

**VILLAGE OF PORT CHESTER
ZONING BOARD OF APPEALS AGENDA
November 17, 2016**

Findings

1. Case #2016-0141 – Findings

Frank A. Santoro
214 Grace Church Street
Port Chester, New York 10573

on the premises No. **214 Grace Church Street** in the Village of Port Chester, New York, located in a R2F Zone, being **Section 141.32, Block 1, Lot(s) 25 and 26** 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 deck and re-issue a permit to install an Above Ground Pool.

The Code of Port Chester section 285-11 B. states that “No private swimming pool shall be constructed or erected nearer than 10 feet to side or rear lot lines and a similar distance from existing and contemplated structures, and a distance no less than the required setback from the front lot line in the district in which the pool is located.”

2. Case No. 2016-0138 – Findings

Michael and Susan Marino
65 Glendale Place
Port Chester, New York 10573

on the premises No. **65 Glendale Place** in the Village of Port Chester, New York, located in the R5 Building Zone District being **Section 136.70, Block 1, Lot 61** 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: **alter a rear deck**

The property is located in the R5 Zoning District which requires a 30’ rear yard setback and where the survey shows the rear deck to be located 26.4’ from the rear property line.

Continued Public Hearing

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. 2016-0137 - Continued Public Hearing

**Grace Powers-Fraioli
43 Elizabeth Street
Port Chester, NY 10573**

on the premises No. **43 Elizabeth Street** in the Village of Port Chester, New York, located in the R5 Building Zone District being **Section 136.69, Block 1, Lot 59** on the tax assessment map of the Town of Rye, New York

Property is located in the Residential R5 zone. A review of the site plan reveals that an additional curb cut and off street parking space will be located next to an existing driveway along Columbus Avenue.

Village of Port Chester Zoning Regulation of 1975 section 345-6 I. (3) prohibits off street parking spaces in the front yard and section 345-14 H. one- and/or two-family are limited to one curb cut per lot.

Section 345-6 I. (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.”

Section 345-14 H. “Lots containing or restricted to one- and/or two-family dwellings shall be limited to one curb cut per lot.”

New Public Hearing

5. Case #2016-0129 – New Public Hearing (revised application)

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 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: **alter the existing driveway with a second curb cut creating a “horse shoe driveway” in the front yard.**

1 Shore Drive is located in the Residential R7 zone. A review of the site plan reveals that an second curb cut creating a “horse shoe drive way” in the front yard on Shore Drive.

Please be advised that the Village of Port Chester Zoning Regulation of 1975 section 345-6 D. requires access driveways to be paved, site plan indicates gravel and 345-14 H. one- and/or two-family are limited to one curb cut per lot.

Section 345-6 D. “Access driveways and accessory off-street parking areas shall be paved in accordance with Village specifications.”

Section 345-14 H. “Lots containing or restricted to one- and/or two-family dwellings shall be limited to one curb cut per lot.”

and that a public hearing on said application will be held before said Board on the **17th** day of **November, 2016** 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

6. Case No. 2016-0142 – 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.

**Anthony Salvatore
29 Tower Hill Drive
Port Chester, NY 10573**

on the premises No. **29 Tower Hill Road**, being **Section 136.38, Block No 2, Lot No. 13** 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 three decks and install an Above Ground Pool in the rear yard**

A review of the survey reveals that the proposed Above Ground Pool with a metal deck is located 8.45 feet from the rear yard property line.

Please take notice that 29 Tower Hill Road is located in the R7 Zone and Village of Port Chester Zoning Law Section 345-41 R5 Zone, Schedule 1B, requires the rear yard setback to be 30 feet.

A review of the construction plans submitted do not show sufficient information to permit a determination that the plans for the three decks and the above ground pool are in compliance with the Residential Code of New York State. The Title Box does not accurately describe the scope of work, see DWG. TITLE: Basement Framing Plan.

New Public Hearing

7. Case No. 2016-0143 – 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.

**Angela Manning and Bobby Williams
28 Ridge Boulevard
Port Chester, NY 10573**

on the premises No. **28 Ridge Boulevard**, being **Section 135.60, Block No 2, Lot No. 8** 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: **to expand the rear deck from the dwelling to an above ground pool**

A review of the site plan reveals that the proposed expansion of the deck is 12 feet from the rear yard property line.

Please take notice that 28 Ridge Blvd is located in the R7 Zone and Zoning Law Section 345-41 R5 Zone, Schedule 1B, requires the rear yard setback to be 30 feet.

Please be advised that your Building Permit application for a the alteration of the rear deck is hereby **DENIED** for non-compliance with Zoning Section 345-41, R5 Zone, Schedule 1B, which requires a 30 feet rear yard setback and where the site plan shows the rear deck to be located 12 feet from the rear yard property line,

New Public Hearing

8. Case No. 2016-0144 – 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.

**Alvar Lee
66 Hawley Avenue
Port Chester, NY 10573**

on the premises No. **66 Hawley Avenue**, being **Section 136.45, Block No 2, Lot No. 15** 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: **expand the rear deck from the dwelling to an above ground pool**

A review of the survey reveals that the proposed deck is 29.7 feet from the rear yard property line.

Please take notice that 66 Hawley Avenue is located in the R5 Zone and Zoning Law Section 345-41 R5 Zone, Schedule 1B, requires the rear yard setback to be 30 feet.

Please be advised that your Building Permit application for a the alteration of the rear deck is hereby **DENIED** for non-compliance with Zoning Section 345-41, R5 Zone, Schedule 1B, which requires a 30 feet rear yard setback and where the site plan shows the rear deck to be located 29.7 feet from the rear yard property line,

NEXT ZONING BOARD OF APPEALS MEETING WILL BE HELD ON:

December 15, 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