



Plattsburgh, New York

Building & Zoning Dept.
41 City Hall Place
Plattsburgh, NY 12901
Ph: 518-563-7707
Fax: 518-563-6426

PROCEDURE IN APPEALING THE ZONING ORDINANCE CLASS B VARIANCE

DEADLINE FOR FILING APPLICATION _____

ZONING BOARD MEETING DATE _____

The Zoning Board of Appeals has been empowered to hear and decide all appeals to the Zoning Ordinance and to do so the Board holds public meetings once a month.

The attached appeal application must be completely filled out and returned to the office for action by the Zoning Board of Appeals at their monthly meeting. The filing fee for said application is as follows:

One and Two-family dwellings -	\$50.00
Multiple Dwellings	\$150.00
Commercial Properties	\$150.00

All checks should be made payable to the "City Clerk". In order for your appeal to be heard in the same month you apply, the appeal form and fee must be received by this office three weeks prior to the scheduled meeting of the Zoning Board of Appeals. All applicants or their representatives should attend the Zoning Board of Appeals Public Meeting of their appeal to answer any questions the Board may have regarding their request.

In filling out the form, please be specific and supply the Zoning Board of Appeals with all the necessary information requested on the form. If you are requesting a variance from the ordinance, you must detail why the literal enforcement of the ordinance will produce an undue hardship, while the variance requested will adhere to the spirit of the ordinance and do substantial justice. Financial disadvantage to the property is no proof of hardship within the purpose of zoning. In addition to the above, an applicant must submit adequate drawings and a site plan of all requests, which will involve any construction, alterations, or physical change of their property. **Twelve (12) copies of the entire packet including drawings and site plans are required** (we recommend the plans be approved before the twelve (12) copies are made).

Before the Zoning Board of Appeals may hear and decide your appeal, this office must first:

1. Publish the request in three successive issues of the Press-Republican newspaper not less than five (5) nor more than ten (10) days before the hearings.
2. Notify, by letter, all adjoining property owners of your request

This office is responsible for implementing the above requirements.

If there are any questions, please contact this office.
Thank you for your cooperation.

October 25, 2021

City of Plattsburgh Zoning Board
City of Plattsburgh
41 City Hall Place
Plattsburgh, NY 12901

RE: Wouter & Loretta Rietsema
47 Cumberland Avenue

Dear Members of the Zoning Board:

Wouter & Loretta Rietsema, the owners of 47 Cumberland Ave, wish to construct an addition on the west side of their existing house. The intent of this project is to build an exercise room connected by a breezeway to the garage with a total area of 360 sqft.

Based on the current zoning ordinance, Schedule II, Schedule of Area and Bulk Controls, the required front yard setback for the R-1 Zone is 25 feet. The existing home is located only 9.5 feet from the front property line along Lorraine Street, the proposed setback or the new addition would be 19.34 feet, thus requiring an area variance.

With regard to the criteria for granting an area variance, we offer the following:

Whether 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;

The proposed use of the property will remain as a single-family home. Additionally, many of the homes on the street predate the current zoning requirement with the proposed addition being constructed with a greater front yard setback than many of these existing homes. Therefore, the project will not change the character of the neighborhood or be a detriment to the neighboring properties.

Whether the benefit sought by the Applicant can be achieved by some method; feasible for the Applicant to pursue, other than an area variance;

The applicant could move the addition further off the street to negate the need for a variance, but in doing so, would significantly alter the aesthetics of the neighborhood and result in a greater impact on the neighboring properties. This along with the fact that many of the homes along the street predate the current setback requirement, with the majority being positioned less than the current 25-foot requirement.

Whether the requested area variance is substantial;

Although the proposed request would lessen the front yard requirement by approximately 23%, many of the existing homes on the street predate this requirement and are positioned closer to the street than the proposed request.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;

By reducing the setback requirement from the street, the addition is allowed to be constructed with greater emphasis on the overall home's aesthetics. Therefore, the request would only enhance the existing neighborhood and not have a negative impact on the physical, aesthetic and environmental condition in the neighborhood.

Whether the alleged difficulty was self-created;

The alleged difficulty is not self-created as the original home predates the current zoning ordinance. Even if the Board was to consider the application self-created, Section 267-b(3)(b)(5) provides that a "self created hardship" would not preclude the Zoning Board of Appeals from granting a variance.

