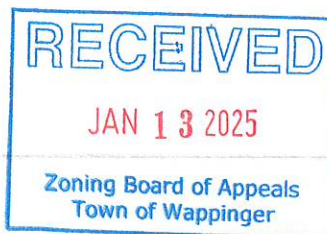


TOWN OF WAPPINGER



PLANNING BOARD & ZONING BOARD OF APPEALS

20 MIDDLEBUSH ROAD
WAPPINGERS FALLS, NY 12590
PH: 845-297-6256
Fax: 845-297-0579

Application for an Area Variance

Appeal No.: 25-7839

Date: 01/12/2025

TO THE ZONING BOARD OF APPEALS, TOWN OF WAPPINGER, NEW YORK:

I (We), Charles Klesse Jr residing at 9 Regency Drive
Wappingers Falls NY, (phone) (845) 489-2073, hereby,

appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated 11/08/2024, and do hereby apply for an area variance(s).

Premises located at: 9 Regency Drive Wappingers Falls NY 12590
Tax Grid No.: 0357-06-040670
Zoning District: R-20

1. Record Owner of Property:

Brianna Tray / Charles Klesse Jr
Address: 9 Regency Drive Wappingers Falls NY
Phone Number: (845) 489-2073
Owner Consent dated: 1/12/2025
Signature: Charles Klesse Jr
Print Name: Charles Klesse Jr

2. Variance(s) Request:

Variance No. 1

I (We) hereby apply to the Zoning Board of Appeals for a variance(s) of the following requirements of the Zoning Code.

240-37
(Indicate Article, Section, Subsection and Paragraph)

Required: 800 sq ft

Applicant(s) can provide: 1400 sq ft

Thus requesting: 600 sq ft area variance

To allow: 30' x 40' garage with 10' x 20' overhang

Variance No. 2

I (We) hereby apply to the Zoning Board of Appeals for a variance(s) of the following requirements of the Zoning Code.

(Indicate Article, Section, Subsection and Paragraph)

Required: _____

Applicant(s) can provide: _____

Thus requesting: _____

To allow: _____

3. Reason for Appeal (Please substantiate the request by answering the following questions in detail. Use extra sheet, if necessary):

A. If your variance(s) is (are) granted, how will the character of the neighborhood or nearby properties change? Will any of those changes be negative? Please explain your answer in detail.

See separate sheet attached.

B. Please explain why you need the variance(s). Is there any way to reach the same result without a variance(s)? Please be specific in your answer.

See separate sheet attached.

C. How big is the change from the standards set out in the zoning law? Is the requested area variance(s) substantial? If not, please explain in detail why it is not substantial.

See separate sheet attached.

D. If your variance(s) is (are) granted, will the physical environmental conditions in the neighborhood or district be impacted? Please explain in detail why or why not.

See separate sheet attached.

E. How did your need for an area variance(s) come about? Is your difficulty self-created?
Please explain your answer in detail.

See Separate sheet attached.

F. Is your property unique in the neighborhood that it needs this type of variance? Please explain your answer in detail.

See Separate sheet attached.

4. List of attachments (*Check applicable information*)

- Survey dated: _____, Last revised _____ and Prepared by: _____
- Plot Plan dated: _____
- Photos
- Drawings dated: 10/15/2024
- Letter of Communication which resulted in application to the ZBA.
(e.g., recommendation from the Planning Board/Zoning Denial)
Letter from: Town of Wappinger Dated: 11/08/2024
- Other (*Please list*): _____

5. Signature and Verification

Please be advised that no application can be deemed complete unless signed below. The applicant hereby states that all information given is accurate as of the date of application.

SIGNATURE: 
(Appellant)

DATED: 01/12/2025

SIGNATURE: _____
(If more than one Appellant)

DATED: _____

3. Reason for Appeal

- A. If your variance(s) is (are) granted, how will the character of the neighborhood or nearby properties change? Will any of those changes be negative? Please explain your answer in detail.

