

NOTICE — This APPLICATION must be filed in duplicate within 30 days of the date of the order of the administrative official on which application is based, accompanied by necessary data. (See reverse side of this sheet.)

25-03

TOWN OF OLIVE
BOARD OF APPEALS

Owner: Debra Saunders
Address: 1304 Noble Ct
El Cerrito, CA 94530
Signature: Debra Saunders
Date: 12/15/24 Phone: 9173994229

Applicant, if other than owner:

Lawrence Herman
Address: 1304 Noble Ct
El Cerrito, CA Phone: 94530

Interest of applicant, if other than owner: SPOUSE OF OWNER

(For Office Use Only)	Date	Initials
Cal. No.		
Application & Fee Rec'd.		
Other Req. Documents/Information Rec'd.		
Hearing Notice Given		
Copy Sent to Town Board and Planning Board		
Planning Board Opinion Rec'd.		
Public Hearing Held		
Decision Notice Sent		
County Planning Board Referral		
Notice to Abutting Property Owners		

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF OLIVE: Application is hereby made for:

- () A Variation of Article § 155-11 Section 155-11 of the Zoning Ordinance. **(PART 111 § 155-14)**
- () An Interpretation of Article _____, Section _____ of the Zoning Ordinance.
- () An Interpretation of the Zoning Map in the _____ (Describe the general area)
- () Appeal under Section 280(a) of the Town Law.
- () An Appeal from an Order of the Zoning Inspector to correct a Violation of the Zoning Ordinance, Section _____
- () (Other) _____

and further described as follows (Specify ruling sought):

1. Location of Affected Premises

34 DOGWOOD DRIVE ; Detached Garage, second floor
Garage → ADU

(Give street number, name, site distance from cross street)

and shown on the Tax Map (if any) as: Sheet 37.17 Block 1 Lot 59

Zoning District _____

2. Size of Lot: Front _____ Rear _____ Depth _____ Area _____

3. Have previous appeals been filed in regard to these premises? _____

(If yes, give calendar number and date, if any)

Cal. No. _____ Date _____

Cal. No. _____ Date _____

Cal. No. _____ Date _____

4. Has court summons been served relative to this matter? _____

5. Have you inquired of the Clerk of the Town of Olive whether there is any petition pending to change the use district regulations affecting the block on which these premises are located? NO

* 6. ATTACHED HERETO AND MADE A PART OF THIS APPLICATION, I SUBMIT THE FOLLOWING: ****attached amendment**

(Note— All these papers must be submitted with the application or as required by the Board)

a. A facsimile copy of decision of order of administrative official on which application is based.

b. A statement of the grounds on which I base my application with a clear and accurate description of proposed work, if any.

c. THREE SETS OF DIAGRAMS, including:

a block diagram with street numbers and tax block and lot numbers (if any and street frontage, showing the character and occupancy of all property affected, with points of compass and scale indicated. A copy of ground floor plans and elevation of buildings with all necessary measurements. A copy of Zoning Map for location.

d. A full list of NAMES and ADDRESSES of owners of all property shown on block diagram or all abutting properties, and indicating property owned by Tax Section, Block and Lot numbers (if any.)

e. Duly acknowledged or signed consents, given by such property owners; affidavits of publication and service of notice by mail, and such other data or information as the Board may deem necessary when specifically asked for by the Board.

f. Copy of notice to the particular Town office, offices or agency from whose order I have appealed.

g. A fee in the amount of \$ 150

(Spaces below to be completed by the Notary Public except where otherwise indicated)

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Sworn to before me this _____ day)

(Applicant to sign here)

of _____, 19____

AFFIDAVIT OF OWNERSHIP

State of New York)
County of _____)

_____ being duly sworn,

deposes and says that he resides at _____ in the Town of _____

_____ in the County of _____, in the State of _____,

and that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Town of Olive, N.Y., aforesaid and known and designated on the Tax Map (if any) as Lot Number _____ in Block _____ on Sheet _____

and that he hereby authorizes _____ to make the annexed application in his behalf and that the statements of fact contained in said application including the statements contained in all of the exhibits transmitted herewith are true.

