

**VILLAGE OF PORT CHESTER
ZONING BOARD OF APPEALS AGENDA
March 15, 2012**

Findings of Fact

Case #2011-0006

Phoenix Castle, LLC
411 Theodore Fremd Avenue
Suite 206 South
Rye, NY 10580

Anthony B. Gioffre, III
Cuddy & Feder, LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

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

Findings of Fact

Case No. 2012-0016

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

Findings of Fact

Case No. 2012-0020

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

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Findings of Fact

Case No. 2012-0021

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 2nd 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

Continued Public Hearing

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 2nd 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 15th day of March at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York 10573

Continued Public Hearing

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
Port Chester, New York 10573

John B. Colangelo, Esq.
211 South Ridge Street
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 16th day of March 15, 2012 at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

New Submissions

Case No. 2011-0014

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.

Sara Putz
2 Harbor Drive
Port Chester, New York 10573

Michiel Boender, AIA
Edgewater Architects
163 North Main Street
Port Chester, New York 10573

on the premises No **2 Harbor Drive** in the Village of Port Chester, New York, situated on the **West** side of **Harbor Drive**, distant **900 ft. North** of the corner formed by the intersection of **Harbor Drive and Gray Rock Road S.** being Section 142.63 Block No.1, Lot No. 13 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 install a new 3 story modular frame 1-family residence on an existing foundation. The property is located in an R7 District whereas a maximum of 2 ½ stories and 35 ft in height is permitted. The proposed construction 44'8" exceeds permitted limits in an R7 District.

and that a public hearing on said application will be held before said Board on the **15th** day of **March, 2012** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Port Chester, New York

ZONING BOARD OF APPEALS
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada
Frank Strauch
Gerardo Espinoza, Alternate

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
Port Chester, New York 10573

Christopher Colby
Spire Architecture
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 15th day of March, 2011 at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Port Chester, New York

ZONING BOARD OF APPEALS
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada
Frank Strauch
Gerardo Espinoza, Alternate

Case No. 2012-0022

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.

Oakridge Drive LLC
P.O. Box 3290
100 Hartford Avenue
Mount Vernon, New York 10553

John B. Colangelo, Attorney
211 South Ridge Street
Rye Brook, New York 10573

on the premises No **16 Oakridge Drive** in the Village of Port Chester, New York, situated on the **Easterly** side of **Grace Church Street** being Section 142.62 Block No.2, Lot No. 31 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 legalize existing wood stairs as a secondary means of egress from rear of premises. The property is a part of an approved subdivision & an updated survey indicates the rear yard setback shows an offset of 25.60 ft where the minimum rear yard setback in an R7 zone is 30 feet, therefore a variance is required and that a public hearing on said application will be held before said Board on the **15th** day of **March, 2012** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Port Chester, New York

ZONING BOARD OF APPEALS
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada

Frank Strauch
Gerardo Espinoza, Alternate

Case No. 2012-0024

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.

Charles Nielsen
84 Putnam Avenue
Port Chester, New York 10573

Anthony Provenzano
320 Westchester Avenue
Port Chester, New York 10573

on the premises No **84 Putnam Avenue** in the Village of Port Chester, New York, situated on the Northerly side of **Putnam Avenue**, distant **50 ft.** of the corner formed by the intersection of **Putnam Avenue and Parkway Drive.** being Section 136.36 Block No.1, Lot No. 82 on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects:

Applicant request permit existing sidewalk with existing setbacks. Property is in R5 1 family zoning district where minimum front yard setback is 25 feet. Rezoning designated the property as R2F with minimum front yard setback of also 25ft. Existing front yard setback is 22ft 3 in., therefore a variance is required and that a public hearing on said application will be held before said Board on the **15th day of March, 2012 at 7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Port Chester, New York

ZONING BOARD OF APPEALS
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada
Frank Strauch
Gerardo Espinoza, Alternate

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 the R7 District where the minimum lot size is 7,500 sq. ft and the proposed lot size is 5,864 sq. ft. and therefore a lot area variance is required and that a public hearing on said application will be held before said Board on the **15th** day of **March, 2012** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Port Chester, New York

ZONING BOARD OF APPEALS
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada
Frank Strauch
Gerardo Espinoza, Alternate

Case No. 2011-0011

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.

Father Richard Alejunas SDB
Church of Our Lady of the Rosary
22 Don Bosco Place
Port Chester, New York 10573

Peter F. Gaito & Associates
399 Knollwood Road
Suite 106
White Plains, New York 10603

on the premises No **22 Don Bosco Place** in the Village of Port Chester, New York, situated on the **East** side of **Don Bosco Place** on the corner formed by the intersection of **Don Bosco Place and Beech Street** being Section 142.38 Block No.2, Lot No. 30 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 erect a two story addition to the Don Bosco Community Center located at 22 Don Bosco Place & a Certificated of Occupancy for an existing porch enclosure to the Rectory. The premise is located in the R2F Zoning District. Plans submitted for a Building Permit do not comply with front yard and rear yard setbacks.

Community Center

Rear Yard: 30ft – proposed 0.3ft

Front Yard: 20 ft. – proposed 11 ft 7 in

Max Height 35 ft. – proposed 54 ft

Rectory: Front yard 20 ft – proposed +1.25 ft

Parking: 48 spaces required – proposed 0

and that a public hearing on said application will be held before said Board on the **15th** day of **March, 2012** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Port Chester, New York

ZONING BOARD OF APPEALS
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Zoning Board of Appeals

March 15, 2012

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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**