

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

Common Council Chambers
Tuesday, August 11, 2026
6:00 PM

I. ROLL CALL

II. APPROVAL OF MEETING MINUTES

1. APPROVAL OF MINUTES OF JULY 15, 2026 MEETING

III. ADJOURNED APPLICATION REVIEW / PUBLIC HEARINGS

1. 10 GRAND STREET
2. 271 CHURCH STREET

IV. REVIEW OF RESOLUTIONS

1. 185 SMITH STREET

V. PUBLIC HEARINGS & DELIBERATIONS

1. 16 PERSHING AVENUE: AREA VARIANCE

Application for area variances relative to the expansion of an existing non-conforming auto-body shop requiring a variance of Section 19-3.2(3)(a) allowing for a maximum primary street setback of 15 feet, to allow for a proposed setback of 106 feet, Section 19-3.2(3)(a) requiring a minimum build-to-frontage of 60%, to allow for a build-to-frontage of 0%, Section 19-3.2(4)(c) requiring that the minimum allowable height of a building shall be either 2 stories or 29 feet to allow the height of the addition to be one story,

24 feet tall, Section 19-3.2(4)(h) requiring a minimum ground story transparency of 50%, to allow 29% transparency on the ground story, and Section 19-3.2(2)(f) requiring that parking location and access have a minimum side yard set-back of 10 feet, to allow parking access and pavement 5 feet from the property line. Owner: AJ Autobody LLC; Applicant: Devenand Jaikarran; Consultant: Studio 90 Design & Planning ; Grid # 6161-24-427984 ; File #ZBA2025-023

2. 287&307 SOUTH AVENUE AREA VARIANCES

Application for area variances relative to the proposed construction of a multifamily residential building on the properties at 287 and 307 South Avenue. The site plan has been revised to require variances of the following sections of the zoning code: Section 19-4.3(c)(2), requiring a minimum secondary street setback of 20 feet to allow an eastern setback of 2 feet, Section 19-6.2(1)(a) which prohibits off-street parking in a front yard to allow parking in the front yard; and Section 19-6.2(4)(b), which requires planting area 3 feet in width between parking areas and property lines to allow planting areas less than 3 feet in width for 123 feet of frontage. Owner/Applicant: PK South Avenue LLC; Consultant: KARC Planning Consultants/Natalie Quinn; Zoning District: CD (Campus Development); Grid # 6061-60-974481and 982453; File #:ZBA2026-002

VI. ADJOURNMENT

1. ADJOURN MEETING TO SEPTEMBER 8, 2026



The City of Poughkeepsie New York

Zoning Board of Appeals Meeting Minutes

Wednesday, July 15, 2026

6:00 PM

Common Council Chambers

I. ROLL CALL

Present for the meeting were ZBA members Scott Parker, Jessica Vinall, James Patterson and Miles Shadman. Staff was represented by Assistant Corporation Counsel Andrew Wilson and Deputy Zoning Administrator Judith Knauss.

II. APPROVAL OF MEETING MINUTES

1. Approval of minutes from June 9, 2026

The minutes from June 9, 2026 were approved on a motion by Jessica Vinall, seconded by Miles Shadman.

III. ADJOURNED APPLICATION REVIEW / PUBLIC HEARINGS

1. 10 GRAND STREET

The public hearing was re-opened on a motion by Scott Parker. There was no public comment. The public hearing was adjourned to August 11, 2026 on a motion by Scott Parker.

IV. REVIEW OF RESOLUTIONS

There were no resolutions to review.

V. PUBLIC HEARINGS & DELIBERATIONS

- 16 PERSHING AVENUE AREA VARIANCES** Application for Area Variances relative to the expansion of an existing non-conforming auto-body shop requiring a variance of Section 19-3.2(3)(a) allowing for a maximum primary street setback of 15 feet, to allow for a proposed setback of 106 feet, Section 19-3.2(3)(a) requiring a minimum build-to-frontage of 60%, to allow for a build-to-frontage of 0%, Section 19-3.2(4)(c) requiring

that the minimum allowable height of a building shall be either 2 stories or 29 feet to allow the height of the addition to be one story, 24 feet tall, Section 19-3.2(4)(f), to allow a maximum ground story height of 24 feet where a maximum of 14 feet is permitted, Section 19-3.2(4)(h) requiring a minimum ground story transparency of 50%, to allow 29% transparency on the ground story, Section 19-7.1(1)(a) which prohibits a nonconforming use to be enlarged, altered, extended, reconstructed or restored, placed on a different portion of the lot, and further specifically prohibits any increase the external evidence of the nonconforming use, to allow an expansion that will extend increase the external evidence of such use, and Section 19-3.2(2)(f) requiring that parking and access aisles have a minimum side yard setback of 10 feet, to allow new pavement providing access to the building, parking and dumpster enclosure to be located 5 feet from the property line. Owner: AJ Autobody LLC; Applicant: Devenand Jaikarran; Consultant: Studio 90 Design & Planning; Zoning District: MU-5; Grid # 6161-24-427984; File #ZBA2025-023

The applicants made a presentation on revisions to the plan.

The public hearing was opened on a motion by Scott Parker, seconded by James Patterson. There was no public comment. The public hearing was adjourned to August 11, 2026, on a motion by Scott Parker, seconded by James Patterson. The Board requested additional landscaping, and requested staff to prepare a draft resolution for the August meeting.

2. **185 SMITH STREET AREA VARIANCES** Application for area variances relative to the proposed construction of additions to the existing automotive repair facility at 185 Smith Street, including reconfiguration of the parking areas and ingress/egress and interior circulation to the site. Requiring a variance of Section 19-2.3(2)(d) requiring that parking be setback a minimum of 5 feet behind the front of the primary structure, to allow for 3 parking spaces within 5 feet of the front of the primary structure, Section 19-2.3(4)(b) requiring that the entrance shall face the primary street to allow the entrance to face the northern property line, Section 19-6.2(4)(b) requiring that parking areas containing three or more spaces facing a street or property line, a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center shall be provided between the parking area and the street line or property line, to allow for deficient landscaping along the southern, northern and eastern property lines, Section 19-6.2(11)(c) requiring 42 parking spaces to allow for 33 parking spaces, Section 19-6.5(3(a)(1) requiring that an area equal to at least 7 percent of the surface area occupied by vehicle parking spaces, inclusive of driving aisles and driveways necessary for access to and circulation among those spaces, shall be landscaped, to allow for no landscaping within the parking lot; Section 19-6.2(1)(c) requires access shall consist of at least two ten-foot wide drive aisles/lanes for parking areas with more than 20 spaces, to allow for a 15 foot wide driveway width.

Owner: Ricky Auto Body; Applicant: Devanand Jaikarran; Consultant: Studio 90 Design & Planning; Grid # 6162-65-510286; File #ZBA2025-024

The applicants made a presentation on revisions to the plan.

On a motion by Scott Parker, seconded by Miles Shadman, the public hearing was re-opened. There was no public comment. On a motion by Scott Parker, seconded by Miles Shadman, the public hearing was closed. The Board recommended that one curb cut be designated for entry and one for exit. The Board also directed staff to prepare a draft resolution for the August meeting.

3. **210 NORTH HAMILTON STREET AREA VARIANCE** Application for area variance relative to the proposed conversion of the existing two family dwelling at 210 N Hamilton to a three-family dwelling building, necessitating a variance of Section 19-6.2(1)(f) of the Zoning Code to allow parking spaces to be 18 feet deep where 20 feet is required. Owner: Najwa LLC/Christine Holdings LLC; Applicant/Consultant: Jason Lichwick, Architecture PLLC; Zoning District: W-G; Tax Map Parcel 6162-55-268444; ZBA2025-039

The applicant made a presentation on the application.

On a motion by Scott Parker, seconded by Jessica Vinall, the public hearing was opened. There was no public comment. On a motion by Scott Parker, seconded by Miles Shadman, the public hearing was closed. The Board deliberated and reviewed the draft resolution that had been prepared. On a motion by Scott Parker, seconded by James Patterson, the Board unanimously granted the requested variance.

4. **208 NORTH HAMILTON STREET AREA VARIANCE** Applications for area variance relative to the proposed construction/conversion of the building at 208 N Hamilton to a six-unit multiple dwelling necessitating a variance of Section 19-6.2(1)(f) of the Zoning Code to allow parking spaces to be 18 feet deep where 20 feet is required. Owner: Najwa LLC/Christine Holdings LLC; Applicant/Consultant: Jason Lichwick, Architecture PLLC; Zoning District: W-G; Tax Map Parcel #6162-55-267439; ZBA2026-003

The applicant made a presentation on the application.

