



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550



OFFICE OF ZONING BOARD
DARRIN SCALZO, CHAIRMAN
SIOBHAN JABLESNIK, SECRETARY

TELEPHONE 845-566-4901
FAX LINE 845-564-7802

APPLICATION

DATED: 27 FEB. 2025

TO: **THE ZONING BOARD OF APPEALS**
THE TOWN OF NEWBURGH, NEW YORK 12550

I (WE) BILL LYNN + LORI FRANK PRESENTLY
RESIDING AT NUMBER 48 DDELL CIRCLE, NEWBURGH, N.Y. 12550
TELEPHONE NUMBER 845-863-5230

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR THE FOLLOWING:

- USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

51-1-24 (TAX MAP DESIGNATION)
48 DDELL CIRCLE (STREET ADDRESS)
R1 (ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED:

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

4. DESCRIPTION OF VARIANCE SOUGHT: AREA

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

6. IF AN AREA VARIANCE IS REQUESTED:

- a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

THE GARAGE WILL BE IN CONFORMANCE AND APPEARANCE OF NEIGHBORING GARAGES AND MATCH EXISTING APPEARANCE OF THE HOUSE.

- b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

THERE'S NO OTHER AVAILABLE SPACE ON THE PROPERTY TO BUILD THE GARAGE.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

THE AREA WHERE THE GARAGE WILL OCCUPY, IS CURRENTLY PARKING SPACES FOR OUR TWO (2) VEHICLES.

- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

THERE WILL BE NO PHYSICAL OR ENVIRONMENTAL CONDITIONS AFFECTING THE NEIGHBORHOOD OR DISTRICT.

- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

THE EXISTING GARAGE IS NOT ACCESSIBLE FOR OUR TWO VEHICLES. THE VEHICLES NEED TO BE GARAGED KEPT, DUE TO OUR AGING PROGRESS + SNOW REMOVAL IS BECOMING PHYSICALLY CHALLENGING. CURRENTLY THERE'S NO WHERE TO PLACE THE SHOVELED SNOW. THE STRUCTURE WILL ALLEVIATE BOTH THE SNOW REMOVAL PLACEMENT AND OUR AGING

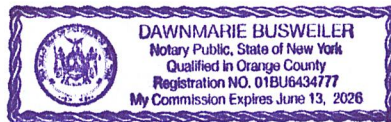
7. ADDITIONAL REASONS (IF PERTINENT):

William D. Jones & Son Frank
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3 DAY OF March 2005

Dawn Marie Busweiler
NOTARY PUBLIC



NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 13 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

BILL LYNN & LORI FRANK, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 48 ODELL CIRCLE
IN THE COUNTY OF ORANGE AND STATE OF NEW YORK
AND THAT HE IS THE OWNER IN FEE OF 51-1-24

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE HAS AUTHORIZED CHARLES T. BAZYDLO
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 3/3/2025 Bill Lynn & Lori Frank
OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3 DAY OF March 2025

Dawn Marie Busweiler
NOTARY PUBLIC



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: TO CONSTRUCT A 21 1/2 x 26' (FT) ATTACHED TWO (2) CAR GARAGE TO EXISTING HOUSE, FRONT YARD.			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State: -	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>203</u> acres	
b. Total acreage to be physically disturbed?		<u>507 SF</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>NA</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?			<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Bill Lynn + Lori Frank</u>	Date: <u>27 FEB. 2025</u>	
Signature: <u><i>Bill Lynn + Lori Frank</i></u>		

Agency Use Only [If applicable]

Project:

Date:

*Short Environmental Assessment Form
Part 2 - Impact Assessment*

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only (If applicable)

Project: _____
Date: _____

*Short Environmental Assessment Form
Part 3 Determination of Significance*

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

_____ Name of Lead Agency	_____ Date
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)



ORANGE COUNTY – STATE OF NEW YORK
 ANN G. RABBITT, COUNTY CLERK
 255 MAIN STREET
 GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 14601 / 380
 INSTRUMENT #: 20190054084

Receipt#: 2683183
 Clerk: JM
 Rec Date: 07/30/2019 11:14:17 AM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 4
 Rec'd Frm: GREENACRE ABSTRACT LLC

Party1: GUTIERREZ ADELFA
 Party2: LYNN WILLIAM D
 Town: NEWBURGH (TN)
 51-1-24

Recording:	
Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 190.00

Transfer Tax	
Transfer Tax - State	1400.00

Sub Total: 1400.00

Total: 1590.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
 Transfer Tax #: 11353
 Transfer Tax
 Consideration: 350000.00

Transfer Tax - State	1400.00
----------------------	---------

Total: 1400.00

Payment Type: Check
 Cash
 Charge
 No Fee

Comment: _____

Ann G. Rabbitt
 Orange County Clerk

Record and Return To:

PATRICIA A. COCCHIA
 2640 ROUTE 9W
 CORNWALL, NY 12518

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS
(INDIVIDUAL OR CORPORATION)**

FORM 8002 (short version), FORM 8007 (long version)
CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the 24th day of June, 2019, *Effective as of July 15, 2019*

BETWEEN ADELFA GUTIERREZ, 48 Odell Circle, Newburgh, NY 12550, party of the first part,
and WILLIAM D. LYNN and LORI FRANK/46 Todd Lane, Newburgh, NY 12550, party of the second part
Husband and Wife

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, 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,

51
1
24

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange and State of New York more particularly described in Schedule A attached hereto and made a part hereof.

BEING the same lands and premises described in a deed dated August 28, 2018 from Jamie Gutierrez to Adelfa Gutierrez recorded in the Orange County Clerk's Office on August 29, 2018 in Liber 14452 at page 1495.

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.

