

**VILLAGE OF PORT CHESTER
ZONING BOARD OF APPEALS AGENDA
August 18, 2016**

Findings

1. 2016-0136 – Findings

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

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 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 – 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. 2016-0133 – 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 the R2F Two Family Zone 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.

Continued Public Hearing

5. 2016-0135 – Continued Public Hearing

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.

**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**

