



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): Deck

Name of Applicant(s): Bishara Al-Akeel

Address: 56 Carriage Hill Lane, Poughkeepsie NY 12603

Telephone: 845-380-0572

Name and Address of Record Owner(s): Bishara Al-Akeel

Name and Address of Attorney or professional representative: Vincent J. Catalano, Esq, 4 Liberty Street 12601

Telephone: (845) 454-1919 Ext. 1

Street Address of all parcels: 56 Carriage Hill Lane, Poughkeepsie NY 12603

Tax Map Number of all parcels: 134689-6261-03-122225-0000

Zoning District: R-20

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)

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;

Please see attached page

- 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;

Please see attached page

- 3) Whether the requested area variance is substantial;

Please see attached page

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

Please see attached page

- 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.

Please see attached page

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: Bishara Al-Akeel

Print Name: Bishara Al-Akeel

Date: 4/30/2025

AFFIDAVIT TO BE COMPLETED BY OWNER

State of New York

County of Dutchess

ss:

Bishara Al-Akeel

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 Vincent J. Catalano, Esq, 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.

Bishara Al-Akeel
Applicant/Owner

Sworn to before me this 30 day of April, 2021.

Brenda Boccia
Notary Public




AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

State of New York }
County of Dutchess } ss:

Vincent J. Catalano, Esq being duly sworn, deposes and says:

1. That I/we are the Vincent J. Catalano, Esq, the agent named 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 he/she resides at 4 Liberty Street, Poughkeepsie, New York 12601 in the County of Dutchess and the State of New York.
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. 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.
4. 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.
5. 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 has examined this affidavit and that it is true and correct.


Applicant/Agent

Applicant/Agent

Sworn to before me this 2nd day of May, 2025


Notary Public

Jessica Marie Jaycox
NOTARY PUBLIC, State of New York
Registration No. 01JA6439457
Qualified in Dutchess County
Term Expires August 29, 25

**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): Bishara Al-Akeel

Address: 56 Carriage Hill Lane, Poughkeepsie NY 12603

Telephone: 845-380-0572

Description of the Project: Deck

APPROVAL REQUESTED FOR: (Check all that apply)

Interpretation
Use Variance
Accessory Apartment

Area Variance

Special Use Permit



Project Address: 56 Carriage Hill Lane, Poughkeepsie, NY 12603

Tax Map Number of all parcels: 134689-6261-03-122225-0000

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? _____

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: Bishara Al-Akeel

Date: 4/30/2025

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, the proposed variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

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;

No, the benefit sought cannot be achieved by any method feasible for the applicant to pursue other than an area variance. The deck has already been brought up to code, and due to the limited space between the house and the property line, there is no alternative placement that would comply with the zoning setback requirement.

3) Whether the requested area variance is substantial;

Yes, the requested variance is numerically substantial. However, due to the existing lot dimensions, it is not possible to meet the requirement, and the variance would not negatively impact the neighborhood or nearby properties. The structure is consistent with the character of the area and does not create any visual or practical harm.

