

**\*\* AGENDA\*\***  
**TOWN OF BEEKMAN ZONING BOARD OF APPEALS MEETING**  
**September 4, 2014**  
**7:00 pm**

Review minutes of August 7, 2014

**PUBLIC HEARING:**

**1. Andrew & Sadi Eddy**

65 Rose Street

Area Variance - front yard – for a proposed 10' x 12' shed.

Proposed 25' – required 50' – variance requested 25'.

reference 155-22 (I) yard requirements for corner lots. (see attached)

Grid # 6757-05-211946

Zone R-45

**2. Jason & Kristen Celentani**

62 Stowe Drive

Area Variance – side yard – for existing shed.

Existing 13' – required 40' – variance needed 27'

Grid #6859-02-539509

Zone R-135

**3. Stephen & Alice Press**

29 Davida Lane

Area Variance – front yard – for proposed shed – shall be located no closer to the street than the front of the principal structure 155-26 A (2) (d). (see attached)

Grid # 6859-00-364732

Zone R-135

**4. William Bushek**

70 Reilly Road

Area Variance – front yard – for existing shed – shall be no closer to the street than the front of the principal structure 155-26 A (2) (d). (see attached)

Grid # 6660-00-210028

Zone R-90

requirements of this Chapter applicable to the main building. All accessory structures must meet the area and bulk requirements for the zone in which the structure is located.

G. Easements. Land subject to easements for drainage facilities, underground public utilities and aboveground individual electric, telephone or television service lines may be counted for compliance with minimum lot area standards specified in the Schedule of Area and Bulk Regulations, Editor's Note: The Schedule of Area and Bulk Regulations is included at the end of this chapter. but no part of a street or highway, easement of vehicular access, private right-of-way for vehicles or easements for aboveground public utility transmission lines.

H. Obstructions in Yards. No building or structure or any projection from buildings or structures shall be permitted in a required Yard, except as follows:

(1) A paved terrace shall not be considered in the determination of Yard size or lot coverage; provided, however, that such terrace is unroofed and without walls, parapets or other forms of enclosure. Such terrace, however, shall not project into any Yard to a point closer than 10 feet to any lot line.

(2) No porches, decks or balconies may project into any required Yard area except where otherwise permitted herein.

(3) The Yard requirements of this Chapter shall not be deemed to prohibit any accessory retaining wall nor to prohibit any fence or wall, provided that walls or fences in required Yard areas shall not exceed 6 feet in height above the adjoining grade.

155-22(I)

I. Yard requirements on corner lots. On a corner lot, each Yard facing the roads fronting the lot shall be considered a front Yard for the purposes of establishing the appropriate setback requirement for that lot. The rear Yard for the corner lot will be determined based on the orientation of the structure as proposed for that lot.

J. Fire escapes. Open fire escapes may extend into any required Yard not more than 6 feet; provided, however, that such fire escapes shall not be closer than 4 feet at any point to any lot line.

K. Projecting features above roof level. The maximum building height limitations of this Chapter shall not apply to church spires and belfries nor to flagpoles, domes, silos, chimneys, ventilators, skylights, water tanks or television antennas or to similar features and such necessary mechanical appurtenances not used for human occupancy, provided that:

(1) The projection shall not extend more than 20 feet above the roof.

(2) The total area covered by such features shall not exceed 10% of the area of the roof upon which they are located.

(3) Parapets and cornices, used for ornamentation and without windows, shall not extend more than 5 feet above the roof.

L. Exterior lighting. All exterior lighting in connection with all buildings, signs or other uses shall be directed away from adjoining streets and properties and shall not cause any objectionable glare observable from such streets or properties. Hours of lighting may be limited by the Planning Board in acting on any Site Plan. No use shall produce glare so as to cause illumination beyond the property on which it is located in excess of one footcandle.

M. Obnoxious uses. No process or activity which is obnoxious or offensive by reason of odor, dust, fumes, smoke, gas, vibration, noise, radiation, glare or which constitutes a public hazard by reason of unreasonable fire, explosion or otherwise shall be permitted in any district.

- (8) At least one of the owners of the principal single-family dwelling must live in one of the dwelling units on the lot.
- (9) If an inhabitant of the ECHO unit has a car, one parking space shall be provided.
- (10) The applicant shall submit all information required for the issuance of a Special Use Permit, as outlined in § 155-60 of this chapter. The permit shall be issued to the owner of the principal single-family dwelling on the lot and shall specify by name the occupants of the ECHO unit.
- (11) The Special Use Permit shall be renewed annually by the Zoning Administrator. The residents of the ECHO unit must be reconfirmed at that time. Failure to comply with this renewal provision or with the continuance of the provisions of this section shall result in the Special Use Permit becoming null and void.
- (12) The Special Use Permit shall terminate upon the death of or permanent change of residence of the original inhabitant(s) of the ECHO unit. The ECHO unit shall be disassembled, or a new Special Use Permit shall be applied for at that time. If appropriate, a bond shall be posted to insure the unit's removal.

**§ 155-26. Accessory structures.**

A. Detached accessory structures not exclusively used for farming or agricultural purposes shall be erected in accordance with the following requirements, except as otherwise permitted herein:

- (1) Detached accessory structures over 120 square feet:
  - (a) Shall require a building permit.
  - (b) Shall not be located within any required Yards or within 10 feet of operative septic tanks and/or leach fields.
  - (c) Shall be located no closer to the street than the front of the principal structure.
  - (d) Shall respect the scale and character of the principal structure and shall not:
    - [1] Exceed 25% of the principal structure in bulk; nor
    - [2] Exceed the height of the principal structure.
  - (e) For fire safety purposes, a detached accessory structure shall be located in compliance with the New York State Uniform Fire Prevention and Building Code, and in any case no closer than 10 feet to the principal structure.
  - (f) For corner lots, the setback from the side street shall be the same for accessory buildings as for principal buildings.
- (2) Detached accessory structures 120 square feet or less:
  - (a) Shall not require a building permit.
  - (b) Shall not be located within 10 feet of any side or rear property line.
  - (c) Shall not be located within 10 feet of operative septic tanks and/or leach fields.
  - (d) Shall be located no closer to the street than the front of the principal structure.
  - (e) Shall respect the scale and character of the principal structure and shall not:
    - [1] Exceed 120 square feet; nor