

**CITY OF KINGSTON ZONING BOARD OF APPEALS VARIANCE APPLICATION**

Area Variances: Residential \$100.00  
Commercial \$250.00

Use Variances: Residential \$100.00  
Commercial \$250.00

Application is hereby made from the strict application of the provisions of the Zoning Ordinance of the City of Kingston, New York. All of the following information must be furnished before your application can be processed. Only the information submitted by the applications deadline will be considered. Incomplete applications will be returned.

Address of Property: 100 Lucas Ave. Tax Map #: 56,89-2-25

Dimensions: Frontage 88.25 ft. Depth 663.83 ft. Square Footage: 108,112 sq. ft.

Zone: 405-11 Ward: \_\_\_\_\_  
Congregation Ahavatn Israel, Inc.

Applicant Name: First: \_\_\_\_\_ MI: \_\_\_\_\_ Last: \_\_\_\_\_

Applicant Address: Street: 100 Lucas Ave.

City: Kingston State: N.Y. Zip: 1240

Applicant Telephone: (home): n/a (business): 845-338-4409  
(cell): 845-768-0569 Rebecca Balzac Pres.

Applicant's relationship to property:

Owner: Owner/President Contract Vendee: -

Other: - Explain: -

If the owner is someone other than the applicant, a letter indicating the owner's knowledge and approval to make the application for a use on his/her property should be attached.

Owners Name: \_\_\_\_\_ MI: \_\_\_\_\_ Last: \_\_\_\_\_

Owners Address: Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Additional Notification

Please list any individuals who you wish to receive notification of the meeting and decision. I address is not provided, then notification will not be given.

Rebecca Balzac, President  
100 Lucas Ave.  
Kingston, N.Y. 12401

Dan LeFever  
SVN-Deegan Collins  
411 Washington Ave., Suite 201  
Kingston, N.Y. 12401

Application is made for a variation of Section 405-11 of the City of Kingston's Zoning Ordinance Brief Description of Project / Reason for the Requested Variance:

To sell property to a Artisan manufacturer of custom neon signs  
The congregation must sell the Building. We have approached Chabad of Ulster County; A local Jewish organization; terms could not be agreed upon.  
We had an offer from Bard college. They ~~withdrew~~ withdrew their offer after ~~learning~~ learning of the cost to renovate. We had two Hasidic organizations; the first felt there were not enough residential homes for sale close enough to the property. We accepted the offer from the Neon sign company; (Matthew Dilling - www.Litebr.FeNeon.com) before the second Hasidic organization offered. ~~the second~~ They are in a back up position to this offer

A site plan must accompany this application. It should be drawn to scale by a licensed engineer, landscape architect, or surveyor. This professional's name, address, and phone number in addition to his or her professional stamp should be on the site plan. In some instances staff may waive the requirement for a stamped drawing. However, the plan must include the name, address, and phone number of the person who drew it as that individual will be held responsible for its accuracy. The plan shall show the location of all existing and proposed buildings, including floor plans, parking areas with spaces individually drawn traffic access; open spaces; landscaping and screening; both existing and proposed, with specific names of plantings, topography, exterior lighting and any other pertinent information.

1. What are the existing uses of the site? currently a meeting place for  
our congregation

2. What are the proposed uses of this site? Artisan design and manufacturing of custom neon signs.
3. What is the predominate building type in the neighborhood? Single Family homes including on the county Road.
4. How many parking spaces will be provided? currently there is 68 spaces neon company will need 10 spaces max.

Operations:

- a. Number of residents: 0
- b. Number of customers (per day): Less than 1 and up to 10 on Saturday currently
- c. Number of employees: 1 Part Time
- d. Hours of operation: Days
- e. Days of operation: Saturday and some mid week hours

Deliveries:

- a. Describe the exit and entrance area for vehicles and show on the site plan.
- b. Hours for deliveries: 8-5 Show loading and delivery areas on the site plan.
- c. Frequency of deliveries (Check one):  Less than one a month  Monthly  Weekly  Several times a week  Bi-weekly  Daily
- d. Are large delivery trucks anticipated?  yes  No

Economic Injury (These questions MUST be answered by the PRESENT owner of the property)

1. What is the cost(s) of the proposed improvements/alterations to the property that necessitates the variance(s)? \$                       
How did you determine this estimate?
2. What did you pay for this property and when was it purchased?