On a motion by Scott Parker, seconded by James Patterson, the public hearing was opened. There was no public comment. On a motion by Scott Parker, seconded by James Patterson, the public hearing was closed. The Board deliberated and reviewed the draft resolution that had been prepared. On a motion by Scott Parker, seconded by James Patterson, the Board unanimously granted the requested variance.

5. **271 CHURCH STREET/142, 144 AND 146 CANNON STREET AREA**

VARIANCES Application for area variances relative to the proposed development of the property at 271 Church Street, including subdivision and lot reconfiguration resulting in four lots of record becoming five lots of record, four with existing buildings and one new flag lot to be developed as a four-family dwelling with off-street parking, requiring variances of Section 19-2.3(2)(f) of the Zoning Code to allow a zero set-back on the east property line where the driveway abuts the adjoining property, and a 2.6 foot set-back along the west property line where the parking area faces the adjoining property, while 10 feet is required; and Section 19-6.2(1)(c) to allow a 10-foot wide driveway where a 15-foot wide driveway is required. Owner/Applicant: 271 Church Street, LLC; Consultant: KARC Planning Consultants; Grid #6161-23-259941; Zoning District: RNC; File #ZBA2026-005

Natalie Quinn, the applicant's representative, made a presentation outlining revisions to the original plan.

On a motion by Scott Parker, seconded by James Patterson, the public hearing was reopened. There were two speakers: Karen Hagstrom, attorney for adjoining property owner Ariel Rodriguez, and Mr. Rodriguez himself. Both spoke in opposition to the project and the proposed variances, and informed the Board as a matter of public record that a lawsuit that has been filed relative to the project. On a motion by Scott Parker, seconded by James Patterson, the public hearing was adjourned to August 11.

6.

15 CLARK STREET: AREA VARIANCE Application for area variances relative to the installation of ductless heat pumps on the property at 15 Clark Street, requiring a variance of Section 19-2.1(3)(f) of the Zoning Code, which prohibits accessory uses in secondary front yard, to allow one of the units to be located within the secondary front yard on Beekman Street. Owner: Mark Fernau; Applicant/Consultant: Rycor HVAC/Lindsay Loson; Grid #6162-53-058495; Zoning District: RNA; File #ZBA2026-011

On a motion by Scott Parker, seconded by James Patterson, the public hearing was opened. There was no public comment. On a motion by Scott Parker, seconded by James Patterson, the public hearing was closed. The Board deliberated and reviewed the draft resolution that had been prepared. On a motion by Scott Parker, seconded by James Patterson, the Board unanimously granted the requested variance.

7. **18 WORRALL AVENUE AREA VARIANCE: REQUESTED TO BE RESCHEDULED TO SEPTEMBER 8, 2026** Application for area variance to allow a six-foot-high fence to enclose the front yard of the property where a maximum height of three feet is permitted, requiring a variance of Section 19-6.5(5)(c) of the Zoning Code. Owner/Applicant: Andres Bernal;

Zoning District: RNB; Tax Map Parcel #6161-33-569818; ZBA2026-012:

The applicant for this application had failed to publish and circulate the notice of public hearing, and requested to be re-scheduled for September 8. No action by the Board was necessary.

8. **287 & 307 SOUTH AVENUE** Application for area variances relative to the proposed construction of a multifamily residential building on the properties at 287 and 307 South Avenue. The site plan has been revised to require variances of the following sections of the zoning code: Section 19-4.3(c)(2), requiring a minimum secondary street setback of 20 feet to allow an eastern setback of 2 feet, Section 19-4.3(3)(e) which restricts lot coverage to 50% to allow 53.53%, Section 19-6.2(1)(a) which prohibits off-street parking in a front yard to allow parking in the front yard and Section 19-6.2(4)(b), which requires planting area 3 feet in width between parking areas and property lines to allow planting areas less than 3 feet in width for 123 feet of frontage. Owner/Applicant: PK South Avenue LLC; Consultant: KARC Planning Consultants/Natalie Quinn; Zoning District: CD (Campus Development); Grid # 6061-60-974481 and 982453; File #: ZBA2026-002

Natalie Quinn, representing the applicant, made a presentation on revisions to the project since the original submission, with the number of variances being reduced to essentially four, the parking variance having been resolved. The primary discussion was relative to lot coverage. On a motion by Scott Parker, seconded by Miles Shadman, the public hearing was re-opened. There was no public comment. On a motion by Scott Parker, seconded by James Patterson, the public hearing was closed.

VI. ADJOURNMENT

1. **ADJOURN MEETING TO AUGUST 11, 2026**

On a motion by Scott Parker, seconded by James Patterson, the meeting was adjourned to August 11, 2026.



**THE CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
185 SMITH STREET RESOLUTION
AUGUST 11, 2026**

In the matter of the appeal of Devanand and Vidya Jaikarran regarding the property at 185 Smith Street, Poughkeepsie, NY; Grid #6162-65-510286; Zoning District: RNC; File #ZBA2025-024:

At a Regular Meeting of the Zoning Board of Appeals held on the 11th day of August 2026, at 6:00pm:

Present

Jessica Vinall, Co-Chair
Sam Finnerman
Thomas Klug
James Patterson
Justin Phillips
Miles Shadman

Absent

Scott Parker

WHEREAS, the Zoning Board of Appeals has received an application for area variances related to the expansion of the automotive repair facility at 185 Smith Street, a nonconforming use. The original application was revised to reduce the size of the proposed expansion to the one-time 25% allowed by the zoning code, as delineated herein. The proposal requires variances of Section 19-2.3(2)(d) to allow the building entrance to be oriented to the north instead of the front (west); Section 19-6.2(11)(c) requiring 38 parking spaces to allow 32, and Section 19-6.5(3)(a)(1) requiring an area equal to at least 7% of a surface parking area to be landscaped, allowing the proposed increased perimeter landscaping to suffice; and,

WHEREAS, the application was submitted by Vidya and Devanand Jaikarran, accompanied supplement materials and a series of site plans prepared by Studio 90 Design & Planning/Peter G. Marchetti, Jr, with the most recent revision date of 6-15-2026; and,

WHEREAS, a public hearing was held on September 9, 2025, February 10, 2026, June 9, 2026, July 15, 2026; and,

WHEREAS, the Planning Board, lead agency for the purposes of SEQRA, adopted a Negative Declaration in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR 617 and City Code 19-6.4 and 19-4.17 at its meeting of April 28, 2026; and,

NOW THEREFORE BE IT RESOLVED THAT the City of Poughkeepsie Zoning Board of Appeals hereby finds that a consideration of the five factors for area variances weigh in favor of the applicant and grants a variance of Section 19-2.3(2)(d), 19-6.2(11)(c) and 19-6.5(3)(a)(1) of the Zoning Code, as follows:

First, the Board stipulates that the use of the property for automotive repair has been nonconforming since at least 1979 and remains nonconforming as of the adoption of a new zoning code on November 22, 2024. Section 19-7.1(3) allows enlargement of a nonconforming use but specifically limits the enlargement to an extent not exceeding 25% of its area on the effective date of the new zoning code. Such expansion shall not diminish the compatibility of said building with the existing or potential use of the immediately adjacent properties. With the expansion proposed

herein, the property has met the maximum threshold allowed. Any proposed future expansion would therefore require the issuance of a use variance and possibly additional area variances.

In making its determination on an area variance application based on the above stipulation, the Board took into consideration the benefit to the applicant(s) if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. The criteria the Board uses to make that determination are:

- (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting area variance: The granting of the variance is unlikely to produce an undesirable change in the character of the neighborhood. The applicant's proposed expansion will not exceed 25% of the current area coverage, as permitted by the current zoning laws. The resulting changes to the site will enhance the appearance of the property by homogenizing the appearance of the structure, improve the aesthetic appearance of the building on the North facing Residential District, increase landscaping and screening at the street and along the property lines, and move all parking beyond the front yard setback;
- (2) whether the benefit sought by the applicant(s) can be achieved by some method, feasible for the applicant(s) to pursue, other than area variances: The applicant could potentially decrease the size of their expansion; however, the expansion will not exceed the 25% allowance, in compliance with the current zoning law. It does not appear that there are other feasible methods for the applicant to achieve compliance with the requirements of the zoning code as there are no adjoining properties that could be utilized to meet the requirements;
- (3) whether the requested area variances are substantial. The variances do not appear to be substantial, as the proposed expansion will not exceed 25%, the total landscaping will increase by 5%, but lines the perimeter of the property, and successive revisions to the plan have reduced the number and intensity of the variances to only those necessary to achieve the applicant's goals;
- (4) whether the proposed variances will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Relative to the impact of the development on the environmental conditions in the neighborhood, the Planning Board, as Lead Agency for the purposes of SEQRA, issued a Negative Declaration for the project on April 28, 2026, essentially attesting to the fact that any adverse impact would be minimal. Additionally, it is noted that the proposed development, in improving the exterior appearance of the building and introducing additional landscaping, will provide environmental benefits.
- (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board but shall not necessarily preclude the granting of the area variance. The variances appear self-created, as the use of the building has been nonconforming since at least 1979, well before the applicant purchased the property, and this nonconforming status is documented in the files of the Building Department. The proposal will create a net positive impact on the overall health, safety and welfare of the neighborhood. Further, the applicant made several amendments to their request based on feedback from the ZBA when appearing before the board on four occasions, from September 9, 2025 to July 15, 2026.