Sworn to before me this _____ day)

of _____, 19____

(Notary Public)

Town of Olive
Zoning Board of Appeals
PO Box 180
West Shokan, NY 12494

12/15/2024

Re: Fire#2DW8

Larry Hierman	(530) 559-2387	Larry.hierman@gmail.com
Debra Wagner Saunders	(917) 399-4229	Deb.saunders36@gmail.com

Dear Olive Zoning Board of Appeals

This letter serves as Item #6b of the Amendment to Zoning Board of Appeals Form F Application

My name is Debra Saunders and my husband is Larry Hierman. I have owned the house at 34 Dogwood Drive since 2002. In 2010 my family moved to California for work reasons, and I currently live in El Cerrito, CA. My adult children have been occupying the house for the past several years. Larry and I plan to move back to the house full time in the Spring of 2025. We would like to create an Accessory Dwelling Unit (ADU) on the existing second floor of the detached garage for when family and friends visit. We are not changing the footprint or height of the garage. All construction will be permitted and to code.

The proposed ADU is smaller (288SF) than the Town of Olive Zoning Board minimum (600SF) so our zoning application was rejected, as per the attached letter, on December 3, 2024. We are filing this Appeal to allow this construction to go forward. The livable square feet of the proposed ADU is 288 SF (measuring from the 6ft elevation under the pitched roof, as opposed to the circumference (24x24) of the building). Our experience living in apartments is that 288 is ample space for a visitor, single family member or young couple. We have already obtained a quote for insulation, which we understand is required, and will begin the garage insulation process as soon as this zoning variance is approved. In addition, we are sending letters to the 7 "abutting" properties to note any objections. We have hired a contractor, John Bilotti, who has extensive experience with similar projects to undertake the renovation.

The plan is to convert the underutilized upper floor of the detached garage into a small self-contained apartment with kitchenette, bathroom, laundry, sleeping and living areas. We will also create a new separate entryway at the rear right side of the building. The garage is already electrified, and we will extend the water and septic piping to the new unit. All work will be done by qualified and licensed contractors.

Our house is served by septic and well water. Per county records, we are permitted for 4 bedrooms as shown on the attached Property Description Report. As part of our remodeling, we will be removing one downstairs bedroom to create a larger bathroom, home office, walk-in closet and remodeled kitchen. The resulting number of bedrooms post construction will remain at 4. We anticipate all work to happen nearly simultaneously in the Spring of 2025. Michael

North, a well-respected engineer in the area, is preparing plans for the house renovation. We will share these as part of the building permit/plan approval process as soon as ready.

We look forward to discussing any comments or questions and working with you to complete this process. We are very excited to be rejoining the Olive community full time.

Please call me at (917) 399-4229 or Lawrence Hierman at (530) 559-2387.

Best wishes to you for a happy and peaceful holiday season and new year!

A handwritten signature in black ink, appearing to read 'Debra' followed by a stylized flourish.

Debra Saunders

A handwritten signature in black ink, appearing to read 'LH' in a stylized, cursive font.

Larry Hierman



PO Box 180, West Shokan 12494 / Building Department (845) 657-8118, Ext. 18

12/3/2024

Debra Saunders
1304 Noble Court
El Cerrito, CA 94530

RE: 34 Dogwood Dr-Denial letter for an ADU
SBL#:37.17-1-59

Dear Property Owner,

Your proposed accessory dwelling unit's size (576SF) does not meet the requirements of The Town of Olive current Zoning Ordinance.
The size of an ADU must be 600-1000SF.