We hope that this information satisfies your concerns with respect to this matter, and ask that this request be placed on the agenda of the next Zoning Board of Appeals meeting for consideration. To assist in your review, we have enclosed an Area Variance Application, building plans, and site survey.

We thank you for your time in the review of this matter and if you have any further questions, please feel free to contact our office.

Respectfully submitted,


Aaron J. Ovios, P.E.

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

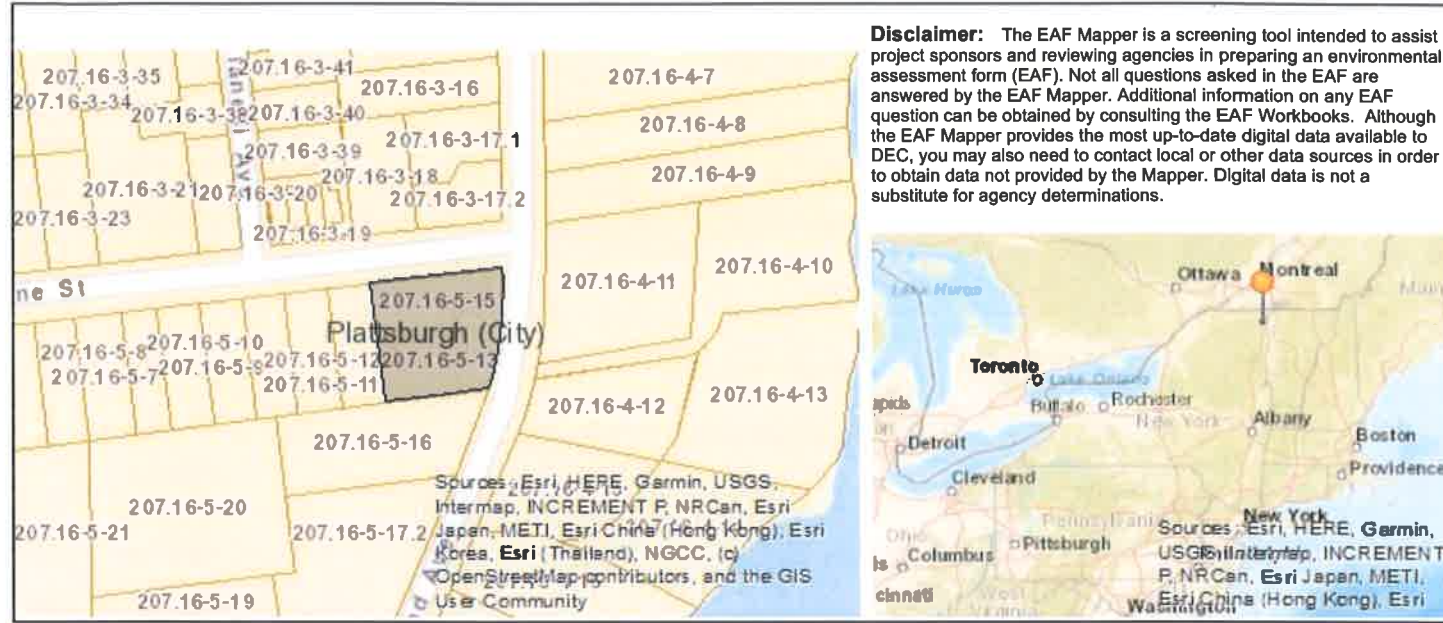
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