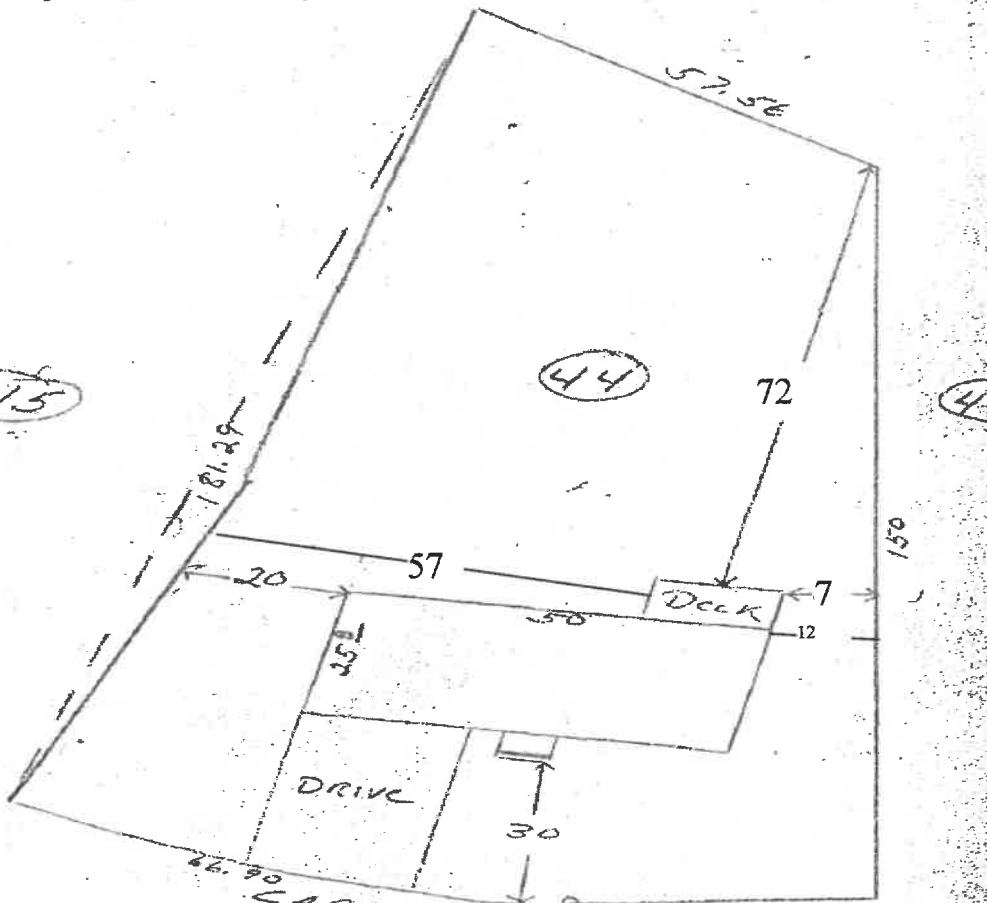
4) Whether the proposed variance will have an adverse effect or impact on the physical or environment conditions in the neighborhood or district.

No, the proposed variance will not have any adverse effect or impact on the physical or environmental conditions in the neighborhood. The deck does not affect drainage, sunlight, or neighboring properties, and it is consistent with similar structures in the area.

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.

When I built the deck, I was unaware of the permit requirement and the zoning setback issue. The builder I hired did not inform me of these concerns. My intention was to improve the property in good faith, and I have since brought the deck up to building code.

45



44

4

CARRIAGE HILL LANE
LOT # 44
SCALE 1" = 20'



Dutchess County Clerk Recording Page

Record & Return To :

Date Recorded : 03/13/2013
Time Recorded : 11:14:00

BISHARA AL AKEEL
56 CARRIAGE HILL ROAD
Poughkeepsie NY 12603

Document # : 02 2013 1448

Received From : BISHARA ALAKEEL

Grantor : ALAKEEL BISHARA J

Grantee : ALAKEEL BISHARA J

Recorded In : Deed
Instrument Type :

Tax District : Town of
Poughkeepsie

Examined and Charged As Follows :

Recording Charge : \$190.00

Number of Pages : 4

Transfer Tax Amount : \$0.00

Transfer Tax Number : #3604

*** Do Not Detach This Page

*** This Is Not A Bill

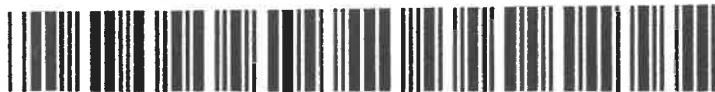
Red Hook Transfer Tax :

E & A Form: Y

TP-584 : Y

County Clerk By : cha / _____
Receipt # : R14291
Batch Record : A199

Bradford Kendall
County Clerk



THIS INSTRUMENT, made this 19th day of February 2013 by and between:

BISHARA J. AL-AKEEL and MAISA K. ANDRAWS
residing at 84 Carriage Hill Lane
Poughkeepsie NY 12603

hereinafter referred to as "GRANTORS"
AND

BISHARA J. AL-AKEEL
residing at 84 Carriage Hill Lane
Poughkeepsie NY 12603

hereinafter referred to as "GRANTEES"

W I T N E S S E T H :

The Grantors in consideration of the sum of ONE AND 00/100 (\$1.00) DOLLARS, and other good and valuable consideration paid by the Grantees, do hereby grant and release unto the Grantees, the heirs, successors and assigns of the Grantees, forever,

SEE SCHEDULE "A" ANNEXED

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 centerline thereof.

TOGETHER WITH the appurtenances and all estate and rights of the Grantors in and to said premises.

SUBJECT TO agreements, conditions, restrictions, covenants, right of ways and easements of record, if any.

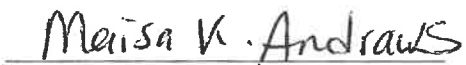
TO HAVE AND TO HOLD the premises herein granted unto the Grantees, their heirs, successors and or assigns forever.

