

**Village of South Blooming Grove Zoning Board of Appeals
Variance Application**

APPLICANT	AGENT	LANDOWNER
Name: IYH Estates LLC	Name: Arden Consulting Engineers	Name: Same as Applicant
Address: 11 Country Hollow Highland Mills, NY 10930	Address: POB 340 Monroe, NY 10949	Address:
Phone: 845-325-2575	Phone: 845-234-2510	Phone:
E-Mail: isaac@brightviewm.com	E-Mail: mam@ardenconsulting.net	E-Mail:

NAME OF PROJECT: Mint Leaf **S/B/L:** 209-8-1

PROPERTY ADDRESS: 5 Mangin Road, Monroe, NY 10950

LIBER/PAGE: 15368/727 **TOTAL ACRES:** 0.79 **ZONING DISTRICT:** RB

PROJECT DESCRIPTION (Sketch below or attach a scaled map or plat and other documentation describing the project and general plan for development, illustrating the variances requested.):

1. SECTION 235-31: REDUCTION OF ENTRANCE/EXIT FROM INTERSECTION OF MANGIN & NYS ROUTE 208 FROM 75' TO 39.6'.

2. SECTION 110-58: NO SHRUBBERY, HEDGE OR OTHER NATURAL GROWTH, OR FENCE (EXCEPT A TRANSPARENT FENCE SUCH AS CHICKEN WIRE, IN WHICH THE SOLID AREA IS NOT MORE THAN 5% OF THE TOTAL AREA OF THE FENCE) OR WALL OVER THREE FEET HIGHER THAN THE APEX AT THE CENTER LINE OR THE STREET SHALL BE LOCATED WITHIN THE TRIANGULAR AREA SHOWN ON THIS PLAN AT THE INTERSECTION OF MANGIN ROAD AND NYS ROUTE 208. A REDUCTION FROM 20' TO 9.9' IS REQUESTED. PRIVACY SLAT FENCING WITHIN THIS AREA SHALL BE REMOVED TO PREVENT NEGATIVE IMPACTS ON SIGHT DISTANCE.

3. SECTION 235-17.C.(1): INCREASE IN FENCE HEIGHT FROM 4' TO 10'.

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COMPLETE ONE COPY OF THIS PAGE FOR EACH VARIANCE REQUESTED

Code Requirement from Which Variance Is Requested:

- **Code Section:** 110-58, 235-31 & 235-17.C.(1)
- **Type of Variance Requested:** Bulk variances for entrance location and fence height.

Address Variance Standards Below:

- **Indicate how/why the variance is not substantial in relation to the Code requirement.**

There is a reduction of the entrance from 75 feet to 39.6 feet, however, this intersection is stop controlled and the variance is only for a loading/unloading area. The main entrance for the site is located over 100 feet away from this intersection. Privacy slats in the area of this setback triangle will be removed to prevent negative impacts on site distance along NYS Route 208. The increase in fence height from 4 feet to 10 feet prevents adverse visual impacts to the residential neighborhood.

- **Indicate why the effect of any increased population density produced upon available services and facilities is not significant.**

This does not appear to be a condition of this variance that is being requested, however, this is a small grocery store with limited parking that does not generate the type of traffic or density that would impact available services and facilities.

- **Indicate why no substantial change in the character of the neighborhood or substantial detriment to adjoining properties will be created.**

The site is located along the frontage of New York State Route 208, in close proximity to other commercial development near the intersection of New York State route 208 and Worley Heights. There is a large need for this type of business in this area.

- **Indicate why the difficulty cannot be alleviated by other than a variance and why a lesser variance cannot alleviate the difficulty.**

This is an existing parcel with limiting property dimensions which makes it difficult to locate all access points the minimum distance from the intersection of Mangin Rd. and NYS Route 208. The fence height & location will limit the visibility of the site from neighboring residential parcels.

- **Indicate why, in view of the manner in which the difficulty arose and considering all of the above factors, the interests of justice will be served by allowing the variance.**

The variances will allow a better location for loading/unloading areas which are compartmentalized and away from public traffic within the parking area. The fence height will minimize adverse visual impacts to neighboring residences.

- **Indicate why the variance would not cause adverse aesthetic, environmental or ecological impacts on the property or on surrounding areas and would not harm the general health, safety or welfare**

As previously discussed, the additional fence height will minimize adverse visual impacts to neighboring residences. Removal of the privacy slats will prevent the limitation of sight distance at the intersection.

- **Indicate why the alleged difficulty was not self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals but shall not necessarily preclude the granting of a bulk variance.**

The location for the loading/unloading area is required to prevent potential hazardous conditions to patrons in the parking lot. The fence height minimizes visual impacts.

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CERTIFICATION OF LANDOWNER:

(Must be executed by each owner or beneficial owner with a 5% or more interest in the case of corporations, cooperatives or other entities jointly holding the properties involved.)

I, the undersigned owner of the property described in this application, consent to the filing of this application and declare that, to the best of my knowledge all information and assertions made in connection with this application are true and correct.


I also affirm I am familiar with the requirements of the Village of South Blooming Grove Code. I further agree I am responsible for funding an escrow account sufficient to pay all professional fees incurred by the Village in processing my application and for paying such other fees as may be applicable, regardless of whatever arrangements I may have with the Applicant or the Agent identified herein. I guarantee all ordinary and professional fees due shall be paid. I understand failure to do so will lead to denial of the application and levy on the property for any unpaid fees that arose prior to denial.

I consent to inspection by Village personnel, staff or consultants of the project site without prior notice, during daytime. By signing this authorization, I agree this authorization shall remain in effect as long as the application is pending, and is effective regardless of whether the landowner or agent are physically present at the time of the inspection. I also agree that, during an inspection in connection with this application, Village representatives may take measurements, soil samples and photographs and otherwise analyze physical characteristics of the site.

I affirm I am fully aware of the requirements in Section 809 of the New York State General Municipal Law ("Disclosure in Certain Applications") for stating "the name, residence and the nature and extent of the interest of any state officer or any officer or employee of" the Village of South Blooming or any municipality of which the Village is part, in "making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant" and have fully complied with all requirements of such Section 809.

Signature:  _____

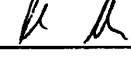
Sworn before me this 18 day of DECEMBER, 2023

 _____ Notary Public

EPHRAIM F. KARMEI
Notary Public - State of New York
Reg. No. 01KA6351445
Qualified in Kings County
My Commission Expires Dec 6 2023

CERTIFICATION OF APPLICANT(S):

I affirm I have read and am familiar with the requirements of the Village of South Blooming Grove Code pertaining to this application and, to the best of my knowledge this application complies with such requirements and that all information supplied herein is true and correct.

Signature:  _____ Date: 12/18/23

Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____