

**VILLAGE OF PORT CHESTER
ZONING BOARD OF APPEALS AGENDA
May 19, 2016**

Findings

1. Case No. 2016-0131 – Findings

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

Findings

2. Case #2016-0130 – Findings

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

Continued Public Hearing

3. Case #2016-0129 – Continued Public Hearing

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

New Public Hearing

4. Case No. 2016-0132 - 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.

**Mary Lou Cassone
202 South Regent Street
Port Chester, NY 10573**

**James McTigue
Risoli Engineering
1166 East Putnam Avenue
Riverside, CT 06878**

on the premises No. **202 South Regent Street**, being **Section 141.36, Block No 2, Lot No. 46** 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 Use variance and Parking variances.**

Property is located in the C4 General Commercial District where per Section 345 Attachment 3A, retail is not a permitted use in the C4 District. **Therefore a Use Variance is required.**

Parking Variance per 345-14 – 4,476 sq. ft. of office space requires 23 off street parking spaces; 1,129 sq. ft. of retail requires 6 off street parking spaces and 72,209.4 sq. ft. of bakery plant requires 72,209.4 sq. ft. of off street parking for a total of 43 spaces and 72,209.4 sq. ft. of required of street parking. Applicant will provide 48 parking spaces. Applicant will need a parking variance to account for the required parking square footage incurred by the bakery plant.

New Public Hearing

5. Case No. 2016-0133 – 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.

**Lawrence Bennett/Applicant
312 Ronbru Drive
New Rochelle, NY 10804**

**Eswin Hernandez/Owner
83 Inwood Avenue
Port Chester, NY 10573**

on the premises No. **83 Inwood Avenue** in the Village of Port Chester, New York, located in a Commercial (“C4”) Building Zone District being **Section 141.44, Block 3, Lot 16** 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 to: **construct a study room off of an existing basement.**

Property is located in the R2F Two Family District where the required minimum (1) side yard setback is 8.0 feet, proposed is 3.0 feet, therefore a side yard setback variance of 5.0 feet is required.

The home is a preexisting non-conforming three family dwelling. No such non-conforming use of land shall be enlarged or increased; therefore a use variance is required for the proposed enlargement of a non-conforming use,

Adjourn Meeting to June 16, 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