The variances are granted subject to the following conditions:

That one curb cut be designated as an entrance and one as an exit, and that traffic flow

around the building be in one direction.

Motion:

Second:

Carried:

Jessican Vinall, Vice-Chair
Zoning Board of Appeals

Date



**THE CITY OF POUGHKEEPSIE
NEW YORK
ZONING BOARD OF APPEALS**
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4263

FEE: \$350
CODE: A2112

ID#: _____

IPS# _____

NOTE: The City of Poughkeepsie never requests and will not accept application fees via wire transfer, ACH, or credit/debit card over the phone or by email. Fees are accepted by check via mail or cash/check in person at City Hall.

AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 16 Pershing Avenue

ZONING DISTRICT: MIXED USE5-(MU5) FORMER C-2, C-3

OWNER INFORMATION:

Name: AJ AUTOBODY LLC

Address: 16 Pershing Avenue

Poughkeepsie, N.Y. 12601

Phone: 845 764 8394

Email: INFO@DUTCHESSAUTOBODYCOLLISION.COM

APPLICANT INFORMATION:

Name: DEVANAND JAIKARRAN

Address: 16 Pershing Avenue

Poughkeepsie, N.Y. 12601

Phone: 917 416 7591

Email: INFO@DUTCHESSAUTOBODYCOLLISION.COM

CONSULTANT INFORMATION:

Name: STUDIO 90 DESIGN & PLANNING

Address: 4 FAIRWAY DRIVE

PAWLING, NEW YORK 12564

Phone: 845 239 1456

Email: studio90@msn.com

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Joseph D. O'Brien, Deputy Zoning Administrator

Date of decision/determination/violation: July 18, 2025

Please note that a copy of the communication must be attached with this application.

Revised 12/24: Previous Editions Obsolete

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>SEE ATTACHED AREA VARIANCES REQUESTED</u>		

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-9.10(11)(c) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 16 Pershing Avenue

LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):

Zoning Board of Appeals Application, Variances requested.

Revised Site Plan, Landscape Plan, Pictures,

Existing Floor Plan, Exterior Elevations ,

Proposed Floor Plan

SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.

SIGNATURE OF APPLICANT

DATE

Print Name

16 Pershing Avenue
City Of Poughkeepsie, N.Y.

TAX ID: 6151-24-427963
Zoning District: MU5

Project: One Story Addition to Existing Building

AREA VARIANCES REQUESTED

1) Section 19-3.2(3)(a) States that the maximum allowable primary street setback shall be 15'.

The existing and proposed is 106'. Requested: 91' variance

2) Section 19-3.2(3)(a) States that the maximum allowable build to frontage shall be 60%.

Proposed 0%. Requested: 60% variance

3) Section 19-3.2(4)(c) States that the minimum allowable height of a building shall be either two stories or 29'.

Proposed one story. Requested: one story 24'.

4) Section 19-3.2(4)(f) States that the ground story of a building shall be 14'. shall be either two stories or 29'.

Proposed one story 24'. Requested: 10'.

5) Section 19-3.2(4)(h) States that the minimum ground story transparency shall be 50%

Proposed 24%. Requested: 26%

6) Section 19-6.2(11)(c) States that 28 Parking Spaces are required.

Proposed 28 spaces. Requested: 3 spaces

7) Section 19-7.1(1)(a) and Section 19-7.1(3) states that a nonconforming use shall not be enlarged, altered, extended, reconstructed or restored, nor shall it be placed on a different portion of the lot, nor shall any external evidence of such use be increased by any means whatsoever: the addition and expansion/reconfiguration of the parking area and access/egress enlarges, extends and increases the external evidence of the nonconforming use.

An addition of 1,899 S.F. is requested. Less than 25% of Existing



May 11, 2026

Mr. Scott Parker, ZBA Chairman
City of Poughkeepsie Zoning Board
62 Civic Center Plaza, Second Floor
Poughkeepsie, NY 12601

RE: 16 Pershing Avenue
Poughkeepsie, NY 12601
TAX ID: 6161-24-427963
Zoning District: Mixed Use 5 (MU5) Former: Commercial C-2, C-3

Proposed One Story Addition to Existing Building
Area Variance Request Justification: (answers in bold)

1. Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties?

The granting of the variance will not change the character of the neighborhood

2. Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is variance necessary?

The variance is necessary because existing Building is not conforming, it was built in 2017.

3. Is/are the requested area variance(s) substantial? Explain why they are not substantial.

Under the new 2024 Zoning Code, the area variances are not substantial. The existing building is a one Story, 24' in height Structure. The proposed addition is less than 25% of the existing building.

4. Will the variance(s) have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

The variance(s) will not have an adverse effect on the physical and/or environmental conditions in the neighborhood or district because the proposed design matches the existing structure and fits within the neighboring properties. The off street parking area is and will be Landscaped screening Pershing Avenue. New flowering trees will be planted as well.

5. Is the need for area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

The need for area variances is not self-created. The existing building was built in 2017. before changes to City Zoning Code were made. The existing property use, Automobile Repair Shop, was granted an area variance by the Zoning Board of Appeals on March 12, 2024 for exterior Alteration and Addition to South East.

Respectfully Yours

Kenneth L. Kaefer R.A.

CITY OF POUGHKEEPSIE, NEW YORK

DEPARTMENT HEAD APPROVALS

Zoning Chair Person

Date:

Planning Board
Site Plan Approval

Date:

Department Of Public Works and Engineering

Date:

Fire Chief:

Date:

Police Chief:

Date:

Building Inspector:

Date:

OWNER/APPLICANT CERTIFICATION.

THE UNDERSIGNED OWNER OF THE PROPERTY AND APPLICANT STATE THAT THEY ARE FAMILIAR WITH THIS MAP AND ITS' CONTENTS HEREBY CONSENT TO ALL TERMS CONDITIONS AS STATED HEREON.. HE/SHE IS FINANCIALLY CAPABLE OF COMPLETING THIS PROJECT.

OWNER

Date:

PROPERTY NOTES

1.THERE ARE NO WAIVERS REQUESTED.

2.THERE ARE NO EXISTING OR PROPOSED EASEMENTS, RIGHTS OF WAY, SETBACKS, RESERVATIONS AND REARS DEDICATED TO PUBLIC USE, OUTLINE OF EXISTING COVENANTS AND DEED RESTRICTIONS WITHIN, ADJACENT OR OTHERWISE PERTAINING TO THE PROPERTY.

3. APPLICANT IS FINANCIALLY CAPABLE TO COMPLETE THE PROPOSED PROJECT.

4. THERE ARE NO PROPOSED FIRE ALARM BOXES AND OR CONNECTIONS TO CITY FIRE ALARM SYSTEM.

5. NO DAMAGE TO PERSHING AVENUE ENTRANCE AND SIDEWALK.

6.THERE ARE NO NEW PROPOSED GRADE CHANGES, EXISTING GRADE IS TO REMAIN.

7. THERE ARE NO WATER COURSES, MARSHES, WOODED AREAS, ROCK CROPS WITHIN THE SITE. THE SITE IS NOT WITHIN OR ADJACENT TO A FLOOD PLAN.

8. STORMWATER MEASURES WILL BE ADDRESSED ON SITE WITH "CULTEC" STORMWATER MANAGEMENT SYSTEM.

DRAWINGS NOTE:

THESE DRAWINGS ARE BASED ON FIELD MEASUREMENTS, OBSERVATION, AND INFORMATION PROVIDED BY OWNER. THEY ARE SUBJECT TO MINOR VARIATIONS. ARCHITECT/ENGINEER SHALL NOT BE HELD RESPONSIBLE FOR UNFORSEEN CONDITIONS. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS IN FIELD PRIOR TO CONSTRUCTION AND OR FABRICATION.