The proposed garage will not negatively impact the character of the neighborhood or nearby properties. The design of the garage is consistent with the residential aesthetic of the area, and its placement on the property will adhere to appropriate setbacks and maintain privacy for neighbors.

The structure is intended for personal use, such as vehicle storage and workspace, and will not generate additional traffic or noise. Additionally, the larger garage will reduce clutter by providing enclosed storage for equipment, which will improve the overall appearance of the property.

Careful consideration has been given to ensure the garage blends with the surroundings and does not obstruct views or alter the neighborhood's residential atmosphere. As a result, the change will be minimal and will not negatively affect nearby properties.

- B. Please explain why you need the variance(s). Is there any way to reach the same result without a variance(s)? Please be specific in your answer.

I need the variance to construct a 40' x 30' garage with a 10' x 20' overhang because the permitted 800-square-foot size is not sufficient to accommodate my intended use. The garage is necessary for the storage of personal vehicles, equipment, and tools, as well as for providing workspace. The larger size ensures the functionality of the space and allows me to keep these items enclosed and organized, which will improve the overall appearance and utility of my property.

There is no feasible way to achieve the same result without a variance. Reducing the size of the structure to comply with the 800-square-foot regulation would compromise its intended purpose and functionality. Building multiple smaller structures instead of a single garage would not only be impractical but could also have a greater visual and environmental impact on the property and the neighborhood.

Granting the variance will allow me to construct a single structure that meets my needs while maintaining the aesthetic and character of the surrounding area.

- C. How big is the change from the standards set out in the zoning law? Is the requested area variance(s) substantial? If not, please explain in detail why it is not substantial.

The requested variance increases the allowable accessory structure size from 800 square feet to 1,400 square feet, representing a 600-square-foot increase. While this may seem like a significant numerical change, it is not substantial in context for the following reasons:

1. Property Size and Context:

The property is sufficiently large to accommodate the proposed structure without crowding the lot or encroaching on neighboring properties. The garage's placement will ensure that all setbacks and zoning requirements, other than the size limit, are fully met.

2. Minimal Impact on Neighborhood:

The structure will be used exclusively for personal storage and workspace, aligning with the residential character of the neighborhood. It will not obstruct views, generate additional traffic, or cause any disruption to neighbors.

3. Improved Property Functionality and Aesthetic:

The larger garage consolidates storage and workspace needs into one building, eliminating the potential for multiple smaller structures that could have a greater visual and environmental impact.

4. Practical Need:

The additional size is necessary for the safe and organized storage of vehicles and equipment. Reducing the size would compromise functionality, which is why the requested variance is reasonable rather than excessive.

Given these factors, the variance is not substantial when considering the overall impact on the property, neighbors, and neighborhood character.

- D. If your variance(s) is (are) granted, will the physical environmental conditions in the neighborhood or district be impacted? Please explain in detail why or why not.

If the variance is granted, the physical environmental conditions in the neighborhood or district will not be negatively impacted. The proposed garage will be constructed in compliance with all other zoning regulations, such as setbacks, height restrictions, and property line clearances, ensuring minimal disruption to the surrounding environment.

The structure will be located on my property in a way that preserves existing landscaping and drainage patterns. There will be no removal of significant natural features, such as mature trees, and proper erosion control measures will be in place during construction. Additionally, the structure will not encroach on neighboring properties or public areas.

The garage is intended for personal use only and will not generate noise, traffic, or other disturbances that could affect the environment or the quality of life for neighbors. By providing enclosed storage for personal vehicles and equipment, the structure will help maintain the overall cleanliness and appearance of the property, contributing positively to the neighborhood.

- E. How did your need for an area variance(s) come about? Is your difficulty self-created? Please explain your answer in detail.