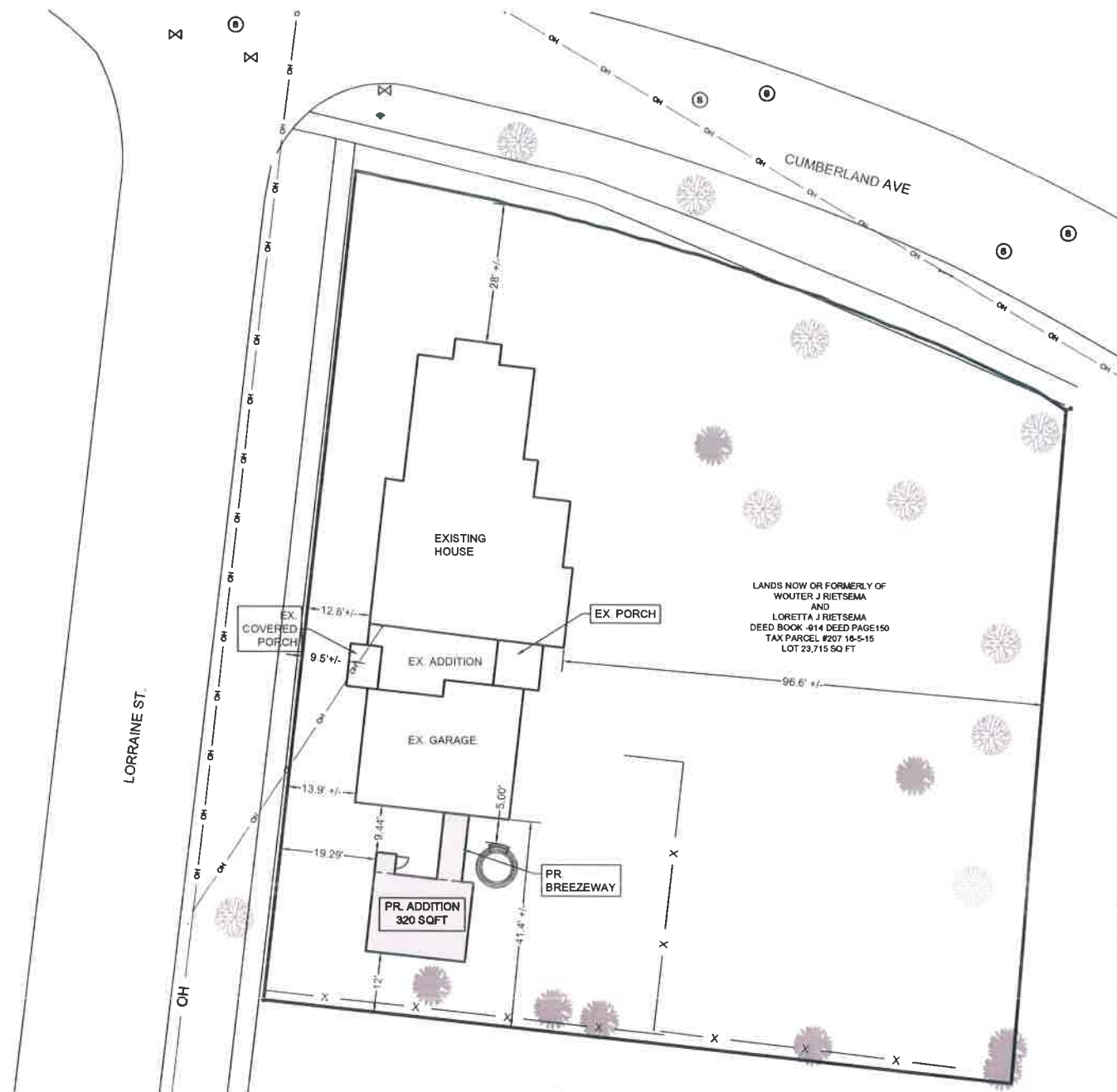
Part 1 – Project and Sponsor Information			
Name of Action or Project: Rietsema Addition			
Project Location (describe, and attach a location map): 207.16-5-15			
Brief Description of Proposed Action: Wouter Rietsema wishes to construct a 320 sqft addition to there Existing Residence.			
Name of Applicant or Sponsor: Wouter Rietsema		Telephone: E-Mail: woorietsema@gmail.com	
Address: 47 Cumberland Ave			
City/PO: Plattsburgh	State: NY	Zip Code: 12901	
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 government Agency? If Yes, list agency(s) name and permit or approval: City of Plattsburgh Area Variance & Building Permit		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ .53 acres			
b. Total acreage to be physically disturbed? _____ .008 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ .54 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	NO	YES	
If Yes, identify: _____	<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 services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" 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"/>	
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 checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input 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 checked="" 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 plan?	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? 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"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	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 type="checkbox"/>	<input checked="" type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>A. Davis</u> Date: <u>12/24/24</u> Signature: <u>[Signature]</u> Title: <u>Agent</u>		



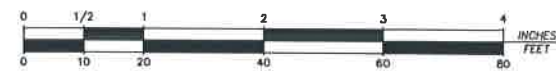
Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



