

**VILLAGE OF PORT CHESTER
ZONING BOARD OF APPEALS AGENDA
June 19, 2014**

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 # 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

Findings of Fact

2. Case No. 2014-0092

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

Withdraw Case

3. Case #2014-0087

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

Continued Public Hearing

4. Case No. 2014-0091

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.

New Public Hearing

5. Case No. 2014-0094

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.

Dan Krizan, Applicant
26 Perry Avenue
Port Chester, New York 10573

Michiel Boender, Architect
The Edgewater Group
163 North Main Street
Port Chester, NY 10573

on the premises No. **26 Perry Avenue** in the Village of Port Chester, New York, situated on the **West** side of **Perry Avenue** distant **100 feet** from the corner formed by the intersection of **Perry Avenue and Irving Avenue** being **Section 135.64, Block No 2, Lot No. 55** 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 a side yard variance for a new deck

Property is located in the R5 One Family Residential where the minimum (one) side yard setback is 8 feet. Proposed is a side yard setback of 1 ft. 7 in; therefore a 6ft. 5 in. side yard setback variance is required

and that a public hearing on said application will be held before said Board on the **19th** day of **June, 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

6. Case No. 2014-0093

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.

Capitol Theatre LLC
Capitol Enterprises, Inc.
Peter Shapiro, Owner
145/149-151 Westchester Avenue
Port Chester, NY 10573

Anthony Tirone, Esq.
202 Mamaroneck Avenue
White Plains, NY 10601

in the premises No. **149-151 Westchester Avenue** in the Village of Port Chester, New York, situated on the **North** side of **Westchester Avenue** distant approximately 100 feet from the corner formed by the intersection of **Westchester Avenue and Broad Street** being **Section 142.30 Block No. 2, Lot No. 19** 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 Off-Street Parking Space Variance

Property is located in the C5 Train Station Mixed Use Zoning District 345-14 Off Street parking, Truck Loading and Vehicular Access C. (2) For Non-Residential Non Uses, combined uses of a Cabaret, Catering Events, and Bar require a minimum of 412 Off-Street Parking Spaces. Proposed is 0, therefore a 412 Off-Street Parking Space variance is required

and that a public hearing on said application will be held before said Board on the **19th** day of **June, 2014** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Zoning Board of Appeals

June 19, 2014

Page 5

Adjourn Meeting to July 17, 2014

THE ZONING BOARD OF APPEALS MEETING WILL BE HELD ON THE 3RD 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