NOTES:

1. ALL CONNECTIONS, SEWER, GAS, WATER, ETC. SHALL BE PROPERLY SECURED AND PROTECTED DURING EXCAVATION AND CONSTRUCTION.

2. PRIOR TO START OF EXCAVATION AND CONSTRUCTION, TREES TO BE RETAINED SHALL BE PROTECTED BY SILT FENCE, SNOW FENCE CONSTRUCTION FENCE OR EQUAL, WHICH WILL BE PLACED AT DRIP LINE OR SEVERAL FEET BEYOND. HOWEVER, THE FENCING SHALL NOT CROSS PUBLIC SIDEWALKS. NO STORAGE OR STOCKPILING OF CONSTRUCTION MATERIALS, DEBRIS OR EQUIPMENT SHALL OCCUR WITHIN THE FENCED AREAS.

NOTE:

EVERGREENS TO BE:
3' HIGH MINIMUM.
3' WIDE MINIMUM.
3' MINIMUM FROM
PROPERTY LINE



GENERAL CODE INFORMATION

APPLICABLE CODES:
CITY OF POUGHKEEPSIE CODE
UNIFORM BUILDING AND FIRE CODE
2020 NEW YORK STATE BUILDING AND FIRE CODE
2020 INTERNATIONAL BUILDING CODE
2020 INTERNATIONAL MECHANICAL
2020 INTERNATIONAL FIRE CODE
2020 NATIONAL ELECTRICAL CODE
2020 NEW YORK STATE FUEL AND GAS CODE
NFPA 33
OSHA 126
2020 UNIFORM ENERGY CONSERVATION CONSTRUCTION CODE
2020 ENERGY CONSERVATION CONSTRUCTION CODE OF NYS

OCCUPANCY H
CONSTRUCTION TYPE V

ZONING DATA

CITY OF POUGHKEEPSIE N.Y., OCTOBER 2024 ZONING AND USE REGULATIONS

PARCEL NUMBER: 6161-24-427963 YEAR BUILT: 2017

ZONING DISTRICT: MIXED USE5-(MU5) DISTRICT

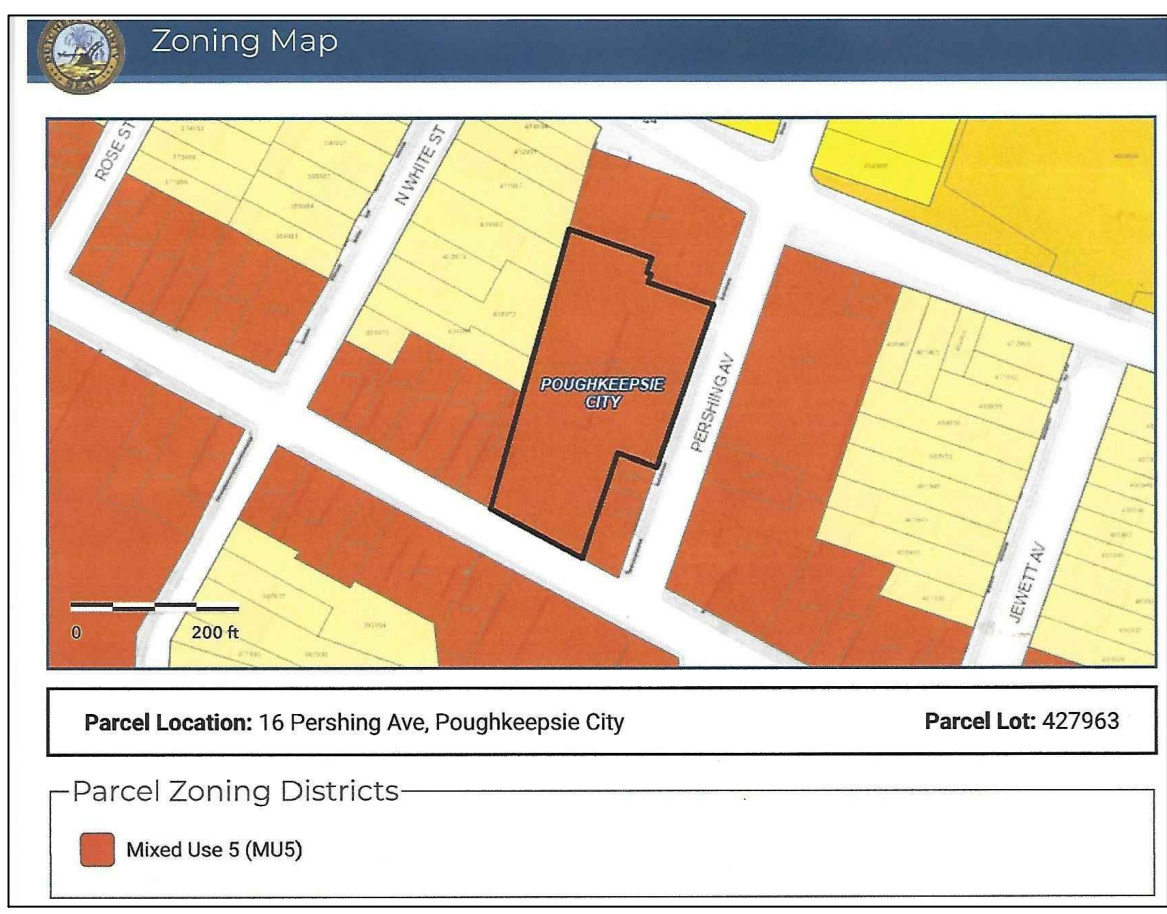
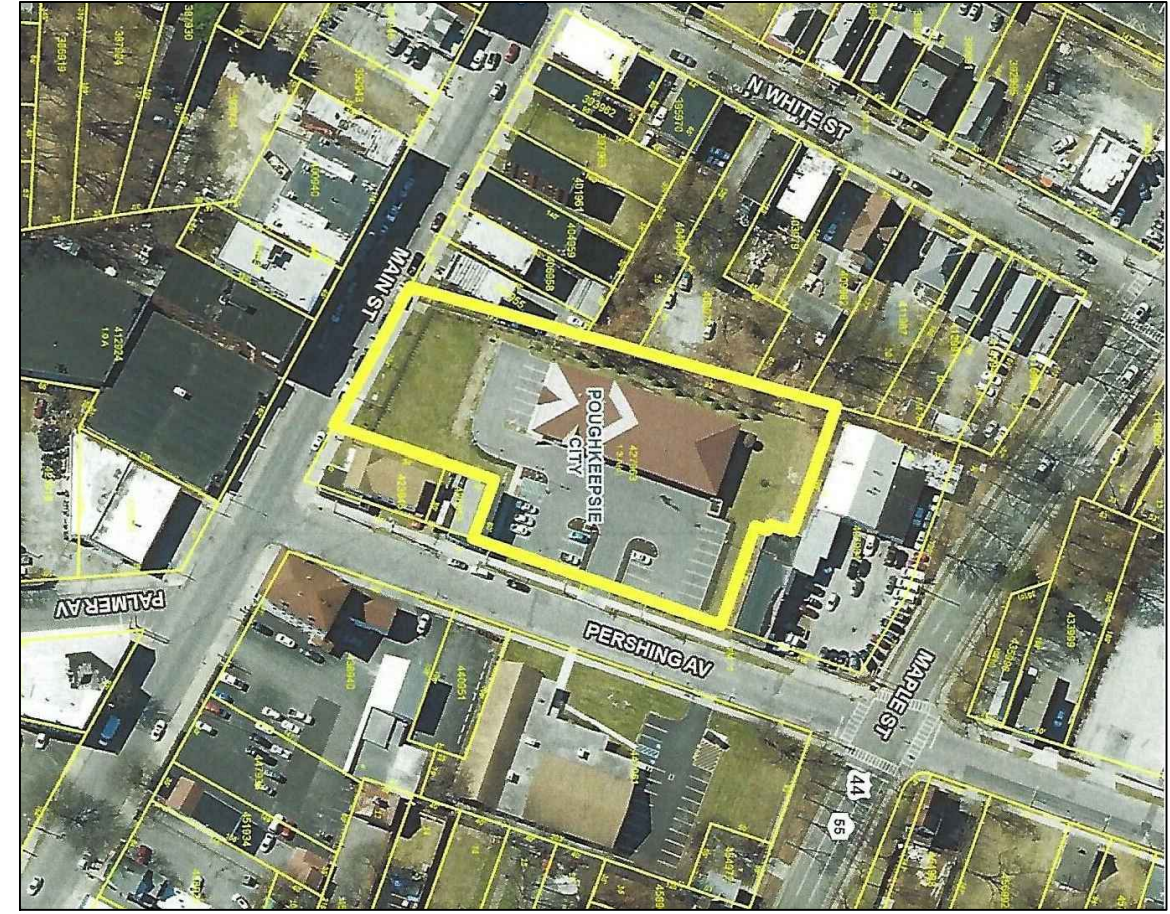
USE: AUTO REPAIR SHOP