LANDS NOW OR FORMERLY OF
WOUTER J RIETSEMA
AND
LORETTA J RIETSEMA
DEED BOOK - 914 DEED PAGE 150
TAX PARCEL #207.16-5-15
LOT 23,715 SQ FT

Zoning Information:

LOCATION: Cumberland Ave. City of Plattsburgh			
ZONE: R1 - Residential			
USE: Single Family Residence			
Item	Requirements	Existing	Proposed
Minimum lot area	7,500 sq.ft.	23,715 sq.ft.	23,715 sq.ft.
Minimum road frontage	75 ft	155'	155'
Minimum front setback	25 ft	12.8'	9.5'
Minimum side setback	10/25 ft	28' /84.2'	12' /40'
Minimum rear setback	30 ft	63'	96.6'
Maximum building height	35 ft	< 35'	< 35'
Maximum building coverage	20 %	10.5%	12.2%
Minimum open space	50 %	16.6%	18.3%



Scale: 1 Inch = 20 Feet

General Location Map
NTS



GRID NORTH NAD 83 NYS EAST ZONE-18

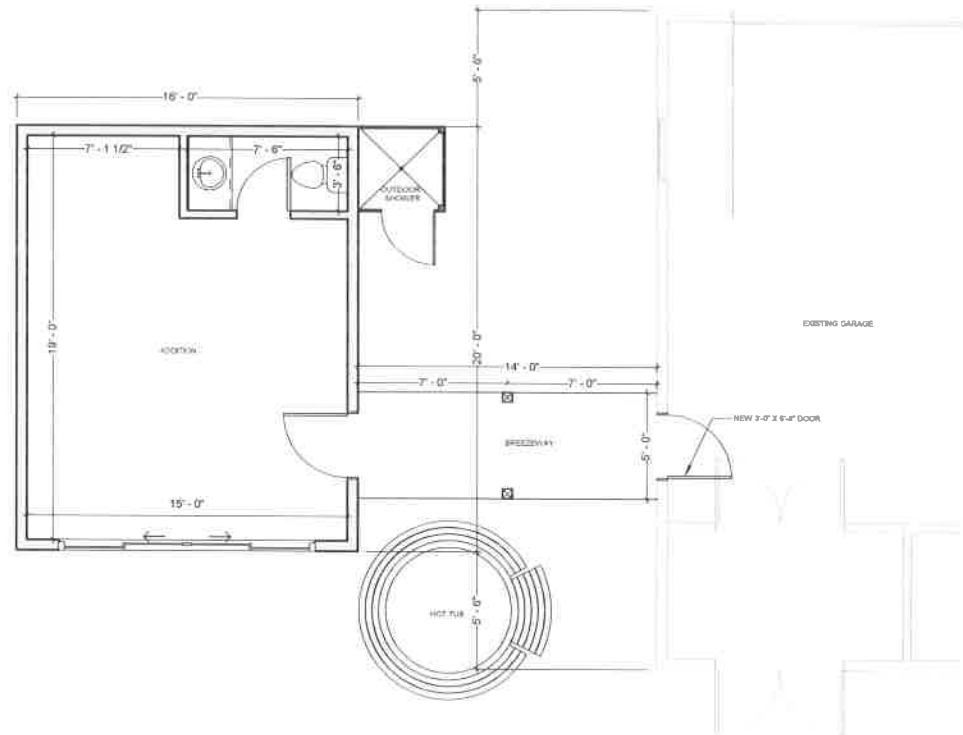
No.	Revision/Issue	Date



RMS
ROBERT M. SUTHERLAND P.C.
ENGINEERS - PLANNERS - SURVEYORS
SOIL & MATERIAL TESTING
11 MACDONOUGH STREET, PLATTSBURGH, NY 12901
518.561.6145(PH) 518.561.2496 (FX)
R M S P C . C O M

Project Name & Address
47 Cumberland Ave
Site Plan
for
Wouter & Loretta Rietsema
Tax Parcel #207.16-5-15
~ Situate ~
City of Plattsburgh
Clinton County State of New York

