

**VILLAGE OF PORT CHESTER
ZONING BOARD OF APPEALS AGENDA
September 20, 2012**

Findings of Fact

Case No. 2012-0032

Michael James DeFonce
47 Haines Boulevard
Port Chester, New York 10573

on the premises No. **47 Haines Boulevard** in the Village of Port Chester, New York, situated on the **East** side of **Haines Boulevard** distant 100 feet from the corner formed by the intersection of **Haines Boulevard and Hawley Avenue** being **Section 135.052, Block No. 2, Lot No. 11** on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects:

Application is hereby made under the discretionary power vested in you by Section 345-29A, 345-13 or in the alternative 345.30 of the Zoning Ordinance of the Village of Port Chester for permission to: construct a 2nd story addition, a new front entry portico, convert existing garage into living space and create 2 parking spaces in rear yard. Property is in an R7 District; Minimum required side yard setback of an interior lot is 10ft on one side with a combined minimum on both sideyards of 20ft. The proposed 2nd story provides 9ft side yard setback on the North therefore requiring a 1.0 ft variance; provides a 4.0 ft side yard setback on the South therefore requiring a 6.0 ft variance. The minimum front yard setback is 30 ft., proposed portico is 24.5 ft. therefore a variance is required.

applicant proposes to change existing attached garage accessory to living space where the existing access driveway is proposed to remain. Applicant loses the accessory use and existing access driveway for off street parking, therefore a variance for off street parking in rear yard accessible by an existing access without a garage is required.

Continued Case-Public Hearing on this matter is closed

Case No. 2012-0023

NOTICE OF HEARING ON APPLICATION

NOTICE IS HEREBY GIVEN that the undersigned has applied to the Zoning Board of Appeals of the Village of Port Chester, N.Y.

William & Drayton Gerety
2 Deerfield Lane
Mamaroneck, New York 10543

Leslie Maron, Esq.
5 Westchester Avenue
Pound Ridge, New York 10576

on the premises No **28 ½ Pilgrim Drive** in the Village of Port Chester, New York, situated on the **Northwest** side of **Pilgrim Drive**, distant **670 ft.** of the corner formed by the intersection of **Pilgrim Drive and Quintard Drive.** being Section 136.39 Block No.1, Lot No. 43 on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects: Applicant proposes to construct a single family dwelling. The property is located in R7 District- minimum lot size is 7,500 sq. ft & minimum lot width is 70 ft. Proposed lot size is 5,864 sq. ft. & proposed width is 50 ft. therefore lot area variances are required

Continued Public Hearing

Case No. 2012-0042

NOTICE OF HEARING ON APPLICATION

NOTICE IS HEREBY GIVEN that the undersigned has applied to the Zoning Board of Appeals of the Village of Port Chester, N.Y.

Post Road Iron Works
16-18 North Main Street
Port Chester, New York 10573

on the premises No. **16-18 North Main Street** in the Village of Port Chester, New York, situated on the **West** side of **North Main Street** distant 100 feet from the corner formed by the intersection of **Westchester Avenue and Liberty Square** being **Section 142.31, Block No. 1, Lot No. 25 & 26** on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects:

Application is hereby made under the discretionary power vested in you by Section 345-29A, 345-13 or in the alternative 345.30 of the Zoning Ordinance of the Village of Port Chester for permission to:

merge 16 and 18 North Main Street in order to renovate an existing restaurant which will span the building and include 2nd floor dining; and to renovate an existing building and construct a new building that will house 6 new residential units.

The property is located in the C2 District. Multi Family Dwellings (above the 1st floor) are permitted through Special Exception only. Therefore approval or conditional approval is required from the Planning Commission and is currently being sought, hence the referral from Planning Commission.

Maximum floor area ratio is 3.20: proposed is 3.43 therefore F.A.R. variance of 0.23 is required
The minimum lot size required is 750 square feet per dwelling unit; 610 square feet is proposed, therefore a lot area variance of 140 square feet is required.