LOT AREA AND COVERAGE	REQUIRED	EXISTING	PROPOSED
LOT AREA (Min.)	N/A	± 1.30 Acres	± 1.30 Acres
LOT WIDTH	N/A	206.76'	206.76'
LOT COVERAGE	80%	± 49.8%	± 57%

BUILDING PLACEMENT

PRIMARY BUILDING PLACEMENT	0/15'	100.3'	100.3'
PRIMARY STREET SETBACK	0/15'	± 123'	± 123'
SECONDARY STREET SETBACK			
SIDE SETBACK (Min.)	0'	80.88'	43.91'
REAR SETBACK (Min.)	15'	23.62'	23.62'
HEIGHT (Max.)	3 STORY/42'	ONE STORY/19.67'	ONE STORY/19.67'

PARKING SPACES EMPLOYEE (B)	1/300 S.F. = 24 1/2 = 4	25	25
BICYCLE PARKING	10% OF 30 = 4	0	4
LANDSCAPE BUFFER	10'	23.62'	23.62'
BUILDING SQUARE FOOTAGE	9,625 S.F.	7,701 S.F.	9,601 S.F.



16 PERSHING AVENUE

POUGHKEEPSIE, N.Y. 12601

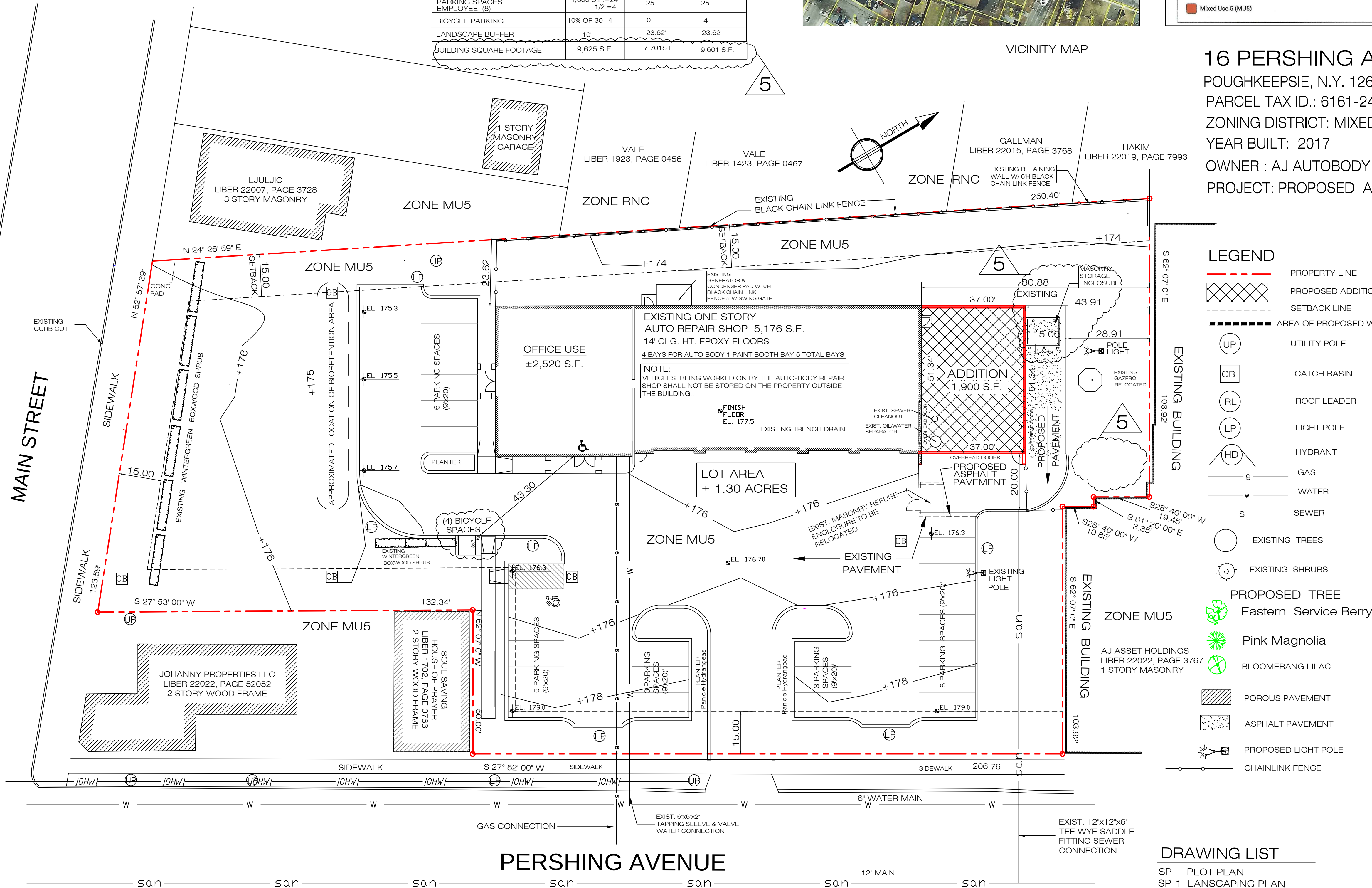
PARCEL TAX ID.: 6161-24-427963

ZONING DISTRICT: MIXED USE 5 (MU5)

YEAR BUILT: 2017

OWNER : AJ AUTOBODY LLC

PROJECT: PROPOSED ADDITION



LEGEND

PROPERTY LINE

PROPOSED ADDITION

SETBACK LINE

AREA OF PROPOSED WORK

UTILITY POLE

CATCH BASIN

ROOF LEADER

LIGHT POLE

HYDRANT

GAS

WATER

SEWER

EXISTING TREES

EXISTING SHRUBS

PROPOSED TREE

Eastern Service Berry

Pink Magnolia

BLOOMERANG LILAC

POROUS PAVEMENT

ASPHALT PAVEMENT

PROPOSED LIGHT POLE

CHAINLINK FENCE

PERSHING AVENUE

PLOT PLAN
SCALE: 1"=20'

NOT A SURVEY.
SITE INFORMATION
TAKEN FROM SURVEY BY
STEVEN J. GREEN, PLS
DATED NOVEMBER 6, 2023

DRAWING LIST

SP	PLOT PLAN
SP-1	LANDSCAPING PLAN
A-1	EXISTING FLOOR PLAN
A-2	EXTERIOR ELEVATIONS
A-3	PROPOSED FLOOR PLAN

PROGRESS PRINT

NOTE:
ANY UNAUTHORIZED ALTERATION OR ADDITION TO THESE PLANS IS A VIOLATION OF THE SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW EXCEPT AS PER SECTION 7209, SUBDIVISION 2.

NO. 5	DEVELOPMENT DEPARTMENT COMMENTS 6-15-2026
NO. 4	A-1 WEST OMITTED OPENING A-2 REVISED NORTH, SOUTH LABELS 3-4-2026
NO. 3	REVISED ADDITION (REDUCED) 3-2-2026
NO. 2	ZONING REVIEW COMMENTS 8-18-2025
NO. 1	ZONING REVIEW COMMENTS 4-9-2025
REVISION	DATE:
STUDIO 90 DESIGN & PLANNING 4 FAIRWAY DRIVE, PAVLING, N. Y. 12564 TEL: 845.239.1456 Email: studio90@msn.com KENNETH L. KAFFER, R.A. ALFREDO DI PIETRO, DESIGNER PETER MARCHETTI, P.E. CONSULTING ENGINEER © ALL RIGHTS RESERVED. INCLUDING REPRODUCTION IN ANY FORM.	
OFFICE OF THE CLERK OF THE SUPREME COURT STATE OF NEW YORK JULY 15, 2024 PETER G. MARSHALL, CLERK PROFESSIONAL ENGINEER	
PROJECT: PROPOSED ONE STORY ADDITION PLOT PLAN, AJ AUTOBODY LLC 16 PERSHING AVENUE POUGHKEEPSIE, N.Y. 12601	
DATE: 7-19-2025	
JOB NO. 25-14	
SCALE: 1"=20'	
DWG. NO.: SP	

NOTES:

1. ALL CONNECTIONS, SEWER, GAS, WATER, ETC. SHALL BE PROPERLY SECURED AND PROTECTED DURING EXCAVATION AND CONSTRUCTION.
2. PRIOR TO START OF EXCAVATION AND CONSTRUCTION, TREES TO BE RETAINED SHALL BE PROTECTED BY SILT FENCE, SNOW FENCE CONSTRUCTION FENCE OR EQUAL, WHICH WILL BE PLACED AT DRIP LINE OR SEVERAL FEET BEYOND. HOWEVER, THE FENCING SHALL NOT CROSS PUBLIC SIDEWALKS. NO STORAGE OR STOCKPILING OF CONSTRUCTION MATERIALS, DEBRIS OR EQUIPMENT SHALL OCCUR WITHIN THE FENCED AREAS.