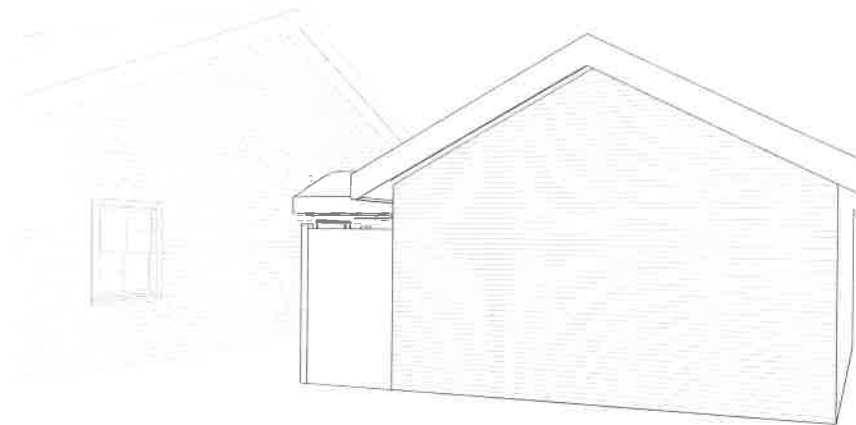
Project #	21264	Sheet	SURVEY
Date	10/14/2021		1
Scale	1" = 20'		
Drawn	ALS	Checked	AJO



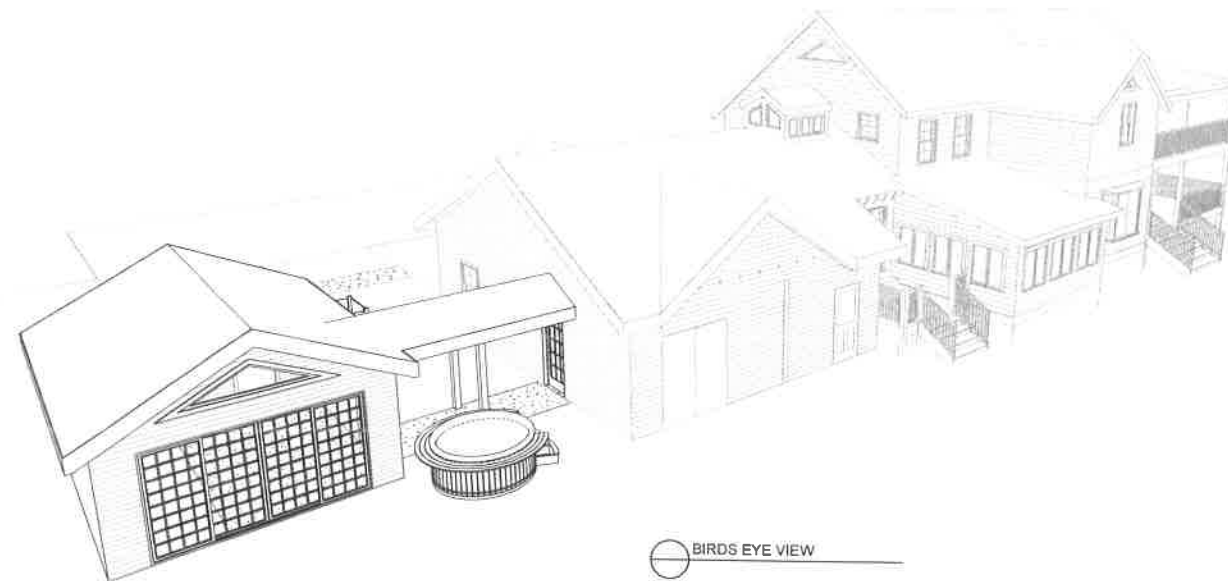
FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



BACK VIEW



FRONT VIEW



BIRDS EYE VIEW

LEDGER

- WALLS TO BE REMOVED
- WALLS TO REMAIN
- NEW WALLS

RMS
ENGINEERS - PLANNERS - SURVEYORS
SOIL & MATERIAL TESTING
11 MADDOUGH STREET, PLATTSBURGH, NY 12901
518.561.6145 (PH) 518.561.2496 (FX)
RMS P.C. CO. II

Project Name & Address
**RIETSEMA RESIDENCE
ADDITION**
CITY OF PLATTSBURGH
CLINTON COUNTY STATE OF NEW YORK

Project #	10181	Sheet	A-101 Proposed Plan
Date	10/26/2021		
Scale	1/4" = 1'-0"		
Drawn	ALS	Checked	AJO

