

**VILLAGE OF PORT CHESTER
ZONING BOARD OF APPEALS AGENDA
April 21, 2016**

Findings

None

Continued Public Hearing

1. Case No. 2015-0126 – Continued Public Hearing (REQUEST TO WITHDRAW)

Kimberly Tutera Martelli
KTM Architect
43 North Main Street
Port Chester, NY 10573

on the premises No. **43 King Street** in the Village of Port Chester, New York, located in an R2F Building Zone District being **Section 142.31, Block 1, Lot 34** on the tax assessment map of the Town of Rye, New York

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 sign permit application

- (1) Property is located in the C1 Commercial Retail District A wall identification sign shall be attached to or incorporated in a building wall. Such sign shall not: (b) be located above the second story of the building wall. Proposed are 4 signs to be located and displayed in the window(s) on the third floor therefore; a variance to permit the installation of identification signs above the second floor are required.
- (2) (a) One permanent, durably constructed and approved sign no greater than 20% of the window area or eight square feet, whichever is smaller. Proposed are 4 signs, each exceed the allowable are within the window that they will be located in and therefore; variances are required for each window.
 1. KTM signage: max permitted allowable area is 1.73 sq. ft., proposed is 6.09 sq. ft. therefore; a 4.36 sq. ft. allowable window area coverage variance is required.
 2. Emilia signage: max permitted allowable area is 1.73 sq. ft., proposed is 6.09 sq. ft. therefore; a 4.36 sq. ft. allowable window area coverage variance is required.

3. Cuono signage: max permitted allowable area is 3.71 sq. ft., proposed is 15.89 sq. ft. therefore; a 12.18 sq. ft. allowable window area coverage variance is required.
4. Well Built Company signage: max permitted allowable area is 3.71 sq. ft., proposed is 15.89 sq. ft. therefore; a 12.18 sq. ft. allowable window area coverage variance is required,

Continued Public Hearing

2. Case #2016-0129 – Continued Public Hearing

REQUEST TO ADJOURN

Laura and Joseph Devita
1 Shore Drive
Port Chester, NY 10573

on the premises No. **1 Shore Drive**, being **Section 142.63, Block No 1, 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 2nd curb cut and driveway and parking area in front yard.**

Property is located in the R7 One family Residential District where Accessory off-street parking spaces, other than those which might be incidentally available within an actual access driveway area, shall not be located within the required front yard.

Proposed is the construction of a new driveway and (2) parking spaces to be located within the required front-yard and therefore, a variance to construct a new driveway and permit parking to be located within a required front is required.

Access driveways through the required front yards and required side yards shall not exceed 10 feet in width, except that in the instance where a garage two car spaces wide is set back beyond the required front yard, such garage may have an access driveway as wide as the parking spaces in the garage, which driveway extends not more than 30 feet in front of the access doors to such garage. Proposed driveway varies from 12 to 16 feet wide therefor a 6' variance for driveway width is required.

Proposed is the construction of a new driveway that will exceed 10 feet in width with a proposed maximum width of 16 feet at the front courtyard within the required front-yard and therefore, a variance to construct a new driveway exceeding the maximum width of 10 feet to be located within a required front is required

Extension Request

3. Case #2013-0076 – Extension Request

A letter and related material dated March 7, 2016 was received from Luis Perez applicant, regarding variances granted on October 17, 2016 which have expired for property located at 139 South Main Street. Due to circumstances explained in the correspondence the applicant has been unable to start/complete the project in the time frame allowed per Village Code. §345.23 (6) The applicant is requesting an extension of the granted variances.

4. Case #2016-0130 – New Public Hearing

NOTICE IS HEREBY GIVEN that the undersigned has applied to the Zoning Board of Appeals of the Village of Port Chester, N.Y.

Cosmo Micarone
18 Hilltop Drive
Port Chester, NY 10573

Lisa K Tuccio
4301 Gulf Shore Blvd.
Naples, FL 34103

Michiel Boender
Edgewater Architects
163 North Main Street
Port Chester, NY 10573

on the premises No. **115 Pearl Street** in the Village of Port Chester, New York, located in a Commercial (“C4”) Building Zone District being **Section 142.38, Block 1, Lot 18 and** on the tax assessment map of the Town of Rye, New York.

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: Proposed use as “Parking Business”

Applicant proposes to use as Parking Business with office. Applicant proposes to lease parking spaces with electrical hookups for refrigerated trucks, - 6 trucks maximum.

A determination of use is needed,

5. Case No. 2016-0131 – New Public Hearing

NOTICE IS HEREBY GIVEN that the undersigned has applied to the Zoning Board of Appeals of the Village of Port Chester, N.Y.

Bar Taco Port Chester LLC
1-11 Willett Avenue
Port Chester, NY 10573

on the premises No. **1-11 Willett Avenue Avenue** in the Village of Port Chester, New York, located in the C2 Building Zone District being **Section 142.23, Block 2, Lot 16** on the tax assessment map of the Town of Rye, New York

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: acquire variances to obtain Certificate of Occupancy

Required Variances:

Area Variance: uses in C2 require a minimum 20ft. rear yard setback. Applicant has 0 ft. rear yard setback; therefore a 20 ft. rear yard setback is required

Loading Variance: 9,089.96 sq. ft. of restaurant space requires 2 loading spaces. Applicant provides 1 loading space; therefore a 1 loading space variance is required

Side Yard Variance: uses in C2 require a minimum 10 ft. side yard setback if provided. Applicant has a 3.5 ft. side yard setback; therefore a 6.5 ft. side yard variance is required

Adjourn Meeting to May 19, 2016

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