



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

Common Council Chambers
Monday, October 23, 2023
6:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approval of September 26, 2023 Meeting Minutes

III. PUBLIC HEARINGS & DELIBERATIONS

1. 196 WINNIKEE AVENUE - AREA VARIANCE

Application Adjourned to November

2. 504-512 MAIN STREET – INTERPRETATION

Application Adjourned to November

3. 147 UNION STREET – AREA VARIANCE

Application Adjourned to November

4. 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

5. 30 NORTH CLOVER STREET AREA VARIANCE

Application for area variances relative to the proposed installation of condensers on the north and south sides of the building at 30 North Clover Street. The variances requested are of Section 19-4.13(1) of the Zoning Ordinance, which requires a 6 foot set-back for accessory uses, to allow at a set-back of 1.48 feet on the north and 4.91 feet on the south side. Owner/Applicant: Michelle Ayala; Zoning District: R-4; Grid #6062-75-8544216; File #ZBA2023-038

6. 7 FOSTER STREET – AREA VARIANCE

Application for area variance relative to the proposed construction of an addition to the existing single family dwelling at 7 Foster Street. The variance requested is of Section 19-3.25(2)(8)(d) of the Zoning Ordinance, which requires 10 foot front yard set-backs to allow a set-back of 3'1". Owner/Applicant: Jose and Carmen Juarez; Consultant: Ciro Interrante, Architect, P.C.; Zoning District: G-RM; Grid #6162-48-383507; File #ZBA2023-039

7. 50 DELAFIELD AVENUE – AREA VARIANCE

Request for area variances relative to the proposed installation of condensers in the Hoffman Street front yard the building at 50 Delafield Street, requires a variance of Section 19-19-4.13(1) of the Zoning Ordinance which prohibits location of accessory uses in front yards. Further, the use has expanded since the original approval resulting in addition of staff impacting the parking requirement, requiring a variance of Section 19-4.3(11)(a) which requires 101 off street parking spaces to allow 51 parking spaces on site. Owner: Astor Services; Applicant/Consultant: Jay Diesing, RA, AIA; Zoning District: R-4; Grid #6062-59-857380; File #ZBA2023-045

IV. APPLICATION REVIEW

1. 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

2. 40 GARDEN STREET – AREA VARIANCE

Application for area variance relative to the installation of a replacement sign. Lot deficiencies were noted regarding; Section 19-4.9(9)(d)2 requiring signs be a maximum of 6 feet high, to allow for 11 feet, (a variance of 5 feet); Section 19-4.9(9)(d)2 requiring a maximum sign face of 36 square feet, to allow for 44 square feet, (a variance of 8 square feet); Section 19-4.9(9)(d)4 requiring a maximum of 4 words, to allow for 40-50 words, (a variance of 36-46 words). Owner: 40 Garden Street, LLC; Applicant: GNS Group, Ltd; Grid: # 6162-69-084135; Zoning District: C-2 Central Commercial; File #2023-017

3. 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.

4. 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

5. 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

6. 375-379 MAIN STREET – INTERPRETATION

Application for interpretation relative to the proposed conversion of the existing building at 375-379 Main Street from a retail store to a hotel with amenities and whether such conversion requires site plan approval from the Planning Board pursuant to the provisions of Section 19-3.37(7) Table 3-37-1, Section 19-3.37(6)(a), Section 19-3.37.4 and Section 19-3.37(13(a) of the Zoning Ordinance. While Section 19-3.37(7) Table 3-37-1 permits hotels in the PID-HC in which the property is located, and Section 19-3.37(7) in theory exempts hotels from Planning Board review, Section 19-3.37(13)(a) Table 3-37-4 details parking requirements and provides that Planning Board determine the parking requirement for “other uses” for which a parking requirement during site plan review. Hotels are such an “other use.” Further, the Planning Board previously reviewed and approved such use of the property as a hotel was subject to site plan review and approval in 2020. The applicant argues that site plan approval is not required. Owner: 375 Main Street LLC; Applicant: Chai Developers LLC; Consultant: Natalie Quinn, KARC Consulting; Grid #6162-78-160058; File #ZBA2023-030

7. 357 HOOKER AVENUE - AREA VARIANCE

Application for area variances relative to the proposed renovation of the standard restaurant at 357 Hooker Avenue, including: proposed outdoor seating areas, outdoor cooking area, pavilion, outdoor storage container and dumpster. The variances requested are of Section 19-4.3(1), requiring that whenever a parking area containing three or more spaces faces a street or property line, a planting area a minimum of three feet wide and three feet high planted three feet on center shall be provided between the parking area and the property line, to allow no landscaping; Section 19-4.3(1), requiring that all parking lots with more than 24 spaces shall be interrupted by landscaping approved by the Planning Board, to allow no landscaping; Section 19-4.11(1)(b), requiring landscape strips or opaque screening along the property lines of all nonresidential uses, to allow no such perimeter landscaping; Owner: Highway Displays Inc; Applicant: Terricena Brown; Consultant: Ciro Interrante, Architect, P.C.; Grid #6161-66-744353; File #ZBA2023-031

8. 100 CANNON STREET AREA VARIANCE

Application for area variance relative to the proposed installation of a fence on the property at 100 Cannon Street. The variance requested is of Section

19-4.14(3)(2), requiring that no fence be located within 10 feet of any wall containing legal windows: the proposed fence is within 4.5-5.5 feet of an existing building containing legal windows to the south (29-31 South Hamilton Street). Owner: Redeemed Christian Fellowship; Application: Bishop Dr. Kendrick McBean; Consultant: Ciro Interrante, Architect, P.C.; Grid #6161-22-152994; File #ZBA2023-033

9. LOT #458149 (7) MORGAN AVENUE – AREA VARIANCE

Application for area variances relative to the proposed construction of two multiple dwellings containing a total of nine dwelling units on a vacant parcel. The variances requested are of Section 19-3.15(4)(c), requiring 36,000 square feet of lot area, to allow 13,800 square feet; Section 19-3.15(4)(e)(2), requiring 15 foot side yards, to allow 6 foot side yards; Section 19-3.15(4)(f), requiring a front yard set back of 20 feet, to allow a front yard set back of 10 feet; Section 19-3.15(4)(i) requiring that 3600 square feet of usable open space for tenant recreational purposes be provided, with minimum dimensions of 30'x40', to allow an area of 918 square feet with dimensions of 27'x34'; Section 19-4.3(5)(a) requiring a driveway a minimum of 15 feet in width, to allow a 14' wide driveway; Section 19-4.3(5)(b), requiring parking spaces a minimum of 20 feet deep, to allow parking spaces 18' deep; Section 19-4.3(11), requiring 18 parking spaces, to allow 13 parking spaces; Section 19-4.13(2), requiring that all accessory parking be located within a side or rear yard and not within a front yard, to allow one space to be located partially within the front yard; and, Section 19-4.14(3)(2), requiring that no wall containing legal windows be located within 10 feet of a fence, to allow both buildings to be located within 6 feet of existing fences. Owner: 21st Century Living LLC; Applicant: James Patterson (Patterson Calhoun LLC); Consultant: Ciro Interrante, Architect, P.C.; Grid #6162-72-458149, File #ZBA2023-034