PROPERTY ADDRESS:** Cream Street and Long Branch Road
TAX GRID NO.: 133200-6263-01-436890-0000
ZONING DISTRICT: GB - Greenbelt

II. **PROPERTY OWNERSHIP:**

NAME OF OWNER: 54 Hyde LLC
ADDRESS: 2 Manhattanville Road, Suite 403,
Purchase, NY 10577
PHONE NUMBER: 914-285-1430 Email address: ddrago@enclaveequities.com

III. **APPLICANT INFORMATION:**

APPLICANT NAME: Mr. Ken Casamento, CPESC
ADDRESS: 85 Civic Center Plaza, Suite 103
Poughkeepsie, NY 12601
PHONE NUMBER: 845-243-2880 Email address: kcasamento@lrconsult.com

(IF THE APPLICANT IS NOT THE OWNER, WRITTEN PROOF THAT THE OWNER
CONSENTS TO THE APPLICATION MUST BE SUBMITTED WITH THE APPLICATION.)

IV. SUBJECT TO APPEAL (If Applicable)

Pursuant to the provisions of the Zoning Code of the Town of Hyde Park, this application, relative to the above referenced property, constitutes an appeal from the decision of the Zoning Administrator/Building Inspector _____.
(name)

A copy of this decision, dated _____, must be attached.

V. APPEAL REQUEST

This appeal takes the form of a request for:

Area Variance(s)

Please be advised that all sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief. It is incumbent upon the applicant to demonstrate to the Board that these criteria are satisfied. Additional sheets may be attached as necessary. Please also note carefully the list of required attachments on the last page of this application.

VI. AREA VARIANCE REQUEST

I/We, LRC Group, Agent for Applicant _____, hereby apply to the Zoning Board of Appeals for a variance of the following sections and requirements of the Provision of Chapter 108 of the Code of the Town of Hyde Park, specifically as follows:

SECTION	CONCERNING	CHANGE FROM:	CHANGE TO:
108- <u>24.1 F(2)(b)</u>	<u>Maximum Letter Height</u>	<u>10" letter size</u>	<u>18" for letters T & E</u>
108- <u>24.1 F(2)(b)</u>	<u>Maximum Letter Height</u>	<u>10" letter size</u>	<u>24" for letters H & L</u>
108- _____	_____	_____	_____

Reason for request:

The applicant is seeking an area variance to increase the allowable letter size of the Enclave subdivision entrance sign. The current sign regulations of the town code restricts the size of the letters to 10 inches. However, due to the large size of the stone wall the sign will be applied to, the allowable letter size will create a disproportionate appearance and eyes sore for the neighborhood. The approval of the variance will enable the sign to appear proportionally and aesthetically pleasing to fit the space and neighborhood.

(i) Will the granting of the variance produce an undesirable changes in the character of the neighborhood or be a detriment to nearby properties. If not, please explain why.

See attached.

(ii) Explain if the granting of the variance is necessary, or whether the same result could be achieved by some other method not requiring a variance. If an alternative will result in economic hardship, explain.

See attached.

(iii) Explain if the requested area variance(s) is substantial, and if not, explain why it is not substantial.

See attached.

(iv) Explain if the variance(s) will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. If not, please justify why it won't have an adverse effect.

See attached.

(v) Explain if your need for an area variance(s) is the result of self-created difficulties on your part. If not, please explain how the difficulties are not self-created.

See attached.

VII. LIST OF ATTACHMENTS

1. Site or Plot Plan: One (1) original and seven (7) copies
2. Financial (Economic) Statement. This statement should not be personal in nature. The data provided should relate directly to the property in question and should illustrate the economic injury or undue hardship suffered in the absence of the variance.
3. Letter or communication which resulted in application to the ZBA (if applicable).
4. List of abutting property owners, by name, address and grid number.
5. Letter of owner consenting to application (if applicable).
6. Type I Action Only – Original and six (6) copies of the SEQRA FULL ENVIRONMENTAL ASSESSMENT FORM, 617.21, Appendix A, DEC Model Form 14-16-2 (2/97) with Part I completed.
7. Unlisted Actions Only – Original and six (6) copies of SEQRA SHORT ENVIRONMENTAL ASSESSMENT FORM, 617-21, Appendix C, DEC Model Form 14-16-4 (2/87) Text 12, with Part I completed.
8. The owners of land as identified by the applicant in any agriculture data statement.

9. Other attachments deemed pertinent by the applicant (please list):

- (a) _____
- (b) _____
- (c) _____
- (d) _____

VIII. SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

I hereby certify that the information enclosed herewith and on the application is accurate and factual:

Signature of Applicant: *Ken Casamento* Date: 07-29-2020

I the record owner do hereby authorize Ken Casamento

to represent me before the Zoning Board of Appeals during the area variance process:

Signature of Property Owner: *[Signature]* Date: 7/29/20



- (i) Will the granting of the variance produce an undesirable changes in the character of the neighborhood or be a detriment to nearby properties. If not, please explain why.**

The granting of the variance would not alter or change the character of the neighborhood or be a detriment to nearby properties. The Enclave subdivision has an aesthetically pleasing stone wall to which the sign will be applied. The sophisticated font type chosen for the sign provides a clean and inviting appearance for passing vehicular traffic. Furthermore, the increase in the letter size will increase visibility to passing by vehicles while maintaining a tasteful appearance with the neighborhood and surrounding area. The proposed sign is not overbearing for passing by vehicles or other viewers.

- (ii) Explain if the granting of the variance is necessary, or whether the same result could be achieved by some other method not requiring a variance. If an alternative will result in economic hardship, explain.**

Due to the Town of Hyde Park zoning code, there are no other alternatives to the requested variance. The code states a maximum letter size of 10 inches for permitted signs. However, 10 inch lettering is not of sufficient size to enable passing by vehicles to easily see the sign. Cream Street is a road with a posted speed limit of 45 MPH. Although the actual speed vehicles travel on the road surpass the posted limit and encroach closer to 55 MPH. The speed of the vehicles reduces the time drivers have to see, recognize and decide to turn into the development. By enlarging the letter size, it would better enable drivers to see the sign earlier and increase driver safety.

- (iii) Explain if the requested area variance(s) is substantial, and if not, explain why it is not substantial.**

The requested variance is not substantial as the increase in the letter size would not create an eye sore. The aesthetically pleasing stone wall the sign will be applied to will appear in proportion with the 18" letter size. The stone wall is a large surface and will look disproportionate with the allowed 10" letter size. Therefore, the variance is not substantial as the variance seeks to allow the sign to appear in proportion with the current wall face.

- (iv) Explain if the variance(s) will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. If not, please justify why it won't have an adverse effect.**

The variance does not have an adverse effect or impact on physical or environmental conditions as the variance only involves the increase in sign letters. Alternatively, the increase in the sign letters could have a favorable impact on the physical condition of the neighborhood as the variance would increase traffic safety. The increase in letter size does not have an adverse effect on the environment as the font type coincides with the character of the neighborhood.



(v) Explain if your need for an area variance(s) is the result of self-created difficulties on your part. If not, please explain how the difficulties are not self-created.

The variance request is not a result of a self-created difficulty as the layout of Cream Street is the cause for the need. At the Cream Street and Long Branch Road intersection, the curvature of Cream Street causes shortened sight lines naturally. In conjunction, the stone wall is located within the town code setbacks and further restricts visibility of the sign. Therefore, the necessity for the variance is not a self-created hardship.