

WHEREAS, the Town of Pine Plains Zoning Board of Appeals is in receipt of an area variance application from Darren Hawkins for property located at 223 Lake Road, Town of Pine Plains, Dutchess County, Tax Map ID #134200-6771-00-965731, to allow the minimum side yard setback to be reduced to ten (10) feet, and

WHEREAS, the Zoning Board of Appeals has reviewed the subject variance request #1-2011 submitted by Darren Hawkins, and

WHEREAS, after review of the application including: a site visit on March 22, 2011, review of the Town habitat map, a legally noticed public hearing held on March 22, 2011, and

WHEREAS, the proposed action is a Type II action under SEQRA and by law is not considered to have a significant impact on the environment and no further environmental review is required, and

WHEREAS, the granting of the variance will not produce an undesirable change to the neighborhood nor be a detriment to nearby properties, and

WHEREAS, the variance requested is the minimum required to allow the placement of the garage and will not adversely affect the neighborhood or the environment, and

WHEREAS, the property was purchased and occupied prior to the adoption of the Zoning law and hence any hardship was not self created, and

WHEREAS, it is a condition of approval that the applicant install a buffer consisting of a minimum of three (3) evergreens of a height of at least three (3) feet to be placed between the applicant's property and the Dreeben property on the west side of the garage.

NOW THEREFORE BE IT RESOLVED that based upon the preceding findings, the Zoning Board of Appeals of the Town of Pine Plains hereby grants the application for a variance to the side yard setback requirement found in the Schedule of Bulk Regulations, Table B, allowing the minimum side yard setback to be reduced to ten (10) feet.

On a motion by Bruce Pecorella, seconded by Steve Patterson

Scott Chase voted Aye

Margo Jackson voted Aye

Bruce Pecorella voted Aye

Steve Patterson voted Aye

Jane Waters voted Aye

The resolution was thereupon duly adopted this 22nd day of March, 2011.

Nancy E. Proper
Secretary