



**City of Poughkeepsie
Zoning Board of Appeals
Meeting Agenda**

Common Council Chambers
Monday, July 24, 2023
6:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approval of June 13, 2023 Minutes

III. PUBLIC HEARINGS & DELIBERATIONS

1. 75 SOUTH HAMILTON - AREA VARIANCE

Application for area variance relative to the conversion of an existing building from a single-family dwelling into a two-family dwelling. The area variances requested are in regards to Section 19-3.15(4)(a) requiring a lot area minimum of 10,000 square feet to allow for 4,879 square feet (a reduction of 5,121 square feet). As well as requiring a minimum 6 feet side yard, to allow for a 0 foot side yard on the right side of the addition.

Owner/Applicant: 75 S Hamilton LLC; Consultant: Mazzarelli Architecture and Planning; Grid: # 6161-21-118891; Zoning District: R-4, Medium High-Density Residence; File #2023-015

ADJOURNED TO AUGUST 8, 2023 MEETING

2. **1 COTTAGE STREET - Zoning Interpretation** Application for an interpretation relative to nonconforming use Section 19-5.1(c) which states that a use shall not be changed to another nonconforming use without approval by the Zoning Board of Appeals, and then only to a use which, in the opinion of said Board, is of the same or of a more restricted nature. No building or land changed to a more restricted nonconforming use shall be changed back to a less restrictive use. Owner/Applicant: Ibrianis

Dominguez; Consultant: Z3 Consultants Inc; Grid: # 6161-48-470546; File #ZBA2023-023

ADJOURNED TO THE AUGUST 8, 2023 MEETING

3. 53 SOUTH CLOVER STREET – AREA VARIANCE

Application for area variance relative to the conversion of a two family dwelling to a three family dwelling. The area variance requested is in regards to Section 19-4.19(4)(k) requiring a minimum of a 1,100 s.f. of usable open space for the proposed use with a minimum dimension of 40'-0", to allow 849 s.f. with a maximum dimension of 30'-0" (a reduction of 251 s.f. and 10'-0" for the minimum dimension). Another is in regards to Section 19-4.3(11)(a) requiring 6 parking spaces on site, to allow for 0 spaces on site and 6 spaces off site (a reduction of 6 spaces).

Owner/Applicant: Mateusz Koziol, Worrall Properties; Consultant: Mauri Architects PC; Grid: #6062-83-849088; Zoning District: Central Urban Density (R-4A); File #2023-022

4. 7 GRANT STREET – AREA VARIANCE

Application for area variance relative to the conversion of a single family dwelling to a two family dwelling. Lot deficiencies were noted regarding; Section 19-3.15(4)(a) requiring a 10,000 square foot lot area, to allow for 4,791 square feet, (a variance of 5209 square feet); Section 19-4.3(11) requiring 4 parking spaces, to allow for two compliant parking spaces, (a variance of two spaces). Owner: BRRR Homes Corp; Applicant: Wayne Thompson; Grid: # 6162-79-327052; Zoning District: Medium High-Density (R-4); File #2023-021

5. 63 THOMPSON STREET- AREA VARIANCE

Application for area variance relative to adding a 3rd apartment to a two family dwelling. Lot deficiencies were noted regarding; Section 19-3.15(4)(e)2 requiring a 15 foot side yard, allowing for a right side yard of 11.3 feet (a variance of 3.7 feet), and allowing for a left side yard of 13.9 feet (a variance of 2.1feet); Section 19-4.3(5)(a) requiring a 15 feet wide driveway, allowing for 11.3 feet (a variance of 3.7 feet); section 19-4.3(1) requiring a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center to be provided between the parking area and property line, to allow for the existing small trees and shrubs existing on the north property line. Owner: Poughkeepsie Thompson Street LLC; Applicant/Consultant: Wayne Thompson, Esq.; Grid: #6162-71-305134; Zoning District: Medium High-Density (R-4); File #2023-020

6. 419 MAPLE STREET - AREA VARIANCE

Application for area variance relative to the conversion of a two-family

dwelling to a four-family dwelling. Lot deficiencies were noted regarding; Section 19-3.15(4)(c)2 requiring a lot area of 11,200 square feet, to allow for 5,608 square feet, (a variance of 5,592 square feet); Section 19-3.15(4)(e)2 requiring 15 foot side yards, to allow for a 2.7 foot right side yard and a 4.9 foot left side yard, (a variance of 12.3 and 10.1 feet respectively); Section 19-4.3(11)(a) requiring 8 parking spaces, to allow for a PB waiver for off-site parking; Section 19-4.11(1)(b) requiring landscaping strips along all properties lines so as to effectively screen the activity on the property from neighboring uses, of at least three feet width, including evergreen planting, to allow for property screening by the existing fence. Owner: 419 Maple LLC; Applicant: Wayne Thompson; Grid: # 6162-79-349050; Zoning District: R-4 Medium High-Density; File #: ZBA2023-018.

