

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

\*\*\*\*\*

**Findings**

**1. Case # 2016-0134 – Findings**

430 Westchester Avenue LLC  
c/o Feryal Alidadi  
15 Colonial Road  
White Plains, New York 110605

John B. Colangelo, Esq.  
211 S. Ridge Street  
Rye Brook, NY 10573

on the premises No. **430 Westchester Avenue** in the Village of Port Chester, New York, located in the C2 Building Zone District being **Section 135.84, Block 3, Lot 51** 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: **install one double sided aluminum monument sign to replace existing wooden sign.**

The property is located in the RA-3 Zoning District where the maximum permitted area of an identification sign is 12 sq. ft. Proposed sign is 28 sq. ft.; therefore a variance of 16 sq. ft. is required.

In addition the identification is required to be at least 25 ft. from the side property line. Proposed sign is 10 ft. from side property line; therefore a variance of 15 ft. is required.

**Continued Public Hearing**

**2. 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 2<sup>nd</sup> 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 – Continued Public Hearing**

**Luis Perez  
Bandito's Restaurant  
139 South Main Street  
Port Chester, NY 10573**

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**, Port Chester, NY 10573. (**Section 142.55, Block 1, Lot 3**) 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.

**Continued Public Hearing**

**4. Case No. 2016-0132 - Continued Public Hearing**

**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.

**Continued Public Hearing**

**5. Case No. 2016-0133 – Continued Public Hearing**

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.

**New Public Hearings**

**6. 2016-0135 - 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.

Maria Sinis  
P.O. Box 204  
Rye, NY 10580

on the premises No. **167 Irving Avenue** in the Village of Port Chester, New York, located in the C2 Main Street Business District being **Section 142.22, Block 2, Lot 25** 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:

Use Variance: Per Section 345 Attachment 3A, residential is not a permitted use within the C2 District, therefore a use variance is required.

Off Street Loading Space Variance: Per Section 345.14, 1 off street loading space is required, proposed is 0 off street loading spaces; therefore a variance of 1 off street loading space is required.

and that a public hearing on said application will be held before said Board on the **21st** day of **July, 2016** at **7:00 o'clock** in the evening at the Court Room, Police Headquarters Building, 350 North Main Street, Port Chester, New York.

7. **2016-0136 – New Public Hearing**

**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.

Gary Gianfrancesco  
545 ½ Westchester Avenue  
Rye Brook, NY 10573

on the premises No. **531 North Main Street** in the Village of Port Chester, New York, located in the C2 Building Zone District being **Section 136.64, Block 1, Lot 33** 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

Property is located in the C4-R Gateway Retail District

Required Variances:

Area Variance: Per Section 345 Attachment 1B, the minimum side yard setback is 10 feet. The proposal provides a side yard setback of 5 feet 11 inches; therefore a variance of 4 ft 3 inches is required

Off Street Loading Variance:

Per Section 345-14, 1 off street loading space is required. The proposal provides 0 off street loading spaces; therefore a variance of 1 off street loading space is required

and that a public hearing on said application will be held before said Board on the **21st** day of **July, 2016** 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

July 21, 2016

Page 6

**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**