

**VILLAGE OF PORT CHESTER  
ZONING BOARD OF APPEALS AGENDA  
February 16, 2012**

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<b><u>Case #2011-0006</u></b>	Phoenix Castle, LLC 411 Theodore Fremd Avenue Suite 206 South Rye, NY 10580	Anthony B. Gioffre, III Cuddy & Feder, LLP 445 Hamilton Avenue, 14 <sup>th</sup> Floor White Plains, NY 10601
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**Willett Avenue and Abendroth Place**

Applicant proposed to construct a building, located in the C2 Zone, which requires a variance as follows: Minimum area per dwelling unit required per Section 345-48.  
Requested: 750 square feet Proposed: 531 square feet

At the meeting held July 21, 2011, the Public Hearing was held and the matter adjourned. At the meeting held August 18, 2011, the matter was adjourned. At the meeting held September 15, 2011 a 90 day extension of previously granted variances was granted and the matter was adjourned. At the meeting held October 20, 2011 at the request of Mr. Gioffre, the matter was adjourned. At the meeting held November 17, 2011 a discussion was held and the matter was adjourned. At the meeting held December 15, 2011 the Village Attorney stated procedural issues with the application and referred the matter to Planning for a SEQR Determination with the Zoning Board waiving any additional administrative review and the matter was adjourned. At the January meeting the matter was adjourned pending an appearance at the Planning Commission for SEQR Determination. The matter was adjourned until tonight and the Public Hearing is still open.

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**Case #2012-0015      21 West Glen Avenue**

Thomas & Edelys Smith  
21 West Glen Avenue  
Port Chester, New York 10573

on the premises No. **21 West Glen Avenue** in the Village of Port Chester, New York, situated on the North side of West Glen Avenue, distant 50' feet from the corner formed by the intersection of **Hawley Avenue** and **West Glen Avenue** being Section 135.52, Block No.2, Lot No. 51 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: Grant Variance regarding a previously constructed garage existing since 1953. Requesting a variance for side yard setback of 5'4" in an R-7 Zone where 10 feet is required.

A Public Hearing was held on January 19, 2012 and the Village Attorney was directed to write Favorable Findings of Fact in support of this application for tonight's meeting.

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**Case No. 2012-0016**

**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.

Peter Templer & Kathryn Loosemore  
1 Miles Standish Circle  
Port Chester, New York 10573

Rex Gedney, AIA  
Crozier, Gedney Architects  
41 Elm Place  
Rye, New York 10580

on the premises No **1 Miles Standish Circle** in the Village of Port Chester, New York, situated on the Westerly side of Miles Standish Circle, distant 0' feet from the corner formed by the intersection of **Priscilla Lane** and **Francis Lane** being Section 136.39, Block No.1, Lot No. 10 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 addition to a single family residence where minimum required front yard is 30 feet and proposed is 17 feet 4 inches and that a public hearing on said application will be held before said Board on the 16<sup>th</sup> day of February, 2011 at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

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**Case No. 2012-0017**

**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.

John Wyles  
6 Harbor Drive

Christopher Colby  
Spire Architecture

Port Chester, New York 10573

3286 Franklin Avenue  
Millbrook, New York 12545

on the premises No. **6 Harbor Drive** in the Village of Port Chester, New York, situated on the North side of Harbor Drive Avenue, distant 50' feet from the corner formed by the intersection of **Harbor Drive** and **Shore Drive** being Section 142.63, Block No.1, Lot No. 9 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:

Grant a rear yard setback variance in the amount of 23'0" +/- . Existing rear yard is 15.5' -0" and that a public hearing on said application will be held before said Board on the 16<sup>th</sup> day of February, 2011 at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

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**Case No. 2012-0018**

**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.

Marie Heil  
559 Westchester Avenue  
Port Chester, New York 10573

on the premises No. **46 Sherman Street** in the Village of Port Chester, New York, situated on the **Northeasterly** side of the corner formed by the intersection of Grandview Avenue and Sherman Street, being Section **141.44**, Block No.3 Lot No. **4** 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 2<sup>nd</sup> floor bedroom addition and to construct a garage located at the rear of the property. The property is located in the R2F district where the minimum side yard setback is 8 ft and proposed is 7ft 9 in., therefore a variance is required.

Rear yard garage requires a minimum of 5 feet, proposed is 3 feet, therefore a variance is required and that a public hearing on said application will be held before said Board on the 16th day of February at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York 10573

**Case No. 2012-0020**

**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.

Estate of Donald Mackenzie  
90 Shelly Avenue  
Port Chester, New York 10573

Aldo Vitagliano  
150 Purchase Street  
Rye, New York 10580

on the premises No **90 Shelly Avenue** in the Village of Port Chester, New York, situated on the Northerly side of Shelly Avenue, distant 268 feet from the corner formed by the intersection of **Shelly Avenue** and **Glen Avenue** being Section 136.45, Block No.2 Lot No. 44 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: Maintain a bedroom addition over an existing attached garage; Permit and occupancy fees paid; no Certificate of Occupancy has been located. Bedroom addition was approved & built on existing garage built in 1928. A rear yard variance was also granted by Zoning Board.

Property is located in the R5 district where the minimum side yard setback on Jan 23, 2012 & at time of original construction permit is 6 feet; proposed is 3ft 6 inches, therefore a variance is required and that a public hearing on said application will be held before said Board on

the 16<sup>th</sup> day of February 16, 2012 at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

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**Case No. 2012-0019**

**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.

78-80 Purdy Avenue Holdings  
78-80 Purdy Avenue

John B. Colangelo, Esq.  
211 South Ridge Street

Port Chester, New York 10573

Rye Brook, New York 10573

on the premises No **78-80 Purdy Avenue** in the Village of Port Chester, New York, situated on the Southerly side of Purdy Avenue, distant approx 175 feet from the corner formed by the intersection of **Purdy Avenue** and **Don Bosco Place** being Section 142.38, Block No.2 Lot No. 24 and 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: Eliminate existing 6 parking spaces so that applicant may utilize area for outdoor display of retail product. Property is located in R2F Zone where 20 spaces are required. (Applicant was previously granted a variance to reduce parking to 6 spaces) and that a public hearing on said application will be held before said Board on the 16<sup>th</sup> day of February 16, 2012 at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

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**Case No. 2012-0021**

**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.

Steve & Judy Gagnon  
30 Austin Place  
Port Chester, New York 10573

on the premises No **30 Austin Place** in the Village of Port Chester, New York, situated on the Northerly side of Shelly Avenue, distant 268 feet from the corner formed by the intersection of **Austin Place** and **Putnam Avenue** being Section 136.54, 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: To construct a 2<sup>nd</sup> floor addition above an existing den. The property is located in the R7 District where the minimum side yard setback is 10 feet; proposed is 7ft 3 in., therefore a variance is required and that a public hearing on said application will be held before said Board on the 16<sup>th</sup> day of February 16, 2012 at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York 10573

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**Extension Requests**

**Case # 2011-0010 25 Willett Avenue**

John Colangelo, Esq.

Request for a 90 day extension of previously approved variances in order to file applications for Building Permits and other administrative permits.

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**Case # 2011-0001 57 Soundview Street**

Gary Gianfrancesco, AIA  
Arconics Architecture

Request for extension of previously granted Zoning Variances while application is pending before the Planning Commission.

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**Case # 1473(F367)//2011-0013 54 Poningo Street**

Gary Gianfrancesco, AIA  
Arconics Architecture

Request for extension of previously granted Zoning Variances

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**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**