

**VILLAGE OF PORT CHESTER
ZONING BOARD OF APPEALS AGENDA
July 17, 2014**

Findings of Fact

1. 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.

Findings of Fact

2. Case No. 2014-0094

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

Continued Public Hearing

3. Case No. 2014-0093

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

on 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

New Public Hearing

4. Case No. 2014-0095

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.

Aline Polimeni
220 Westchester Corp.
220 Westchester Avenue
Port Chester, New York 10573

Bernard A. Edelstein, Esq.
315 Westchester Avenue
Port Chester, NY 10573

on the premises No. **220 Westchester Avenue** in the Village of Port Chester, New York, situated on the **South** side of **Westchester Avenue** distant **110 feet** from the corner formed by the intersection of **Westchester Avenue & Grove Street** being **Section 142.22, Block No 1, Lot No. 6** 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:
Create medical and dental offices on 2nd floor of an existing mixed use building.

Property is located in the C1 Neighborhood Retail District where a Use Variance is required for medical/dental office use with X-Ray per Village Code 345 Attachment #A Schedule of Regulations for Nonresidence Districts

and that a public hearing on said application will be held before said Board on the **17th** day of **July, 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

5. Case No. 2014-0096

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.

Joseph & Deryl DePauw
12 Chestnut Street
Port Chester, NY 10573

on the premises No. **12 Chestnut Street** in the Village of Port Chester, New York, situated on the **NorthEast** side of **Chestnut Street** distant **125 feet** from the corner formed by the intersection of **Chestnut Street and Willett Avenue** being **Section 136.71, Block No 1, Lot No. 61** 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 a single family home and rear barn into a two family dwelling by connecting two structures via a breezeway.

Property is located in the R2F Zoning District. Per Article IV Supplementary Regulation 345-6 Accessory Buildings and Uses (I) *In One and Two Family Residential Districts: (3) Accessory off-street parking spaces, other than those which might be incidentally available within an actual access driveway area shall not be located within a required front yard nor within a required side yard.* Proposed are 4 parking spaces, one space can be utilized and relocated by use of the proposed 1 car garage. Three spaces are located within the required side yard and one space is located within the required front yard; therefore a variance to allow 3 spaces to be located within the required side yard and one space to be located within the required front yard is requested

and that a public hearing on said application will be held before said Board on the **17th** day of **July, 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

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Adjourn Meeting to August 21, 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