

Agenda

City of Middletown Zoning Board of Appeals

November 17, 2021

7:00 PM

Common Council Chambers

Meeting called by:	Joel Sierra, Chairman
Clerk:	Martina Tu
Members:	Joel Sierra, Deborah Clark, Don Luis, Wendy Rodrigues, Marc Woody

Approval of September 15, 2021 minutes

Sobo & Sobo Holdings, LLC.
118 Academy Avenue
area variances for a proposed law office

APPLICATION

ZONING BOARD OF APPEALS

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date _____

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 118 ACADEMY AVE

Section 41 Block 1 Lot 33

Current Zoning District C-2

Building: Existing New _____

2. Owner of Property PAUL ROACH

Owner's Address 66 WALDROW AVE

City WYACK State NY Zip 10960

Phone numbers: Home: _____

Business: _____

Cell: _____

3. Applicant name SOBO & SOBO HOLDINGS LLC

If different from Owner

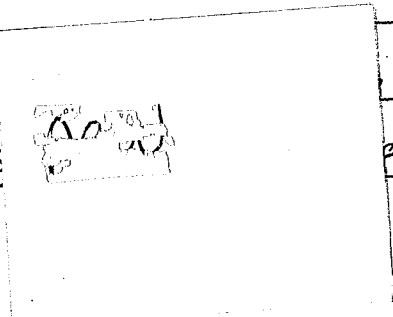
Applicants Address 1 DOLSON AVE

City MIDDLETOWN State NY Zip 10940

Phone numbers: Home: _____

Business: _____ 26

Cell: _____ 2



4. **AREA VARIANCE.** An appeal is requested from the Zoning Board of Appeals to the Zoning Ordinance, Section 475 of the Code of the City of Middletown. Indicate the Article, Section, Subsection, Paragraph, Subparagraph and Title of the Section that are the subject of the appeal. Indicate the necessary amount of relief requested. Additional sheets may be attached if more space is necessary.

Section	Required Dimension	Actual Dimension	Variance Requesting
275-20 G	7.5'	37.5'	37.5'
a. 475 20 D	7500SF	4567 SF	2933 SF
b. 475-20 F (1)(B) 5'		3.4'	1.61
475-20 F (1)(a) 25'		19.9'	5.11

The Zoning Board of Appeals, shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such ordinance or local law, to grant area variances, as defined herein. The Board of Appeals, in granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider whether:

- (a) 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; and
- (b) The benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance; and
- (c) The requested area variance is substantial; and
- (d) The proposed variance will have adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (e) 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.

APPLICANT WISHES TO USE THE PROPERTY
 AS A LAW OFFICE. THERE ARE OFFICES
 ON BOTH SIDES ON SIMILAR LOTS.