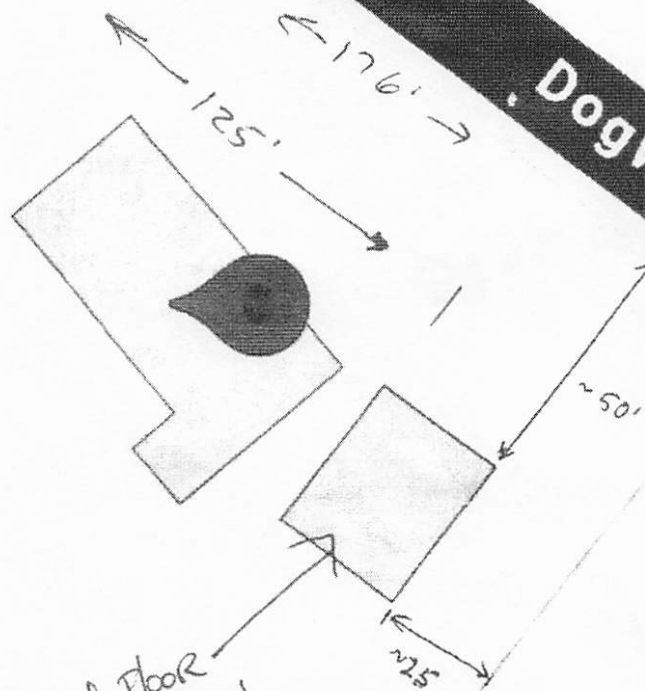
I recommend you to go to the Zoning Board of Appeals for the variance.
Note: This is an existing building but there is a change of use (the building is a garage).

Sincerely,

John Ingram
/Code enforcement Officer/

Dogwood Dr

Dogwood Dr



2nd Floor
STUDIO ADU
for own use.

230'

1" ≈ 30'

Property Description Report For: 34 Dogwood Dr, Municipality of Town of Olive

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	514000
		Tax Map ID #:	37.17-1-59
		Property Class:	210 - 1 Family Res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	210 - 1 Family Res
		Zoning Code:	03 - RE1
		Neighborhood Code:	00001
		School District:	Onteora
		Total Assessment:	2024 - \$316,300 2023 - \$316,300
Total Acreage/Size:	0.90 ^{220x176}		
Land Assessment:	2024 - \$53,000 2023 - \$53,000		
Full Market Value:	2024 - \$371,113 2023 - \$347,774		
Equalization Rate:	----	Property Desc:	
Deed Book:	3296	Deed Page:	225
Grid East:	565855	Grid North:	1145845