AND the Grantors covenant to the Grantees that the Grantors have not done or suffered anything whereby the said premises have been encumbered in any way whatsoever, except as aforesaid.

AND the Grantors, in compliance with Section 13 of the Lien Law, covenant that the Grantors 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 costs of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the Grantors have duly executed this Deed the day, month and year first above written.


Bishara J. Al-Akeel


Maisa K. Andraws

Schedule A Description

Title Number 762- 03022

Page 1

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Poughkeepsie, County of Dutchess and State of New York, and being described as follows: On Carriage Hill Lane and known and designated as Lot No. 44 on a Map of Subdivision of Carriage Hill, which Map was filed in the Dutchess County Clerk's Office on Sept. 21, 1967 as Map No. 3527, and which lot is also known as Lot No. 44 on Amended Map of Carriage Hill, which map was filed in the Dutchess County Clerk's Office on March 19, 1968 as Map No. 3555

EXCEPTING AND RESERVING THEREFROM ALL that lot, piece or parcel of land described as follows: BEGINNING at a point in the northeasterly line of Carriage Hill Lane the said point being the most southerly corner of the herein described excepted parcel, the southwesterly corner of Lot 44 as shown on a map entitled amended map of subdivision entitled "Carriage Hill" dated March 1, 1968 and filed in the Dutchess County Clerk's Office as Map No. 3555 on March 19, 1968 and being the southeasterly corner of lot 45 as shown on the above referred to map; thence along the northwesterly line of the herein described parcel being the lot line between Lots 44 and 45 as shown on the above referred to map, North 51 30 30 East 181.29 feet to the most northerly corner of the herein described parcel being the northwesterly corner of said Lot 44 and being the northeasterly corner of said Lot 45; thence to said Lot 44 along the southeasterly line of the herein described parcel South 43 21 30 West 110.33 feet, South 57 13 40 West 25.80 feet and South 54 30 40 West 45.51 feet to the point or place of beginning and containing 0.01 acres more or less.

Said premises being further described by a recent survey as follows:

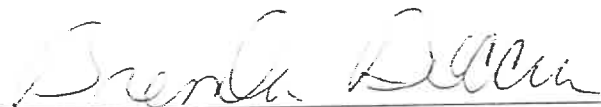
All that parcel of land situate in the Town of Poughkeepsie, County of Dutchess and the State of New York and being known as a portion of Lot #44 as found on a map entitled "Subdivision of Carriage Hill", said map filed in the Dutchess County Clerk's Office as filed map #3555 bounded and described as follows:

Beginning at a point on the Northeasterly side of Carriage Hill Lane, said point marking the Southeasterly line of the herein described parcel and the Northwesterly line of Lot #43, lands now or formerly Kadakia (Liber 1370, page 844), thence running Northwesterly along the Northeasterly side of said Carriage Hill Lane, North 56-30-30 West 36.34 feet, thence on a curve to the right with a radius of 217.00 feet and an arc length of 66.90 feet to a point marking the Northwesterly line of the herein described parcel and the Southeasterly line of Lot #45, lands now or formerly AIF Estates, Inc. (Docket 22006, frame 7244), thence running through Lot #44, North 54-30-40 East 45.51 feet, North 57-15-40 East 25.80 feet and North 48-21-30 East 110.33 feet to a point marking the original division line of Lot #44 and Lot #45 and the Westerly line of Lot #52; lands now or formerly Catanzaro (Liber 1970, page 176), thence running Southerly along the Westerly line of said Lot #52, in part and along the Westerly line of Lot #53, lands now or formerly Spitz (Liber 1698, page 751), South 21-33-20 East 57.56 feet to a point marking the Southeasterly line of the herein described parcel and the Northwesterly line of the aforementioned Lot #43, thence running along the same, South 33-29-30 West 150.00 feet to the point or place of beginning.

ACKNOWLEDGEMENT

STATE OF NEW YORK)
COUNTY OF DUTCHESS) s.s.:

On 18th day of FEBRUARY, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared **Bishara J. Al-Akeel and Maisa K. Andraws** Personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name s is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


NOTARY PUBLIC

Brenda Boccia
Notary Public State of New York
Qualified in Dutchess County
Commission Expires on September 22, 2016

Record and Return By Mail To:

Bishara Al-Akeel
68 Carriage Hill Road
Poughkeepsie NY 12603