7. 54-58 SMITH STREET - AREA VARIANCE

Application for area variance relative to the addition of two apartments to an approved plan for an eight unit apartment. Lot deficiencies were noted regarding; Section 19-3.15(4)(c) requiring 23,800 square feet of lot area, to allow for 12,014 square feet, (a variance of 11,786); Section 19-4.13(2) prohibiting front yard parking, to allow for 4 parking spaces in the front yard. Owner: Y&S Group, LLC; Applicant: Wayne Thompson, Esq.; Grid: # 6162-79-310112; Zoning District: Medium High-Density (R-4); File #2023-019

8. 20 CORLIES AVENUE - AREA VARIANCE

Application for area variance relative to converting a single family dwelling to a two family dwelling. Lot deficiencies were noted regarding; Section 19-3.15(4)(a) the minimum lot area is 10,000 square feet, to allow for 6838 square feet (a variance of 3162 square feet); Section 19-3.15(4)(e) the minimum side yard is 6 feet, to allow for a 5 foot side yard 9 a variance of 1 foot). Owner/Applicant: Javier Ortega; Consultant: Wayne Thompson, Esq.; Grid: # 6161-25-524928; Zoning District: Medium High-Density (R-4); File #2023-016

9. 230 MANSION STREET - AREA VARIANCE

Application for area variance relative to the 155 square foot addition on the back of an existing residence. The area variance requested is in regard to Section 19-3.15(4)(e) requiring a minimum side yard of 6' to allow 0 feet (a reduction of 6 feet) on the right side of the addition. Owner/Applicant: Jacqueline Bowen; Consultant: Carlo Frugiuele; Grid: # 6162-71-318149; Zoning District: Medium High-Density Residence District (R-4); File #2023-014

10. LOT #040302 MARSHALL STREET - AREA VARIANCE

Application for area variance relative to the construction of a two (2) story single family modular home. Lot deficiencies were noted regarding; Section 19-3.13.1(4)(b) requiring a minimum 50' front width, to allow for 40', (a variance of 10'); Section 19-3.13.1(4)(d)2 requiring a minimum 10' side yard, to allow for 5', (a variance of 5'); Section 19-4.3(11) requiring 2 parking spaces, to allow for 1 space, (a variance of 1 space). Owner: Habitat for Humanity Dutchess County Applicant/Consultant: David Freeman, RA, Architect; Grid: # 6162-71-318149, Zoning District: R-2A Central Low-Density, File #2023-003

11. 51 WORRALL AVENUE: AREA VARIANCE

Application for area variance relative to the conversion of a mixed use commercial and two family residential building to a three family dwelling. Lot deficiencies were noted regarding; Section 19-3.14(4)(a) requiring a minimum lot area of 14,000 square feet to allow 3,484 square feet (a reduction of 10,516 square feet); Section 19-3.14(4)(d)2 requiring a 6 feet side yard, to allow ??? feet; Section 19-3.14(4)(g) requiring 40 square feet of landscaped space, to allow for 38 square feet of landscaped space (a reduction of 2 square feet); and Section 19-4.3(11) requiring 5 parking spots, to allow for 3 parking spots (a reduction of 2 spots).

Owner/Applicant: Elias Ortiz and Cynthia Ortiz; Grid: # 6161-33-571761; Zoning District: R-2 Medium Low-Density Residential; File #2023-012

IV. APPLICATION REVIEW

1. 95 NORTH CLINTON: AREA VARIANCE

Application for area variance relative to the rear yard area. Whereas Section 19-3.22(4)(e)2.c requires a rear yard of 25 feet. The area variance requested is to allow a rear yard of 7.1 feet, a reduction of 17.9 feet. Owner/Applicant: 36 Cottage Street LLC.; Consultant: Kelly Libolt; Grid: # 6161-78-301233; Zoning District: C-1 Neighborhood Commercial; File: 2023--011

2. LOT #228990 CANNON STREET: AREA VARIANCE

Application for area variance relative to the access lane whereas Section 19-4.3(5)(a) requires a minimum fifteen-foot (15') access lane for parking areas with fewer than 20 spaces. Variance requested is to allow for an access lane of twelve feet six inches (12'6"); a variance of two feet six inches (2'6"). Owner/Applicant: Cannon Street Collaborative; Consultant: John Sullivan; Grid: # 6161-48-470546; File #ZBA2023-009

3. LOT #931593 SOUTH AVENUE: AREA VARIANCE

Application for area variance relative to the parking spaces for a 5 story, 87 one bedroom unit structure. The area variance requested is in regards to

Section 19-4.3(11) requiring a minimum of 1.5 parking spaces per unit or a total of 131 to allow for 105 parking spaces (53 above ground and 50 below ground) a reduction of 28 spaces. Owner/Applicant: ARGO Development; Consultant: Christopher Lapine, PE, LEED AP; Grid: # 6061-52-937583; R-D, Research and Development District; File #ZBA 2023-013

4. 325 CHURCH STREET: AREA VARIANCE

Application for area variances relative to the conversion of a two-bedroom apartment into two, one-bedroom apartments. Variances requested are regarding Section 19-3.13.1(4)(a)2 requiring a lot area of 12,000 square feet to allow for 4,125 square feet, a reduction of 7,875 or 65.5% and Section 19-4.3(11)(a) requiring 4 parking spaces to allow for 0 parking spaces. Owner: Abraham Smilowitz Applicant/Consultant: Jack Voss, Grayhawk Building Specialist; Grid: # 6161-23-342907; Central Low-Density Residential (R-2A); File #ZBA2023-008

5. 75 NORTH WATER: AREA VARIANCE

Sign review regarding freestanding monument sign with message board. The variance requested is in regards to the sign code Section 19-4.9(8)(c)3b.i requiring that the message display change only once every 12 hours to allow the display to change once every 10 minutes; Section 19-4.9(9)(d)3 which permits no more than three colors to allow unlimited colors; and Section 19-4.9(9)(d)4 which permits no more than 5 words to allow for 12 words. Owner/Applicant:Midhudson Discovery Museum; Consultant: GNS Sign Group; Grid #6062-66-738231; Zoning District: Waterfront District (W); File #ZBA2023-007