NOTE:

EVERGREENS TO BE 3' HIGH MINIMUM. 3' WIDE MINIMUM. 3' MINIMUM FROM PROPERTY LINE



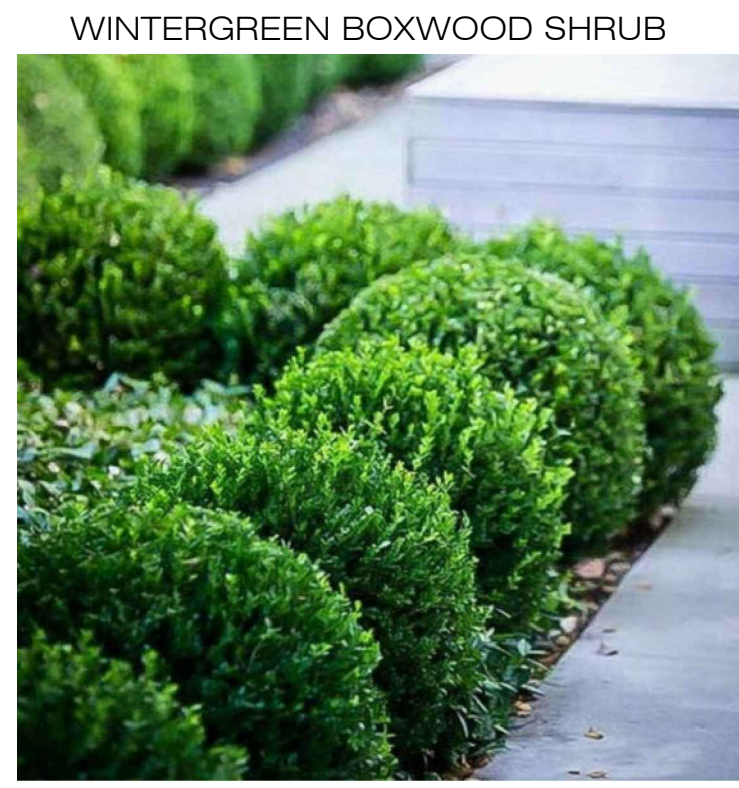
Pink Magnolia, Lily Tree
Magnolia Soulangeana



BLOOMERANG LILAC
Syringa Vulgaris Lilac Tree



Amelanchier Canadensis
Eastern Serviceberry



BABY GEM BOXWOOD
Buxus Microphylla Japonica Gregem
TO BE PLANTED AT PROPERTY LINE



Panicle Hydrangeas
Hydrangea Paniculata
TO BE PLANTED IN PLANTERS

TREE LEGEND

PROPOSED TREES

NAME	SIZE	QUANTITY
Eastern Service Berry	4" Dia.	3
Blumerang Lilac	4" Dia	3
Pink Magnolia	6" Dia	2

GENERAL LANDSCAPING

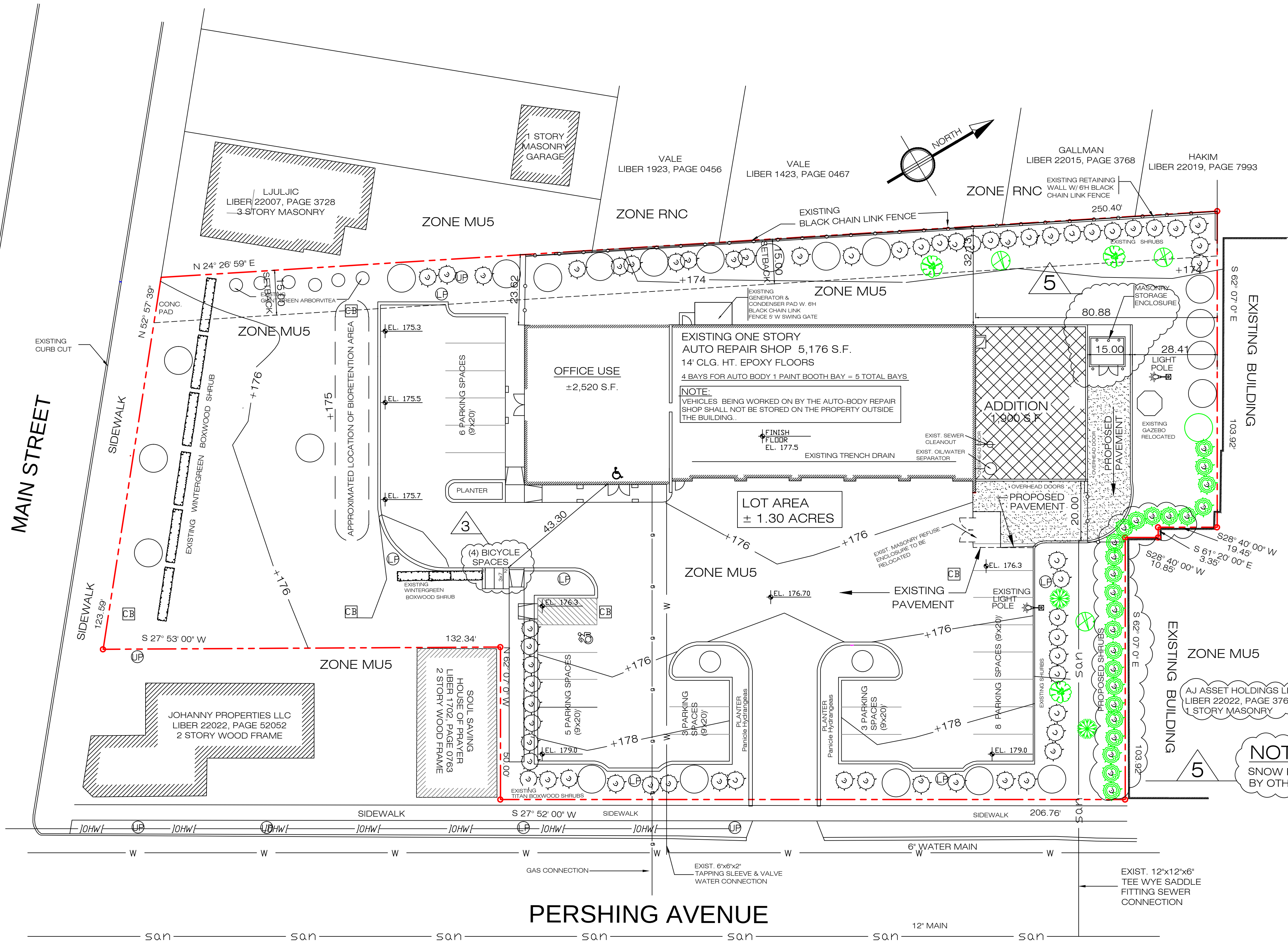
- ALL CONSTRUCTION MATERIALS TO BE STORED AT REAR AREA DURING CONSTRUCTION.
- AUTOMATIC DRIP SYSTEM TO BE INSTALLED IN ALL PLANTING AREAS.
- OVER-DIG ALL TREE AND SHRUB HOLES TWO TIMES BALL-SIZE AND REPLACE WITH MIX OF TOPSOIL AND ORGANIC MATERIAL.
- MULCH ALL PERENNIAL BEDS WITH AT LEAST THREE INCHES OF ORGANIC MULCH.
- RE-VEGETATE ALL AREAS TO REMAIN NATIVE WITH NATIVE GRASSES.
- THERE IS TO BE NO SOD.
- TRASH TO BE ENCLOSED AT REAR.
- APPLY ROCK OVER 6 MIL. PLOY WHERE WATER IS CHANNELLED AROUND HOUSE. DESIGN FOR SHEET DRAINAGE WHERE WATER IS NOT CHANNELLED.

