

**VILLAGE OF PORT CHESTER
ZONING BOARD OF APPEALS AGENDA
December 15, 2016**

Findings

1. Case No. 2016-0143 – Findings

**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.

2. Case No. 2016-0144 – Findings

**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.

Extension Request – 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 #2016-0129 – Continued 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.”

Continued Public Hearing

5. Case No. 2016-0142 – Continued 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

6. Case No. 2016-0145

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.

**Peter Rosenberger
86 Halstead Avenue
Port Chester, NY 10573**

on the premises No. **86 Halstead Avenue**, being **Section 136.47, Block No 2, Lot No. 54** 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 a deck on the front of the dwelling**

A Building Permit Application was received on October 24, 2016 to construct a deck on the front of the dwelling which included the following information;

- Application for Building Permit
- A plan with a site plan prepared by Michiel A. Boender, R.A. revised 10/24/16
- A copy of a survey prepared by Donald R. Stedge, P.L.S. Dated August 18, 2016.

Please take notice that 86 Halstead Avenue is located in the R7 Zone. The Village of Port Chester Zoning Law Section 345-41 R5 Zone, Schedule 1B, requires the minimum front yard dimension to be 30 feet. A review of the plan and the copy of the survey reveal that the proposed front yard dimension to the deck is 23'3".

Please be advised that your Building Permit application for the alteration of the front deck is hereby **DENIED** for non-compliance with Zoning Section 345-41, R5 Zone, Schedule 1B, which requires a minimum front yard dimension of 30 feet and where a review of the plans and copy of the survey reveals that the proposed front yard dimension to the deck is 23'3".

New Public Hearing

7. Case No. 2016-0146

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.

**Robert M. Campbell
53 Hobart Avenue
Port Chester, NY 10573**

on the premises No. **53 Hobart Avenue Avenue**, being **Section 136.54, Block No 1, Lot No. 42** 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 a deck in the rear yard**

A Building Permit Application was received on October 7, 2016 to construct a deck in the rear yard and included the following information;

- Application for Building Permit
- Plan prepared by Edgewater Group-Architects revised 7/11/16
- Survey prepared by Richard J. Domato dated June 5, 2016

Please take notice that 53 Hobart Avenue is located in the R7 Zone. The Village of Port Chester Zoning Law Section 345-41 R7 Zone, Schedule 1B, requires the minimum rear side yard dimension to be 8 feet. A review of the plan and the copy of the survey reveal that the proposed rear yard dimension to the deck is 3.90 feet.

Please be advised that your Building Permit application for the new rear deck is hereby **DENIED** for non-compliance with Zoning Section 345-41, R7 Zone, Schedule 1B, which requires a 8 foot side yard setback and where the plans shows the rear deck to be located 3.90 feet side yard setback

NEXT ZONING BOARD OF APPEALS MEETING WILL BE HELD ON:

January 19, 2017



***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***