The minimum required rear yard is 20 feet; proposed is 0 feet, therefore a variance is required.
Minimum useable open space per dwelling unit is 100 square feet per unit thereby requiring a minimum of 600 square feet. Rooftop terrace area proposed is 678 square feet but only 17 feet wide. No dimension of an area of useable open space can be less than 20 feet, therefore a useable open space variance of 3 feet is required.

Off street parking is not required; however off street truck loading is required for the restaurant and a variance is therefore required

For multifamily dwellings the minimum lot size is 20,000 square feet, proposed is 3,661 square feet, therefore a variance is required.

For multifamily dwellings each building shall have a trash compactor capable of handling the expected volume of trash to be generated therein; proposed is none, therefore a variance is required.

and that a public hearing on said application will be held before said Board on the **20th** day of **September** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

New Public Hearings

Case No. 2012-0039

NOTICE OF HEARING ON APPLICATION

NOTICE IS HEREBY GIVEN that the undersigned has applied to the Zoning Board of Appeals of the Village of Port Chester, N.Y.

Sonia Hedvat
44-48 North Main Street, LLC
44-48 North Main Street
Port Chester, New York 10573

on the premises No. **44-48 North Main Street** in the Village of Port Chester, New York, situated on the **East** side of **North Main Street** distant 0 feet from the corner formed by the intersection of **Adee & King Street**

being **Section 142.31, Block No. 1, Lot No. 35** on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects: Application is hereby made under the discretionary power vested in you by Section 345-29A, 345-13 or in the alternative 345.30 of the Zoning Ordinance of the Village of Port Chester for permission to: construct 11 dwelling units in an existing mixed use building located in the C2 Zone. Multi Dwellings above 1st floor are permitted through Special Exception Use only Approval is currently being sought through Planning Commission.

Dimensional regulations

Minimum Size lot require is 750 sq ft per dwelling unit; proposed is 529 sq. ft. therefore a variance of 221 sq. ft is required

The minimum required rear yard is 20 ft; proposed is 0.0 ft, therefore a variance is required.

Special conditions/safeguards Special Exception uses

Multifamily dwellings minimum lot size required 20,000 sq ft; proposed is 5,817 sq ft. therefore a variance is required

Adequate laundry facilities is required; proposed s none, therefore a variance is required

Multifamily dwellings require trash compactors; none are proposed therefore a variance is required

and that a public hearing on said application will be held before said Board on the **20th** day of **September** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Case No. 2012-0040

NOTICE OF HEARING ON APPLICATION

NOTICE IS HEREBY GIVEN that the undersigned has applied to the Zoning Board of Appeals of the Village of Port Chester, N.Y.

Sabrina Greco
58 Haines Boulevard
Port Chester, New York 10573

on the premises No. **58 Haines Boulevard** in the Village of Port Chester, New York, situated on the **West** side of **Haines Boulevard**, distant **240 ft** from the corner formed by the intersection of **Betsy Brown Road and Haines Boulevard** being **Section 135.52, Block No. 1, Lot No. 40** on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects:

Application is hereby made under the discretionary power vested in you by Section 345-29A, 345-13 or in the alternative 345.30 of the Zoning Ordinance of the Village of Port Chester for

permission to: construct a new wood deck on rear of home. The property is located in R7 District- where the minimum rear-yard setback is 30 feet and the proposed is 20.2 feet, therefore a variance is required and that a public hearing on said application will be held before said Board on the **20th** day of **September** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Case No. 2012-0043

NOTICE OF HEARING ON APPLICATION

NOTICE IS HEREBY GIVEN that the undersigned has applied to the Zoning Board of Appeals of the Village of Port Chester, N.Y.

Jose and Raquel Viera
10 Edison Place
Port Chester, New York 10573

on the premises No. **10 Edison Place** in the Village of Port Chester, New York, situated on the **East** side of **Edison Place** distant 179.36 feet from the corner formed by the intersection of **Edison Place and Terrace Avenue** being **Section 136.72, Block No. 1, Lot No. 11** on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects:

Application is hereby made under the discretionary power vested in you by Section 345-29A, 345-13 or in the alternative 345.30 of the Zoning Ordinance of the Village of Port Chester for permission to: renew expired building permit to construct a one car garage in rear of property an addition to rear corner of the home.

