

**CITY OF MIDDLETOWN
ZONING BOARD OF APPEALS AGENDA
MARCH 19, 2025 7:00 PM
COMMON COUNCIL CHAMBERS**

Meeting called by: Jim Burtis, Chairman

Clerk: Martina Tu

Members: Wendy Rodrigues, Marc Woody, Mary Ann Cavallaro, Jim Burtis, Keith Hallock

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

Accept the Minutes of _____

NEW BUSINESS

Request of Silvia Gonzalez for an area variance for an existing shed located at 11 Midland Avenue, Middletown

Request from Orange Terrace Properties, LLC for a 6-month extension for area variances related to a proposed (4) four-lot subdivision at Orange Terrace, Middletown

ADJOURNMENT

APPLICATION

ZONING BOARD OF APPEALS

City of Middletown, New York

Date deemed complete 11-15-24 Date _____
Accepted by [Signature]

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 11 Midland Ave

Section 17 Block 3 Lot 20 Current Zoning District I1

Building: Existing New

2. Owner of Property Silvia Gonzalez

Owner's Address 151 Reinhard Rad

City Middletown State NY Zip 10940

Phone numbers: Home: 845 648 5499

Business: email: gonzalezibo25@gmail.com.

Cell: _____

3. Applicant name _____

If different from Owner

Applicants Address _____

City _____ State _____ Zip _____

Phone numbers: Home: _____

Business: _____

Cell: _____

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
a. _____	5'	0'	5
b. _____			

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.

(a) There will be no changes to the neighborhood or nearby properties.

(b) Yes.

(c) No

(d) No

(e) No (Previous owner).

FUSCO

ENGINEERING &
LAND SURVEYING, D.P.C.



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Consulting Engineers

Alfred A. Fusco, Jr.
P.E. Principal

Alfred A. Fusco, III
General Manager

December 2, 2024

City of Middletown
Mayor Joseph DeStefano
16 James Street
Middletown, NY 10940

RE: 2-7 Orange Terrace
Section 33, Block 4, Lots 2-7
City of Middletown
Our File #21-054E

Dear Mayor DeStefano,

We respectfully request an extension on the Zoning Board of Appeals variances received on the above referenced properties variances for 4 lots for front yard width of 72.3 feet, a variances of 2.9 feet of 3.9% granted on March 20, 2024.

Please advise if you have any questions.

Very truly yours,

Alfred A. Fusco, Jr., P.E.
Fusco Engineering &
Land Surveying, D.P.C.