



Town of Poughkeepsie Planning & Zoning

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3657 Phone
845-486-7885/790-4772 Fax

Town of Poughkeepsie Zoning Board of Appeals

Application for Area Variance / Interpretation

APPROVAL REQUESTED FOR: (Check all that apply)

Interpretation

Area Variance

Name of Project (if applicable): JOB # 2428 MONTE GARAGE

Name of Applicant(s): JOSEPH P. MONTE

Address: 7 ANDREA DR. POUGHKEEPSIE N.Y. 12603

Telephone: 845-249-7402

Name and Address of Record Owner(s): JOSEPH P. MONTE

7 ANDREA DR. POUGHKEEPSIE N.Y. 12603

Name and Address of Attorney or professional representative: MAZZARELLI ARCHITECTURE
& PLANNING, P.C. 44 NORTH CLOVER ST. POUGHKEEPSIE N.Y. 12601

Telephone: 845-485-0275

Street Address of all parcels: 7 ANDREA DR. POUGHKEEPSIE N.Y. 12603

Tax Map Number of all parcels: 6260-03-019375

Zoning District: R-20,000 SINGLE FAMILY RESIDENCE

Have any permits affecting the property been issued by any other governmental agency?
No Yes . If yes, please list in detail (attach separate pages if necessary):

Has any application(s) for any other permit(s) for any activity affecting the property been submitted to any other governmental agency? No Yes . If yes, please list in detail (attach separate pages if necessary):

Attach a copy of the current deed and any easements affecting the property.

A) For Interpretation Applications:

Description of Reason for the Requested Interpretation: (Attach additional pages as necessary)

N/A

B) For Area Variance Applications:

Provide a description of the proposed activity with regard to the following standards. (Attach additional pages as necessary)

- 1) Whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the area variance;

NO UNDESIRABLE CHANGES WILL BE MADE TO CHANGE THE CHARACTER OF THE NEIGHBORHOOD. GARAGE WILL HAVE SIMILAR ARCHITECTURE TO HOUSES IN THE NEIGHBORHOOD AS WELL AS MATCHING SIDING TO MY HOUSE

- 2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

AS A CLASSIC CAR ENTHUSIAST, I REQUEST THE VARIANCE TO ENABLE ME TO INSTALL CAR LIFTS WHICH WILL ALLOW ME TO SAFELY WORK UNDER MY VEHICLES

- 3) Whether the requested area variance is substantial;

NO, THE PROPOSED GARAGE WILL BE AT THE REAR OF MY PROPERTY WITH ONLY A SMALL PORTION VISIBLE FROM THE STREET. I REQUEST A VARIANCE TO ALLOW A HEIGHT OF 16'-6" (AS OPPOSED TO MAXIMUM HEIGHT OF 13') WHICH WOULD BE APPROXIMATELY 3'-6" LESS THAN MY EXISTING HOME

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environment conditions in the neighborhood or district.

NO, THERE WILL BE NO ADVERSE EFFECTS OR IMPACT ON NEIGHBORHOOD. THIS ~~WILL~~ GARAGE WOULD BE FOR THE MECHANICAL MAINTENANCE AND STORAGE OF MY CARS. THE GARAGE WILL FALL WITHIN THE SET BACKS ALLOWED

- 5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

I REQUEST THIS VARIANCE SO I CAN INSTALL
LIFTS WHICH REQUIRE THE EXTRA HEIGHT

By His/Her signature the Applicant avows that: 1) He/She has read this application and is familiar with its content; and 2) He/She has read, is familiar with, and understands the requirements of the Town Poughkeepsie Code provision(s) affecting or regulating the project for which this application is made; and 3) He/She agrees to comply with the requirements of the Town Poughkeepsie Code provision(s) affecting or regulating the project for which this application is made including any general or special conditions of any permits or approvals granted by any board, agency, or department of the Town of Poughkeepsie; and 4) He/She has read this statement and understands its meaning and its terms.

Applicant Signature: Joseph P. Monte

Print Name: JOSEPH P. MONTE

Date: 2-2-25

AFFIDAVIT TO BE COMPLETED BY OWNER

State of NEW YORK

SS:

County of DUTCHESS

JOSEPH P. MONTE being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for Zoning Board of Appeals approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize MAZZARELLI ARCHITECTURE & PLANNING, PC, IF REQUIRED, to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Zoning Board of Appeals approval that I/we expressly grant permission to the Zoning Board of Appeals and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Zoning Board of Appeals action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
5. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Town Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Zoning Board of Appeals, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Town of Poughkeepsie, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Town Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

Joseph P. Monte
Applicant/Owner

Sworn to before me this 4 day of Feb., 2025.

Donna Voyers
Notary Public

DONNA VOYERS NOTARY PUBLIC STATE OF NEW YORK DUTCHESS COUNTY LIC# 01V06137064 COMM. EXP <u>11-14-2025</u>

DISCLOSURE OF BUSINESS INTEREST

State of NEW YORK }
County of DUTCHESS } ss:

JOSEPH P. MONTE being duly sworn, deposes and says:

- 1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients, or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

NONE

- 2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

NONE

- 3. That he/she understands that the Town of Poughkeepsie Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

Joseph P. Monte
Agent/Owner

Agent/Owner

Sworn to before me this 4 day of Feb., 20 25.