Area

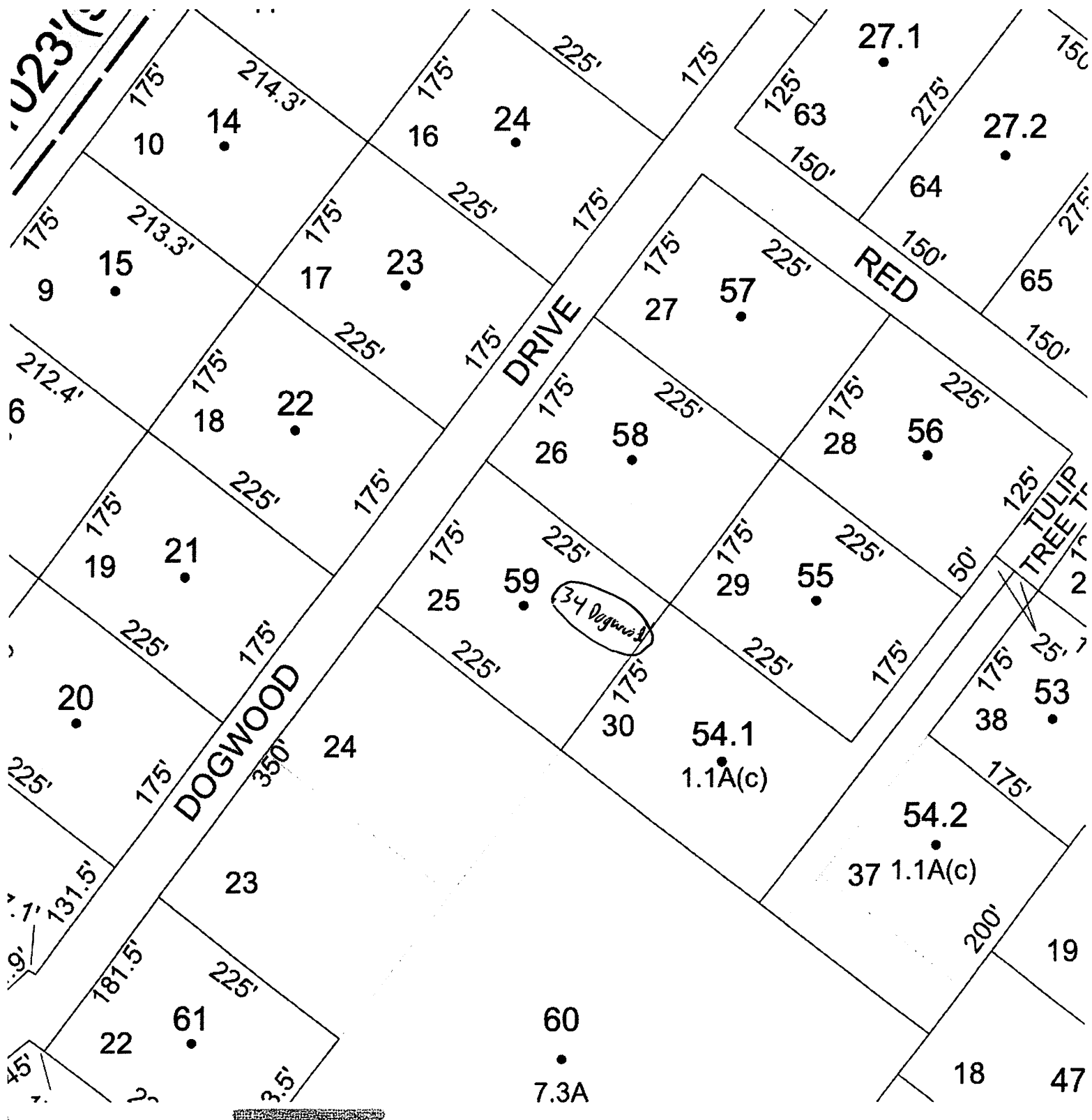
Living Area:	2,092 sq. ft.	First Story Area:	1,398 sq. ft.
Second Story Area:	0 sq. ft.	Half Story Area:	0 sq. ft.
Additional Story Area:	0 sq. ft.	3/4 Story Area:	694 sq. ft.
Finished Basement:	0 sq. ft.	Number of Stories:	1.7
Finished Rec Room	0 sq. ft.	Finished Area Over Garage	0 sq. ft.

Structure

Building Style:	Cape cod	Bathrooms (Full - Half):	1 - 1
Bedrooms:	4	Kitchens:	1
Fireplaces:	1	Basement Type:	Partial
Porch Type:	Porch-screen	Porch Area:	160.00
Basement Garage Cap:	0	Attached Garage Cap:	264.00 sq. ft.
Overall Condition:	Normal	Overall Grade:	Average
Year Built:	1968	Eff Year Built:	