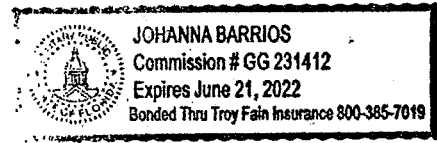

ADELFA GUTIERREZ

STATE OF FLORIDA)
COUNTY OF St. Johns) ss.:
)

On the 24 day of June, 2019, before me, the undersigned, personally appeared ADELFA GUTIERREZ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is are subscribed to the within instrument and acknowledged to me that she executed the same in her capacity(ies), and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

STATE OF FLORIDA
COUNTY OF St. Johns
The foregoing instrument was acknowledged before me this
24 day of June 2019
by Adelfa Gutierrez
 PERSONALLY KNOWN TO ME
 PRODUCED AS IDENTIFICATION
FLDL#: 8360-000-210-770-0
Type of identification

Johanna Barrios



RECORD & RETURN TO:

PATRICIA COCCHIA, ESQ.
2640 Route 9W
Cornwall, NY 12518

Stewart Title Insurance Company

OWNER'S POLICY OF TITLE INSURANCE

SCHEDULE A

LEGAL DESCRIPTION

Title No.: GA-196653-O

Policy No.: Owner Policy: 714577183

REVISED JULY 12, 2019

ALL that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange and State of New York, being shown and designated as Lot No. 24 and the southerly portion of Lot No. 23 on a certain map entitled "Orange Lake Park," which map was filed in the Orange County Clerk's Office on June 26, 1951 as Filed Map No. 1476, being bounded and described as follows:

BEGINNING at a point on the westerly side of Odell Circle, said point being the northeasterly most corner of Filed Map Lot No. 25, the lands reputedly of Wong (Liber 13959 pg 1269);

THENCE from said point or place of beginning and along said Filed Map Lot No. 25, the lands reputedly of Wong, and passing over an iron pin found on line at 127.61 feet, North 85 degrees 08' 00" West, 143.12 feet;

THENCE along Orange Lake, North 06 degrees 36' 46" East, 66.40 feet;

THENCE through Filed Map Lot No. 23 and being along the lands reputedly of Petrosino (Liber 4542 pg 44), South 83 degrees 29' 00" East, 131.20 feet to an iron pipe found;

THENCE along the westerly side of said Odell Circle, South 04 degrees 10' 00" East, 63.38 feet to the point or place of BEGINNING, as surveyed by Howard W. Weeden, PLS PC, Walden, New York on June 18, 2019.

For Information Only:

Said Premise being known as 48 Odell Circle, Newburgh, NY.

Section: 51 Block: 1 Lot: 24



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

2025-03

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 01/16/2025

Application No. 24-0324

To: William D Lynn
48 Odell Circle
Newburgh, NY 12550

SBL: 51-1-24
ADDRESS: 48 Odell Cir

ZONE: R1

PLEASE TAKE NOTICE that your application dated 04/10/2024 for permit to build a 21.5' x 26' front yard attached garage on the premises located at 48 Odell Cir is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) Bulk table schedule 3: Requires a 50' minimum front yard setback.
- 2) Bulk table schedule 3: Allows a maximum lot building coverage of 10%
- 3) Bulk table schedule 3: Allows a maximum lot surface coverage of 20%
- 4) 185-19-C-1: Shall not increase the degree of non-conformity. (30' Side yard)
- 5) 185-19-C-1: Shall not increase the degree of non-conformity. (80' combined side yard)

Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



Town of Newburgh Code Compliance

OWNER INFORMATION ***BUILT WITH OUT A PERMIT*** **YES / NO**

NAME: WILLIAM LYNN **Application #** 24-0324

ADDRESS: 48 O'DELL CIRCLE NEWBURGH NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 21.5' X 26' ATTACHED GARAGE

SBL: 51-1-24 **ZONE:** R-1 **ZBA Application #** 2025-03

TOWN WATER: **YES** / NO **TOWN SEWER:** **YES** / NO N/A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'		1.25'	48.75'	97.50%
ONE SIDE YARD	30'	9.7'	INCREASING DEGREE NON-CONFORMITY		
COMBINED SIDE YARD	80'	31.7'	INCREASING DEGREE NON-CONFORMITY		
MAX. BUILDING HEIGHT					
BUILDING COVERAGE	10% = 890 SF		2112 SF	1222 SF	137.00%
SURFACE COVERAGE	20% = 1780 SF		3412 SF	1632 SF	91.60%

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 **YES** / NO
 2 OR MORE FRONT YARDS FOR THIS PROPERTY ----- YES / NO
 CORNER LOT - 185-17-A ----- YES / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 ----- YES / NO
 FRONT YARD - 185-15-A ----- YES / NO
 STORAGE OF MORE THEN 4 VEHICLES ----- YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 ----- YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 ----- YES / NO

NOTES:

REVIEWED BY: Joseph Mattina **DATE:** 16-Jan-25







**AFFIDAVIT OF POSTING(S) OF
NOTICE OF PUBLIC HEARING
AT THE PROPERTY**

STATE OF NEW YORK: COUNTY OF ORANGE:

I William Lynn, being duly sworn, depose and say that I did on or before
March 13, 2025, post and will thereafter maintain at
48 O'Dell Circle 51-1-24 R1 Zone in the Town of Newburgh, New York, at or near the front
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which
notice was in the form attached hereto.

The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the Public Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for additional time.

William Lynn

Sworn to before me this 10th

day of March, 2025.

Nancy L. Elgueta

NANCY L. ELGUETA
NOTARY PUBLIC, STATE OF NEW YORK
LIC. NO. 01EL6215588
ORANGE COUNTY
MY COMMISSION EXPIRES 3/15/2026

