

**VILLAGE OF PORT CHESTER  
ZONING BOARD OF APPEALS AGENDA  
May 15, 2014**

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**Case Update**

**Case # 2012-0023 (Public Hearing for this matter is closed)**

William & Drayton Gerety 2 Deerfield Lane Mamaroneck, New York 10543	Leslie Maron, Esq. 5 Westchester Avenue Pound Ridge, New York 10576
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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

**Findings of Fact**

- 1. Case #2013-0082**  
Andrea Granata  
22 Burdsall Drive  
Port Chester, New York 10573

on the premises No. **22 Burdsall Drive** in the Village of Port Chester, New York, situated on the **Northwest** side of **Burdsall Drive** distant **37.5 feet** from the corner formed by the intersection of **Burdsall Drive and Mitchell Place** being **Section 136.30, Block No 2, 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: install a whole house generator and shed.

Property is located in the R7 One Family Residential District where detached accessory buildings and structures may be located within a required rear yard provided they are at least 5 ft. from any side or rear lot line and do not exceed 15ft. in height. Proposed is as shed at the SW corner in the rear yard setback of property, situated at 2.64 ft. from rear yard and 4.01 ft. from side yard setback, therefore rear yard setback variance of 2.36 feet and a side yard setback variance of .99 feet are required

Accessory buildings and structures, including private garages shall not be located within a required front yard or required side yard setback. R7 one family Residential Minimum Side Yard Dimensions: One (10ft.) and a total of 2 on an interior lot (20ft.); proposed is a minimum (1) side yard setback of 9 ft., therefore a 1.0 ft. side yard variance is required.

**Findings of Fact**

**2. Case # 2014-0089**

O'Connor Redd LLP, Applicant  
Gary Gianfrancesco AIA Architect  
545.5 Westchester Avenue  
Rye Brook, NY 10573

on the premises No. **242 King Street** in the Village of Port Chester, New York, situated on the **West** side of **King Street** distant **300 feet** from the corner formed by the intersection of **King Street and Summerfield Street** being **Section 136.78, Block No 3, Lot No. 39** 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: obtain an area variance for Off Street Loading

Property is located in the RA3 Multi Family Residence District. Per Section 345-14C Schedule of off street parking Space requirements, 1 parking space per two hundred square feet of office space is required. 5,800 square feet of office space is proposed, therefore 29 off street parking spaces are required; 21 spaces are currently provided, therefore a variance of 8 off street parking spaces is required

**Findings of Fact**

**3. Case No. 2014-0090**

The American Bar & Restaurant Association  
Gary Gianfrancesco, AIA Architect  
Arconics Architecture  
545.5 Westchester Avenue  
Rye Brook, NY 10573

on the premises No. **25 Willett Avenue** in the Village of Port Chester, New York, situated on the **North** side of **Willett Avenue** distant **0 feet** from the corner formed by the intersection of **Abendroth Avenue and Willett Avenue** being **Section 142.33, Block No 2, Lot No. 22** 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: obtain an area variance for Off Street Loading

Property is located in the C2 Main Street Business District. Per Section 345-14D Schedule Of Off Street Truck Loading Requirements, 1 off street loading space for restaurant use is required, applicant proposes 0 therefore a variance for 1 off street loading space is required

**Continued Public Hearing**

**4. Case # 2014-0088**

A Cubed, LLC  
By Kimberly Abate  
77 Forest Avenue  
Rye, NY 10580

on the premises No. **1 Rye Road** in the Village of Port Chester, New York, situated on the **North** side of **Rye Road** distant **0 feet** from the corner formed by the intersection of **Rye Road and Bay Drive** being **Section 142.71, Block No 1, Lot No. 5** 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: renovate and expand an existing single family residence.

Property is located in the R7 One Family Residential District where the minimum front yard setback is 30 feet, proposed is a front yard setback of 18 feet 5 ¼ inches; therefore a variance of 11 feet 6 ¾ inches is required

**Continued Public Hearing**

**5. Case #2014-0087**

**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.

Barrington Bogle  
560 North Ridgefield Avenue  
Bridgeport, CT 06610

Gihan & Miriam Huebscher-Naddscher  
1 Pondview East  
Purchase, NY 10577

on the premises No. **12-14 Parker Street** in the Village of Port Chester, New York, situated on the **Left** side of **Parker Street**, **Distant 110 ft.** of the corner formed by the intersection of **Poningo Street and Parker Street** being **Section 136.78, 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: 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: legalize an existing garage

The property is located in the RA3 One Family Residential District where at the time of construction (1956) the minimum rear yard setback for accessory structures is 5 ft.; proposed is zero feet therefore a side yard variance of 5 ft. is required.

Accessory buildings and structures including off street parking structures above the finished grade, or so much of accessory buildings and structures which is above the finished grade may be located within a required rear yard, provided that they shall be set back from any side or rear lot line a distance equal to ½ their height.

The current 1 car garage was expanded into a 2 car garage (no record of a permit). The distance required that is equal to ½ the height is 5.7ft., proposed is 4.2ft.; therefore a rear lot line variance of 1.5 ft. is required

### **New Public Hearing**

#### **6. Case No. 2014-0091**

#### **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.

AGD North Pearl Street LLC  
5 Waller Avenue  
White Plains, NY, 10601

Anthony Gioffre, Esq.  
Cuddy & Feder LLP  
445 Hamilton Avenue  
White Plains, NY 10601

on the premises No. **120 North Pearl Street** in the Village of Port Chester, New York, situated on the **Northern** side of **North Pearl Street** distant **336.22 ft.** from the corner formed by the intersection of **North Pearl Street and Irving Avenue** being **Section 142.22, Block No 2, Lot No. 62** 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 50 unit multifamily building on the premises.

Property is located in the C2 Main Street Business District and also borders the R2F Two Family Residence District. Per Section 345-61(Q) (2) Special Exception multifamily developments must be more than 500 linear feet from a one or two family district. Proposed location abuts an R2F Two Family District, therefore a variance of 500 ft. is required.

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and that a public hearing on said application will be held before said Board on the **15th** day of **May, 2014** 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 Hearing**

**Case No. 2014-0092**

**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.

Nolberto Gonzales  
54 Haseco Avenue  
Port Chester, NY 10573

Vincent Castellano, Esq.  
35 E. Grassy Sprain Road  
Yonkers, NY 10710

on the premises No. **54 Haseco Avenue** in the Village of Port Chester, New York, situated on the **Northwest** side of **Haseco Avenue** distant **311.81 feet** from the corner formed by the intersection of **Irving Avenue and Haseco Avenue** being **Section 136.78, Block No 1, Lot No. 18** 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 deck.

Property is located in the R5 One Family Residential District where the rear yard setback is 30 ft. and the minimum (one) side yard setback is 8 ft. Proposed is a rear yard setback of 15 ft. and a minimum (one) side yard setback of 5.4 ft.; therefore a rear yard variance of 15 ft. and a side yard setback variance of 2.6 ft. is required

and that a public hearing on said application will be held before said Board on the **15th** day of **May, 2014** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

**Adjourn Meeting to June 19, 2014**

**THE ZONING BOARD OF APPEALS MEETING WILL BE HELD ON THE 3<sup>RD</sup> THURSDAY OF EVERY MONTH AT 7:00 O'CLOCK IN THE EVENING IN THE COURT ROOM, POLICE HEADQUARTERS BUILDING, AT 350 NORTH MAIN STREET, PORT CHESTER, NEW YORK 10573**