Owners

Owner Information Not Available

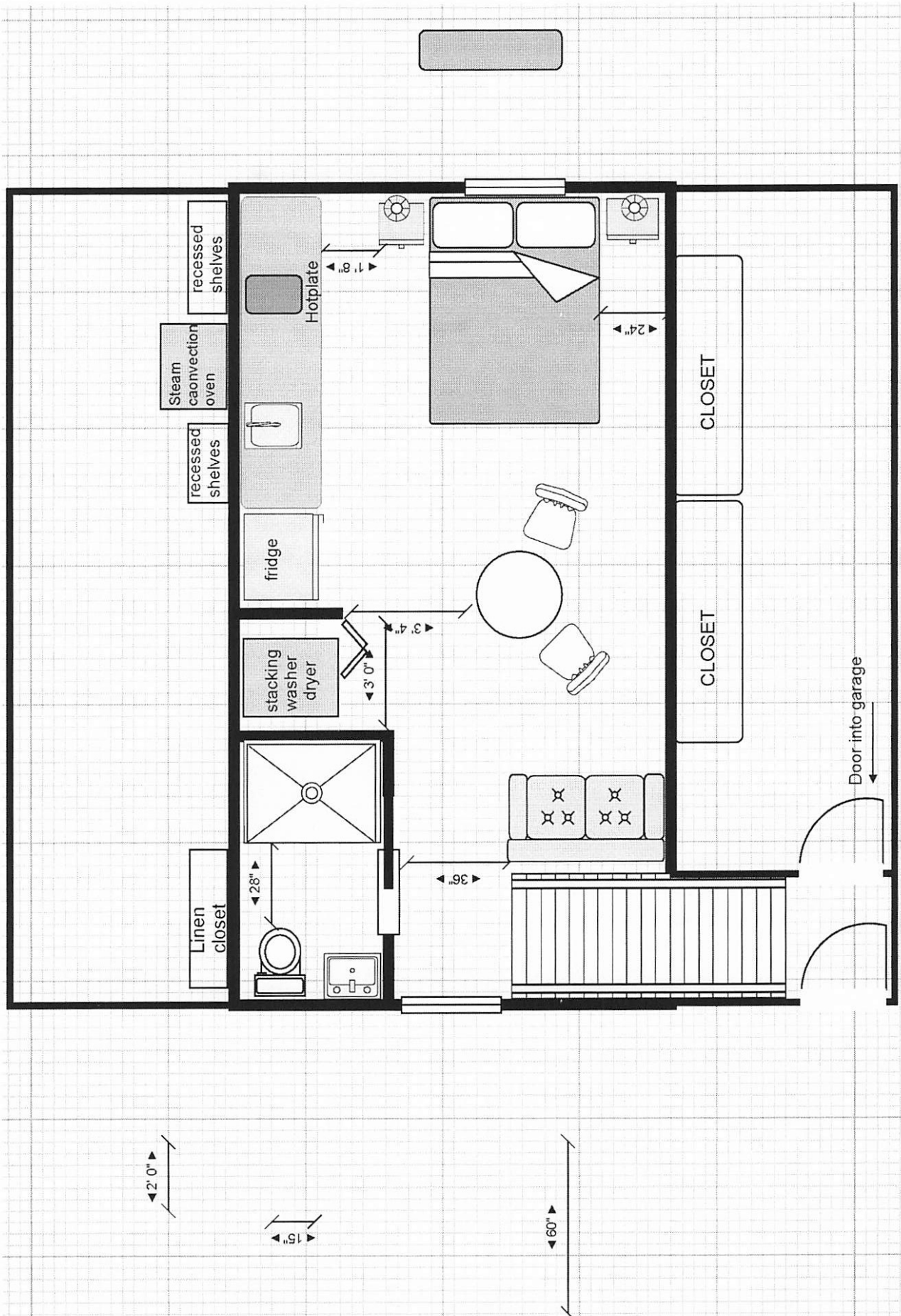


77mm=100'

230' x 170' = lot size
177mm x 135.5mm

00 ft





Owner: Salvatore Taormina
Owner 2: Karen Taormina
Mailing Address: 104 Joline Ave
Mail City: Staten Island NY
Mail Zip: 10307
37.17-1-23

Owner: Ricci R Adan
Mailing 2: P.O. Box 114
Mail City: Lake Hill NY
Mail Zip: 12448
37.17-1-55

Owner John Battaglino
Owner 2: Jacinthe Battaglino
Mailing Address: 44 Dogwood Drive
Mail City: Shokan NY
Mail Zip: 12481
37.17-1-58

Owner: Bob R Helfant
Mailing Address: 260 Kings Mall Suite 127
Mail City: Kingston NY
Mail Zip: 12401
37.17-1-22

Owner: Bridget Sweeney
Mailing Address: 25 Tulip Tree Dr
Mail City: Shokan NY
Mail Zip: 12481
37.17-1-54.100

Owner: Glen Joshua Slack
Owner 2: Alanna Wray McDonald
Mailing Address: 25 Dogwood Drive
Mail City: Shokan NY
Mail Zip: 12481
37.17-1-21

Owner: Thomas B Popola Jr
Mailing Address: 8 Dogwood Dr
Mail City: Shokan NY
Mail Zip: 12481
37.17-1-60