The need for an area variance arose because the zoning regulations limit the size of accessory structures to 800 square feet, which is insufficient to meet my practical needs for storage and workspace. I am seeking to construct a single garage that can adequately accommodate personal vehicles, equipment, and tools, ensuring that they are safely stored and organized.

While the decision to build a larger garage is based on my personal needs, the difficulty is not entirely self-created. The size limitation set by the zoning law does not account for the specific requirements of property owners with larger lots or those who need more functional space for personal use. The proposed garage is proportionate to the size of my property and will not cause any adverse effects on the neighborhood or surrounding properties.

By consolidating storage into a single, well-designed structure, I am working to minimize the environmental and visual impact compared to alternatives, such as multiple smaller structures. Therefore, while I initiated the request, the difficulty arises primarily from the mismatch between my practical needs and the existing zoning standards, rather than from any self-created hardship.

- F. Is your property unique in the neighborhood that it needs this type of variance? Please explain your answer in detail.

Yes, my property has unique characteristics that contribute to the need for this type of variance. My property is larger than some others in the neighborhood, which allows for a larger accessory structure to be constructed without affecting neighboring properties or the overall character of the area. This uniqueness makes it possible to accommodate a 1,400-square-foot garage while still adhering to setback requirements and maintaining open space around the structure.

Additionally, the intended use of the garage—for storage of personal vehicles, equipment, and tools—reflects a need that is specific to my situation. While other properties in the neighborhood may have different storage or workspace requirements, my property layout and intended use justify the need for a larger structure.

The proposed variance does not reflect an attempt to overbuild but instead addresses a practical need that is well-suited to the size and layout of my property. This uniqueness supports the variance request while ensuring no negative impact on the neighborhood.

FOR OFFICE USE ONLY

1. THE REQUESTED VARIANCE(S) **WILL** / **WILL NOT** PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD.
2. ~~**YES** / **NO**, SUBSTANTIAL DETRIMENT WILL BE CREATED TO NEARBY PROPERTIES.~~
3. THERE **IS (ARE)** / **IS (ARE)** NO OTHER FEASIBLE METHODS AVAILABLE FOR YOU TO PURSUE TO ACHIEVE THE BENEFIT YOU SEEK OTHER THAN THE REQUESTED VARIANCE(S).
4. THE REQUESTED AREA VARIANCE(S) **IS** / **ARE** NOT SUBSTANTIAL.
5. THE PROPOSED VARIANCE(S) **WILL** / **WILL NOT** HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT.
6. THE ALLEGED DIFFICULTY **IS** / **IS NOT** SELF-CREATED.

CONCLUSION: THEREFORE, IT WAS DETERMINED THE REQUESTED VARIANCE IS
 GRANTED **DENIED**

CONDITIONS / STIPULATIONS: The following conditions and/or stipulations were adopted by the resolution of the Board as part of the action stated above:

FINDINGS & FACTS ATTACHED.

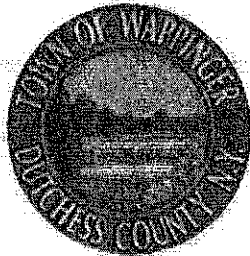
DATED: _____

ZONING BOARD OF APPEALS
TOWN OF WAPPINGER, NEW YORK

BY: _____
(Chairman)

PRINT: _____

TOWN OF WAPPINGER



PLANNING BOARD & ZONING BOARD OF APPEALS

20 MIDDLEBUSH ROAD
WAPPINGERS FALLS, NY 12590
PH: 845-297-6256
Fax: 845-297-0579

Owner Consent Form

Project No: 25-7839

Date: 1/12/2025

Grid No.: 6357-01-040670

Zoning District: R-20

Location of Project:

9 Regency Drive Wappingers Falls NY 12590

Name of Applicant:

Charles Klasse Jr (845) 489-2073
Print name and phone number

Description of

Project: 30' x 40' Garage with 10' x 20' overhang

I Charles Klasse Jr, owner of the above land/site/building hereby give permission for the Town of Wappinger to approve or deny the above application in accordance with local and state codes and ordinances.