LEGEND

- PROPERTY LINE
- PROPOSED ADDITION
- SETBACK LINE
- AREA OF PROPOSED WORK
- UTILITY POLE
- CATCH BASIN
- ROOF LEADER
- LIGHT POLE
- HYDRANT
- GAS
- WATER
- SEWER
- EXISTING TREES
- EXISTING SHRUBS
- PROPOSED TREE
- Eastern Service Berry
- Pink Magnolia
- BLOOMERANG LILAC
- POROUS PAVEMENT
- ASPHALT PAVEMENT
- PROPOSED LIGHT POLE
- CHAINLINK FENCE

DRAWINGS NOTE:

THESE DRAWINGS ARE BASED ON FIELD MEASUREMENTS, OBSERVATION, AND INFORMATION PROVIDED BY OWNER. THEY ARE SUBJECT TO MINOR VARIATIONS. ARCHITECT/ENGINEER SHALL NOT BE HELD RESPONSIBLE FOR UNFORSEEN CONDITIONS. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS IN FIELD PRIOR TO CONSTRUCTION AND OR FABRICATION.



NOTE:
SNOW REMOVAL
BY OTHERS

LANDSCAPING PLAN

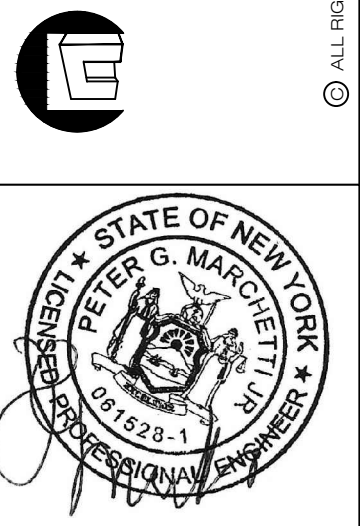
SCALE: 1"=20'

PROGRESS PRINT

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NO. 2	ZONING REVIEW COMMENTS 8-18-2025
NO. 1	ZONING REVIEW COMMENTS 4-9-2025
REVISION	DATE:

STUDIO 90 DESIGN & PLANNING
4 FAIRWAY DRIVE, PAWLING, N. Y. 12564
TEL: 845.239.1456
Email: studio90@msn.com
KENNETH L. KAFFER, R.A.
ALFREDO DI PIETRO, DESIGNER
PETER MARCHETTI, P.E. CONSULTING ENGINEER
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PROJECT: PROPOSED
ONE STORY ADDITION
LANDSCAPING PLAN
AJ AUTOBODY LLC
16 PERSHING AVENUE
POUGHKEEPSIE, N.Y. 12601

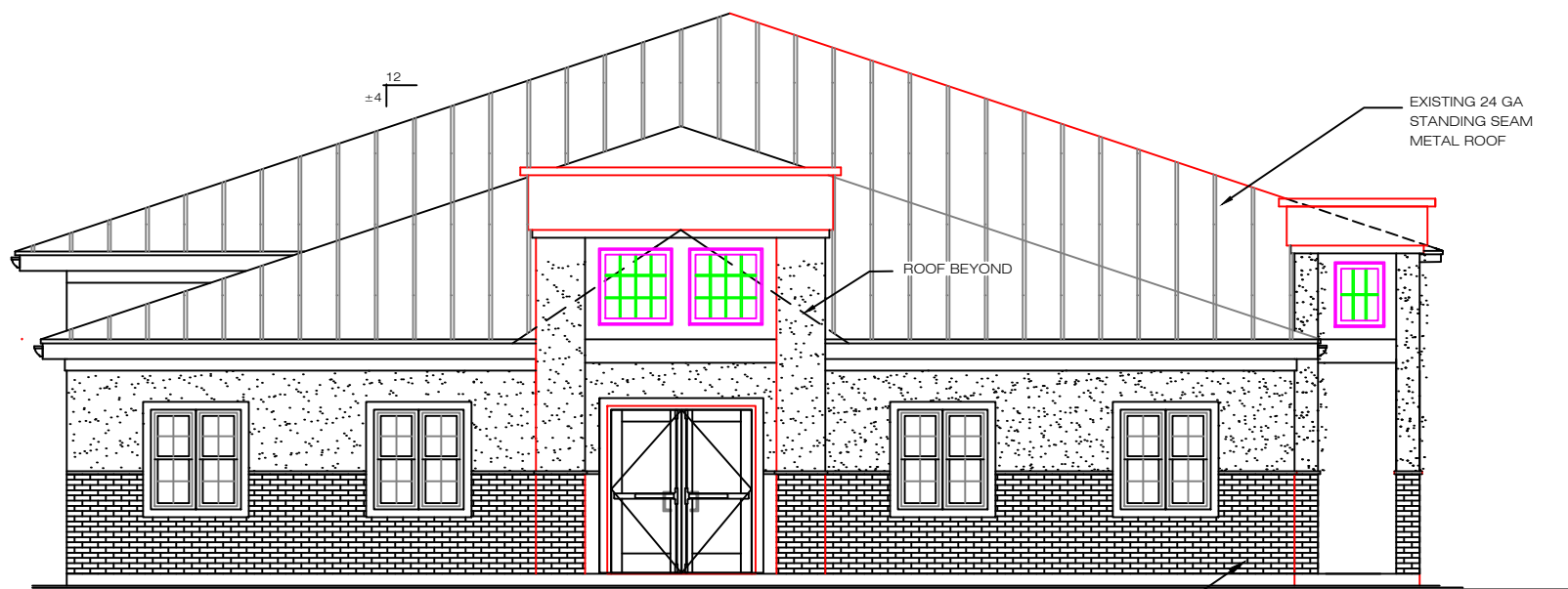
DATE: 7-19-2025
JOB NO.: 25-14
SCALE: 1"=20'
DWG. NO.: SP-1

NOTE:
THESE DRAWINGS ARE BASED ON FIELD MEASUREMENTS, DRAWINGS BY OTHERS AND ON INFORMATION PROVIDED BY OWNER. THEY ARE SUBJECT TO MINOR VARIATIONS. ENGINEER/ARCHITECT SHALL NOT BE HELD RESPONSIBLE FOR UNFORSEEN CONDITIONS. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS IN FIELD PRIOR TO CONSTRUCTION AND OR FABRICATION.

LEGEND

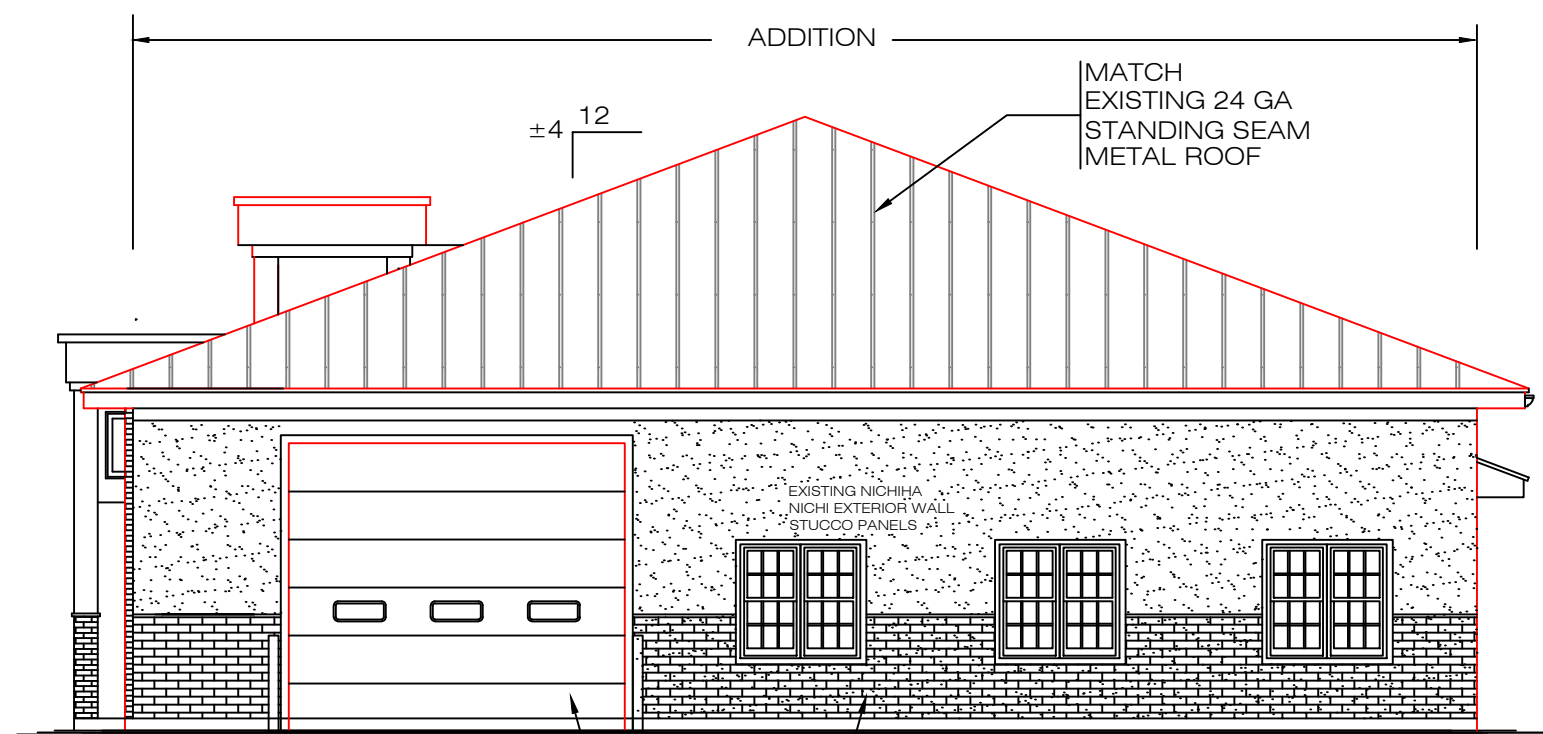
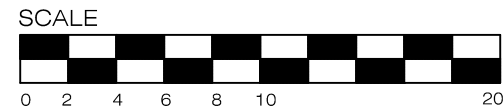
	EXISTING WALL TO REMAIN
	EXISTING WALL TO BE REMOVED
	NEW CONSTRUCTION