Donna Voyers
Notary Public

DONNA VOYERS
NOTARY PUBLIC STATE OF NEW YORK
DUTCHESS COUNTY
LIC# 01V06137064
COMM. EXP 11-19-2025

**Town of Poughkeepsie Zoning Board of Appeals
Agricultural Data Statement**

In accordance with §283-a of the New York State Town Law and §305-a of the Agriculture and Markets Law, this Data Statement will be used to evaluate the potential impacts of a proposed development on farm operations in agricultural districts.

Name of Applicant(s): JOSEPH P. MONTE

Address: 7 ANDREA DR. POUGHKEEPSIE N.Y. 12603

Telephone: 845-249-7402

Description of the Project: MULTI CAR GARAGE

APPROVAL REQUESTED FOR: (Check all that apply)

Interpretation
Use Variance
Accessory Apartment

Area Variance
Special Use Permit

Project Address: 7 ANDREA DR. POUGHKEEPSIE N.Y. 12603

Tax Map Number of all parcels: 6260-03-019375

Is any portion of the project site currently being farmed? NO

Is the project site located in an Agricultural District? Yes No

Who is farming the site? N/A

Does the person farming the site: Rent Own the land?

Attach a list of the names and addresses of the owners of land within an agricultural district containing a farm operation located within 500 feet of the boundary of the project property, and the tax parcel number of the farm parcels. Attach a copy of the tax map and indicate with an "X" the farm parcels within 500 feet of the project property.

I hereby confirm that the information provided herein is true and accurate.

Signature of Applicant: Joseph P. Monte

Date: 2-2-25



Dutchess County Clerk Recording Page

Record & Return To

MARK GROSSJUNG ESQ
66 MIDDLEBUSH RD
Wappingers Falls, NY 12590

Date Recorded 09/02/2008

Time Recorded 4 15 00

Document # 02 2008 5460

Received From RIVER CITY ABSTRACT

Grantor CREDIT SHELTER TRUST

Grantee MONTE JOSEPH

Recorded in Deed

Instrument Type

Tax District Town of
Poughkeepsie

Examined and Charged As Follows

Recording Charge \$119 00

Transfer Tax Amount \$1,130 00

Transfer Tax Number #564

Red Hook Transfer Tax

E & A Form Y

TP-584 Y

Number of Pages 4

*** Do Not Detach This Page

*** This Is Not A Bill

County Clerk By msp / _____

Receipt # R52256

Batch Record B49

Bradford Kendall
County Clerk



0220085460



BARGAN AND SALE DEED WITH COVENANTS AGAINST GRANTORS ACT

RA 41679

(14) 24
80
1133
1244

DEED

THIS INDENTURE, made the 9th day of July, 2008, BETWEEN

MARY E NEBORAK, Individually and MARY E NEBORAK, MICHAEL K NEBORAK AND CONSTANCE GUBA, Trustees of the Credit Shelter Trust under the Will of Michael Neborak, deceased, having an address at 16 Greenlawn Road, Katonah, New York 10536 as party of the first part, and

JOSEPH MONTE and STACY MONTE, residing at 168 Parliament Road, LaGrangeville, New York 12540 as party of the second part, *As HUSBAND AND WIFE*

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever

ALL that certain piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Town of Poughkeepsie, Dutchess County, New York and being more particularly known and described as set forth on Schedule "A" annexed hereto

BEING the same premises conveyed by Eberhard Builders, Inc to Michael Neborak and Mary E Neborak by deed dated July 22, 1960, and recorded in the Dutchess County Clerk's Office on July 22, 1960 in Book No 1033 on page 31

Said premises commonly known as 7 Andrea Drive, Poughkeepsie, New York 12603

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises, TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written

IN PRESENCE OF

X Mary E. Neborak
 MARY E NEBORAK, Individually

X Mary E. Neborak
 MARY E NEBORAK, Trustee

Michael E. Neborak
 MICHAEL E NEBORAK, Trustee

X Constance Guba
 CONSTANCE GUBA, Trustee

STATE OF NEW YORK
 COUNTY OF WESTCHESTER

ss:

On the 9 day of July in the year 2008, before me, the undersigned, a notary public in and for said state, personally appeared MARY E NEBORAK personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person on behalf of whom the individuals acted, executed the instrument.

David J. Tonking
 NOTARY PUBLIC

DAVID J TONKING
 Notary Public, State of New York
 No. 4722725
 Qualified in Westchester County
 Commission Expires March 30, 2009

STATE OF NEW YORK
 COUNTY OF

ss:

On the 7 day of July in the year 2008, before me, the undersigned, a notary public in and for said state, personally appeared MICHAEL K NEBORAK personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person on behalf of whom the individuals acted, executed the instrument.

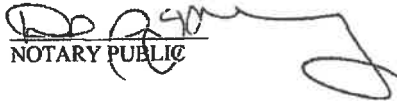
John J. Powell
 NOTARY PUBLIC

JOHN J POWELL
 Notary Public, State of New York
 No. 0110617434
 Qualified in New York County
 Commission Expires Sept. 17, 2011

**STATE OF NEW YORK
COUNTY OF WESTCHESTER**

ss:

On the 9 day of July in the year 2008, before me, the undersigned, a notary public in and for said state, personally appeared CONSTANCE GUBA personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person on behalf of whom the individuals acted, executed the instrument.


NOTARY PUBLIC

DAVID J. TONKING
Notary Public, State of New York
No. 4722725
Qualified in Westchester County
Commission Expires March 30, 2009

Tax Identification number 134689-6260-03-019375-0000
Town of Poughkeepsie, County of Dutchess, State of New York

Record and Return to ✓
MARK S. GROSSJUNG, ESQ. /
66 Middlebush Road
Wappingers Falls, New York 12590