Amount: \$ construction Year: 1966-1967

3. What is the present value of the property?

Estimated Value: \$                      Personal Opinion  
 Estimated Value: \$ 540,596 Professional Opinion  
 (Attach a copy of a recent appraisal if available)

↳ Broker Professional Opinion

4. What are the maintenance expenses on this property?

Include amounts on the following:

Monthly mortgage: \$ 0  
Monthly heat: \$ 925.39 x 12 months - oil was #1,867.39 - 5/1/13 - 4/30/14  
Monthly sewer/water: \$ 109.11 x " "  
Yearly taxes: \$ -  
Monthly electric: \$ 449.64 " "  
Insurance/other \$ 547.83 " "

5. Amounts of loans or outstanding debts against the property (per month):

\$ 0

6. Amount of any income from the property (per month):

\$ 0

7. What is the nature of this income: *N/A only Donations*

8. Have you previously tried to sell the property? Yes  No

9. How much are you asking for the property and how was the asking price determined? *\$595,000; From BPO Attached*

10. How long was the property for sale: *Since March of 2015, 14 months*

11. How was it advertised? *First verbally; then with SVN Brokerage; MLS, Loopnet, Myscar, CCIM, and other websites*

12. How many inquires about the property were made? *7 inquires*

13. How many offers were made for the property and for how much? *5 offers*

14. Was the property listed with a realtor? If yes, please list the name? *Dan Le Fever  
SVN Deegan - Collins commercial R.E.*

Using the information you provided above, describe how you would be negatively affected in an economic or financial way if you did not obtain the variances requested. Please DO NOT comment on your personal financial situation, for instance "I am on a small pension and need additional income," or "I am unemployed." Your answer must address economic circumstances in relation to the property as its present inability to provide you with a reasonable financial return under the present zoning regulations.

*Now that the congregation meetings are a max of 10 people the expenses to maintain the property exceed the ability of the congregation. Continuing the possession of the property will lead to the dissolving of the congregation.*

### Unique Circumstances

1. How is your land or building unique in relationship to other properties in your neighborhood? it is built and used for religious purposes. The property is much larger than the residential properties, we have frontage on a county road
2. How do these unique features make it difficult to earn a reasonable economic return from your property? we have talked to other religious institutions in the area including sharing the property with no success

### Neighborhood Character

1. Explain how the new use would be compatible with existing neighborhood and not negatively impact traffic patterns, general safety, architectural character, property values, and the atmosphere of the area. The traffic will be reduced on weekends. Low traffic use during the week, traffic will flow to Lucad Ave. No change to outside; other than repair and clean; very low impact with no ~~noticeable~~ <sup>noticeable</sup> effect.

### Not Self-Created

1. Did you do something to your property to cause the need for this variance? (i.e., previous activities such as grading, excavation, additions, or improvements) \_\_\_\_\_  
No; the building was built pre-zoning

### Minimum Relief

1. Why can't the location, dimensions, or other size factors be reduced to minimize the variance(s) requested? \_\_\_\_\_  
In the past we had a minimum of 50 members and a school with 20 pupils. Now we are a maximum of 10 for services.

Owner's Signature: W L By

Applicant's Signature: W L By

Date: 5/16/16

**Please note! If the application is not complete this office will return your application.**

**PLEASE SEE ATTACHED GUIDELINES AS TO EVIDENCE WHICH YOU MUST PRESENT AT PUBLIC HEARING. ANY MAPS, PHOTOS, ETC. WHICH ARE MADE PART OF RECORD MUST BE PRESENTED AT PUBLIC HEARING. PLEASE NOTE DOCUMENTS WILL NOT BE RETURNED TO APPLICANT AND COPIES WILL NOT BE MADE AT HEARING.**

**13 copies of the site plan must be provided with this application.**

**REQUIRED DOCUMENTS CHECKLIST – DEPENDANT ON VARIANCE CRITERIA**

- Application, original plus 13 copies X
- Application fee X
- Survey showing dimensions of the property X
- Site Plan X
- Letter of denial \_\_\_\_\_
- Certificate of Occupancy \_\_\_\_\_
- Contract of Sale or lease if applicable X
- Photographs X
- Expert Qualifications \_\_\_\_\_
- Deed \_\_\_\_\_
- SEQR form X

**IF YOU HAVE ANY FURTHER QUESTIONS PLEASE CALL THE BUILDING SAFETY DIVISION @ 845-331-1217.**