Garage was constructed 1929 in the "Residence C District where minimum least width of sideyard was 3 ft.; proposed is 1.6 ft therefore a variance of 1.4 ft is required.

Structure is located in the R2F Zone where the minimum (1) side yard setback is 8ft., total of 2 on an interior lot (feet) is 14ft. Proposed side-yard setback is 2.2 ft on the south west side of home, therefore a sideyard variance of 3.8 ft is required. and that a public hearing on said application will be held before said Board on the **20th** day of **September** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Case No. 2012-0044

NOTICE OF HEARING ON APPLICATION

NOTICE IS HEREBY GIVEN that the undersigned has applied to the Zoning Board of Appeals of the Village of Port Chester, N.Y.

Richard Galasso
83 Grant Street
Port Chester, New York 10573

on the premises No. **83 Grant Street** in the Village of Port Chester, New York, situated on the **North** side of **Grant Street** distant 275 feet from the corner formed by the intersection of **Grant Street and Grandview Avenue** being **Section 144.44, Block No. 2, Lot No. 57** on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects: Application is hereby made under the discretionary power vested in you by Section 345-29A, 345-13 or in the alternative 345.30 of the Zoning Ordinance of the Village of Port Chester for permission to: convert existing 1 family residence into a 2 family residence.

The structure is located in the R2F District where usable open space on a lot, per dwelling is 800 sq. ft requiring a total of 1600 sq. ft., proposed is 1233 sq. ft. therefore a variance of 367 sq. ft. is required.

The structure is a legal 1 family non conforming building in the R2F District where the minimum front yard setback is 20 ft; proposed is 12.2 ft, therefore a variance of 7.8 ft. is required. Dwelling units in converted 1 family dwelling require a minimum of 750 sq. ft. per unit and a first floor enclosed area of a one-two family dwelling shall be 750 sq. ft. and least overall dimension of 20ft.; proposed first floor area is 618 sq. ft. therefore a variance of 132 sq ft is required.

1 and 2 family dwellings require 2 parking spaces per unit; proposed is 3 parking spaces, therefore a variance of 1 parking space is required.

Detached accessory buildings located within a rear yard require at least 5 ft. From any side or rear lot line and shall not exceed 1 story or 15ft.; proposed is 1 story garage with side yard setback of 1.3 ft, therefore a variance of 3.7 ft is required.

and that a public hearing on said application will be held before said Board on the **20th** day of **September** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Case No. 2012-0045

NOTICE OF HEARING ON APPLICATION

NOTICE IS HEREBY GIVEN that the undersigned has applied to the Zoning Board of Appeals of the Village of Port Chester, N.Y.

Amos Ventura
36 Halstead Avenue
Port Chester, New York 10573

on the premises No. **36 Halstead Avenue** in the Village of Port Chester, New York, situated on the **South** side of **Halstead Avenue** distant 275 feet East of the corner formed by the intersection of **Halstead Avenue and Hewlett Place** being **Section 136.55, Block No. 1, Lot No. 25** on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects: Application is hereby made under the discretionary power vested in you by Section 345-29A, 345-13 or in the alternative 345.30 of the Zoning Ordinance of the Village of Port Chester for permission to: construct a new 1 car garage in rear of home

The structure is located in the R7 District where minimum usable open space on a lot per dwelling unit is 3,500 sq. ft.; proposed is 2,216 sq. ft therefore a variance of 1,283.75 sq. ft. is required

and that a public hearing on said application will be held before said Board on the **20th** day of **September** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

THE ZONING BOARD OF APPEALS MEETING WILL BE HELD AT 7:00 O'CLOCK IN THE EVENING AT THE COURT ROOM, POLICE HEADQUARTERS BUILDING, AT 350 NORTH MAIN STREET, PORT CHESTER, NEW YORK