01/12/2025
Date

[Signature]
Owner's Signature

845 489 2073
Owner's Telephone Number

Charles Klasse Jr Owner
Print Name and Title ***

*** If this is a Corporation or LLC, please provide documentation of authority to sign.

If this is a subdivision application, please provide a copy of the deed.

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: Construction of a 30' x 40' Garage with 10' x 20' Overhang			
Project Location (describe, and attach a location map): 9 Regency Drive Wappingers Falls NY, 12590			
Brief Description of Proposed Action: Construction of a 1,400 square foot accessory structure (garage) for personal storage and workspace on a residential property. The project includes a 30'x 40' Garage with 10' x 20' Overhang.			
Name of Applicant or Sponsor: Charles Klesse Jr		Telephone: (845) 489-2073	
		E-Mail: klesseca@gmail.com	
Address: 9 Regency Drive			
City/PO: Wappingers Falls		State: New York	Zip Code: 12590
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"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Wappingers Building Permit			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		.95 acres	
b. Total acreage to be physically disturbed?		.032 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.95 acres	
4. Check all land uses that occur on, are adjoining or 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,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<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 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?			NO YES
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements?			NO YES
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply?			NO YES
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities?			NO YES
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?			NO YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input 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?			NO YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

Town of Wappinger
20 Middlebush Rd.
Wappingers Falls, NY 12590
(845) 297-6256

To: Klesse Jr., Charles
9 Regency Dr

SBL: 6357-01-040670-0000
Date of this Notice: 11/08/2024
Zone:
Application: 44969

For property located at: 9 Regency Dr

Your application to:
GARAGE - 30'x40'x14'4" GARAGE WITH ELECTRIC


is denied for the following deficiency under Section **240-37** of the Zoning Laws of the Town of Wappinger.

Where an accessory structure cannot be more than 800 sf on an acre of land, the applicant is seeking a variance for a 1400 sf garage (30' x 40' garage and 10' x 20' overhang).

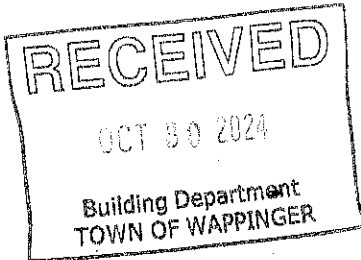
	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.
FRONT YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.

You have the right to appeal this decision to the Zoning Board of Appeals within 60 days of the date of this letter. This Zoning Board of Appeals meets the second and fourth Tuesday of the month. The area variance appeal will require at least two meetings, one for discussion and one for a Public Hearing. The required forms can be obtained at this office or on our website at www.townofwappingerny.gov

Very Truly,



Zoning Administrator
Town of Wappinger



TOWN OF WAPPINGER BUILDING DEPARTMENT
20 Middlebush Road, Wappingers Falls, N.Y. 12590
telephone: 845-297-6256 fax: 845-297-0579

APPLICATION FOR BUILDING PERMIT

APPLICATION TYPE: [] Residential [] Commercial [] Multiple Dwelling
[X] New Construction
ZONE: R-20 DATE: 08/22/2024 11/7/2024
APPL #: 44969 PERMIT #
GRID: 040607 10357-01-040670

APPLICANT NAME: Charles Klesse Jr
ADDRESS: 9 Regency Drive, Wappingers Falls, NY, 12590
TEL #: (845) 489-2073 CELL: FAX #: E-MAIL: klesseca@gmail.com

NAME OWNER OF BUILDING/LAND: Charles Klesse Jr
PROJECT SITE ADDRESS: 9 Regency Drive, Wappingers Falls, NY, 12590
MAILING ADDRESS: same as above
TEL #: (845) 489-2073 CELL: FAX #: E-MAIL: klesseca@gmail.com

