

**VILLAGE OF PORT CHESTER
ZONING BOARD OF APPEALS
AGENDA**

July 21, 2022 / 7:00PM

Justice Court

350 North Main Street, Port Chester, NY 10573

FINDINGS

1. None Case # 2022-0215

130 Midland Owner LLC
130 Midland Avenue
Port Chester, NY 10573

On the premises **130 Midland Avenue**, in the CD-4 Zoning District, being **Section: 142.53, Block: 1, Lot(s): 5**, on the assessment map of The Town of Rye, New York the applicant seeks 7 area variances : (i) maintain the existing driveway width of 52' at the curb, with a slight expansion internally to 57'-6" (whereas 24' is the maximum allowed) (§345.405.A-5); (ii) continue parking in the 2nd lot layer (whereas parking is limited to the 3rd layer in the CD-4 District) (§345.405.A-5); (iii) provide less facade void areas on Floor and Decor building (whereas 20% is required / 2% proposed) (§345.405.A-5); (iv) provide less facade glazing on the Floor and Decor Building (20% of total facade area minimum / 1% proposed) (§345.405.A-5); (v) maintain 86% impervious surfaces on the Property in order to comply with contamination "capping" remediation measures (whereas 80% is the maximum) (§345.405.A-5); (vi) maintain no buildings along the Property's Frontage (whereas a minimum of 60% must be built out in the CD-4 District) (§345.405.A-5); and (vii) allow Floor and Decor to use its standard 8' tall logo on the building (whereas a 3' maximum for signs is imposed) (§345.701.B-3).

PUBLIC HEARINGS

2. Case # 2022-0211 **ADJOURNED AT REQUEST OF APPLICANT**

Port Chester OZ Fund III
181 Westchester Avenue
Port Chester, NY 10573

Anthony Gioffre III, Esq.
Cuddy & Feder, LLP
445 Hamilton Avenue
White Plains, NY 10601

On the premises **140-150 Westchester Avenue** in the CD-6 Zoning District, being **Section: 142.30, Block: 2, Lot(s): 17 & 65** on the assessment map of the Town of Rye, New York the applicant is requesting area variance relief from the following provisions of the Village of Port Chester Character Based Code:

Section 345.405.N.1.v “Lots shall be limited to one curb cut per lot” The applicant is proposing 3 curb cuts

Section 345.405.N.2d “Any gates, arms, or booths must be set back at least 20 feet from the Frontage” The applicant proposes to locate its security grills within 20 feet of the Frontage

3. Case #2022-0214

44 Broad Street Owner, LLC
Stephen Matri
271 Madison Avenue
New York, NY 10016

On the premises **44 Broad Street**, located in the CD-6T Zoning District, being **Section: 142.22, Block: 2, Lot(s): 69, 70, 71, 72, 73, 74, 75** on the assessment map of the Town of Rye, New York the applicant is requesting three area variances relating to the location of curb cuts and a loading area. Specifically, in order to increase pedestrian safety and the convenience of vehicular ingress/egress to the Property, the Applicant is seeking to maintain: (i) two curb cuts on a single lot (one curb cut per lot is the maximum (§ 345.405.N-4); (ii) a driveway width of 26 feet (24 feet is the maximum) (§ 345.405.A-9); and (iii) a loading area rolling gate set back 1 foot 4 inches from the lot line (20 feet is the minimum) (§ 345.405.N-4(2)(d)).

4. Case #2022-0216

Damion Barrett
463 Pelham Road
New Rochelle, NY 10575

Estate of Jennie Mary Prescott by Deborah Prescott

On the premises **245 Mortimer Street**, located in the CD-3.R5 Zoning District, being **Section: 136.63, Block: 1, Lot(s): 63.2** on the assessment map of the Town of Rye, New York, the applicant is requesting two area variances related to construction of a new Single Family Dwelling.

Attachment “A” - Village of Port Chester Zoning Table 345-405.A-4, CD-3.R5 District Standards requires a minimum of 20 feet of Street/Highway Frontage. *The construction plans propose 0 feet.*

Attachment “B” - NYS Village Law section 7-736 requires access from the structure to a street or highway duly placed on the Official Map (Public Street). *The site plan proposes an easement access to Mortimer Street a Public Street.*

Zoning Board of Appeals
July 21, 2022
Page 3

ADJOURN MEETING

NEXT MEETING:

August 18, 2022

THE ZONING BOARD OF APPEALS MEETING WILL BE HELD ON THE 3RD THURSDAY OF EVERY MONTH AT 7:00 O'CLOCK IN THE EVENING