BUILDER/CONTRACTOR DOING WORK:
COMPANY NAME: Pioneer Pole Buildings Inc
ADDRESS: 716 South Route 183, Schuylkill Haven, PA 17972
TEL #: 888 448 2505 CELL: FAX #: E-MAIL:

DESIGN PROFESSIONAL NAME:
TEL #: CELL: FAX #: E-MAIL:

APPLICATION FOR: 30' x 40' x 14'4" H Garage w/electric
10' x 20' overhang
garage 1200 SF allowed 200
carport overhang 200 SF
1400 SF total

SETBACKS: FRONT: 129' REAR: 133' L-SIDEYARD: 104' R-SIDEYARD: 20'
SIZE OF STRUCTURE: 30' x 40' W x 14'4" H
ESTIMATED COST: \$60,000 TYPE OF USE: Residential / Storage

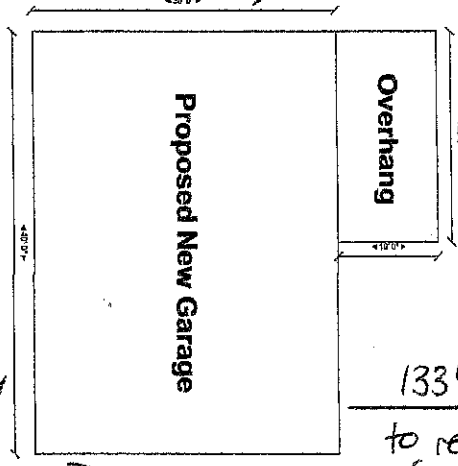
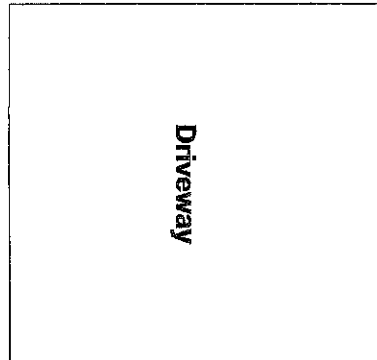
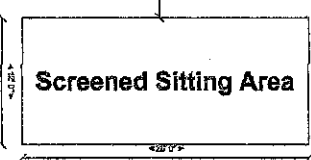
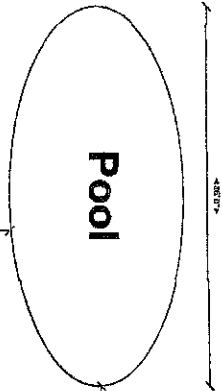
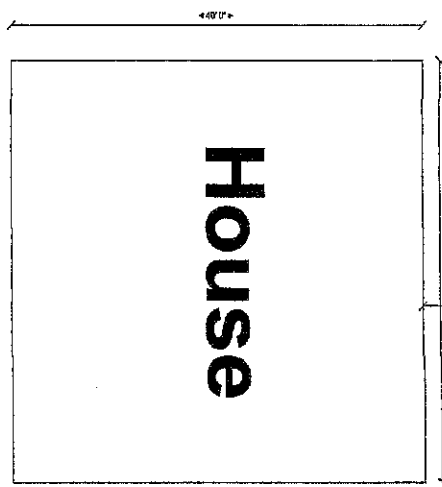
NON-REFUNDABLE APPL FEE: 150- PAID ON: 11/7/24 CHECK # 1105 RECEIPT #: 2024-01876
BALANCE DUE: PAID ON: CHECK # RECEIPT #

APPROVALS:
ZONING ADMINISTRATOR:
O Approved O Denied Date: 11-8-24
Signature of Applicant: Charles Klesse Jr
Print Name or Company Name(if applicable)

FIRE INSPECTOR:
O Approved O Denied Date:
Signature of Building Inspector

Property Line

Quincy



104'

129' to front of property

133' to rear of property

108'

Property Line