NOTE:
EXTERIOR FINISHES
BRICK, STUCCO.
TRIM WORK TO MATCH
EXISTING IN STYLE
AND COLOR



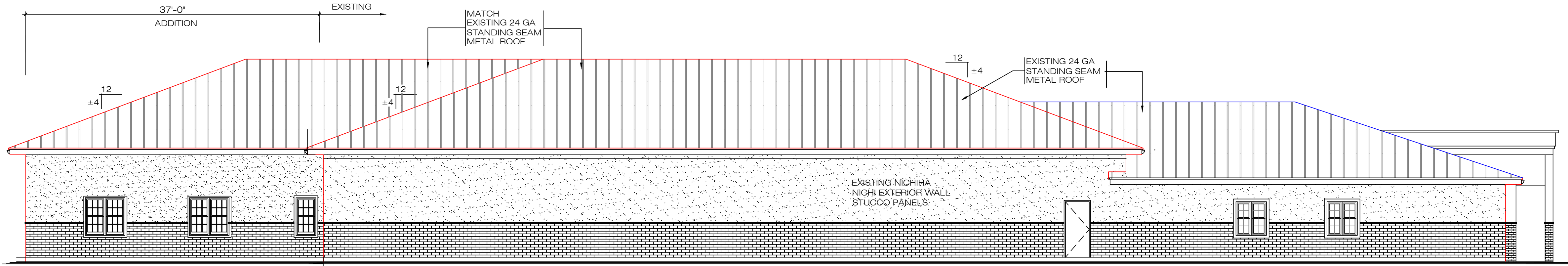
EXISTING SOUTH ELEVATION (RIGHT)

SCALE: 1/8" = 1'-0"



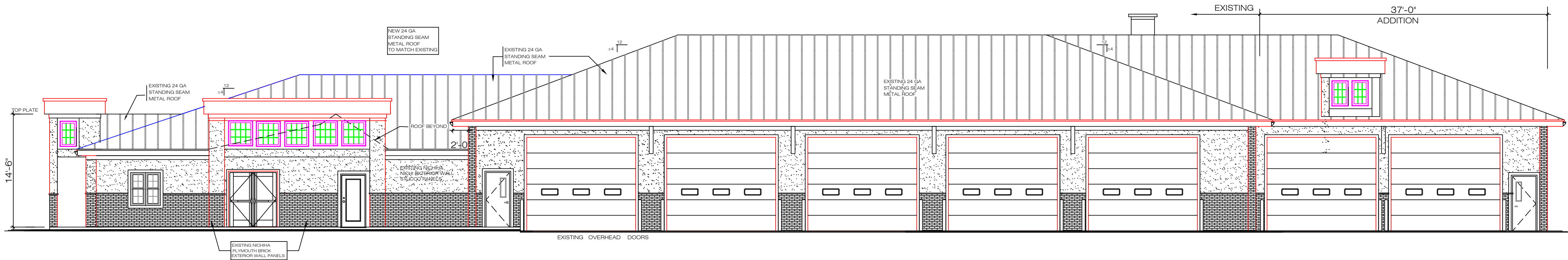
NORTH ELEVATION (RIGHT)

SCALE: 1/8" = 1'-0"



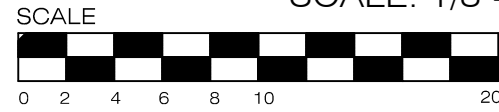
WEST ELEVATION (REAR)

SCALE: 1/8" = 1'-0"



EAST ELEVATION (FRONT)

SCALE: 1/8" = 1'-0"



NOTE:
EXTERIOR FINISHES
BRICK, STUCCO.
TRIM WORK TO MATCH
EXISTING IN STYLE
AND COLOR

PROGRESS PRINT

NOTE:
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NO. 4	A-1 WEST OMITTED OPENING A-2 REVISED NORTH, SOUTH LABELS 3-2-2025
NO. 3	REVISION ADDITION 3-9-2025
NO. 2	REVISION OF EXISTING CONDITIONS 5-9-2025
NO. 1	OCTOBER 2024 ZONING CODE REVISION 1-2-2025
REVISION	DATE:

STUDIO 90 DESIGN & PLANNING
PO BOX 653 NORTH SALEM, NEW YORK 10560
TEL: 845 239 1456
Email: studio90@men.com
KENNETH L. KAEPER, R.A.
ALFREDO DI PIETRO, DESIGNER
PETER MARCHETTI, P.E., CONSULTING ENGINEER



PROJECT PROPOSED
ONE STORY ADDITION
EXTERIOR ELEVATIONS
AJ AUTOBODY LLC
16 PERSHING AVENUE
POUGHKEEPSIE, N.Y. 12601

DATE: 7-19-2025
JOB NO. 25-14
SCALE: 1/8"=1'-0"
DWG. NO.: A-2



**THE CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
16 PERSHING AVENUE RESOLUTION
AUGUST 11, 2026**

In the matter of the appeal of Devanand and Vidya Jaikarran regarding the property at 16 Pershing Avenue, Poughkeepsie, NY; Grid #6161-24-427984; Zoning District: MU-5; File #ZBA2025-023:

At a Regular Meeting of the Zoning Board of Appeals held on the 11th day of August 2026, at 6:00pm:

Present

Jessica Vinall, Co-Chair
Sam Finnerman
Thomas Klug
James Patterson
Justin Phillips
Miles Shadman

Absent

Scott Parker

WHEREAS, the Zoning Board of Appeals has received an application for area variances related to the expansion of the automotive repair facility at 16 Pershing Avenue, a nonconforming use. The original application was revised to reduce the size of the proposed expansion to the one-time 25% allowed by the zoning code, as delineated herein. The revised proposal requires variances of Section 19-3.2(3)(a) allowing for a maximum primary street setback of 15 feet, to allow for a proposed setback of 106 feet, Section 19-3.2(3)(a) requiring a minimum build-to-frontage of 60%, to allow for a build-to-frontage of 0%, Section 19-3.2(4)(c) requiring that the minimum allowable height of a building shall be either 2 stories or 29 feet to allow the height of the addition to be one story, 24 feet tall, Section 19-3.2(4)(h) requiring a minimum ground story transparency of 50%, to allow 29% transparency on the ground story, Section 19-3.2(2)(f) requiring that parking location and access have a minimum side yard set-back of 10 feet, to allow parking access on the property line, and Section 19-3.2(2)(h) allowing for a maximum driveway width of 20 feet, to allow for a driveway width of 24 feet; and,

WHEREAS, the application was submitted by Vidya and Devanand Jaikarran, accompanied supplement materials and a series of site plans prepared Studio 90 Design & Planning/Peter G. Marchetti, Jr, with the most recent revision date of 6-15-2026; and,

WHEREAS, a public hearing was held on September 9, 2025, February 10, 2026, June 9, 2026, and July 15, 2026; and,

WHEREAS, the Planning Board as lead agency for the purposes of SEQRA review adopted a Negative Declaration in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR 617 and City Code 19-6.4 and 19-4.17 at its meeting of April 28, 2026; and,

NOW THEREFORE BE IT RESOLVED THAT the City of Poughkeepsie Zoning Board of Appeals hereby finds that a consideration of the five factors for area variances weigh in favor of the applicant and grants a variance of Sections 19-3.2(3)(a), 19-3.2(4)(c), 19-3.2(4)(h), 19-3.2(2)(f), and 19-3.2(2)(h) of the Zoning Code, as follows:

First, the Board stipulates that the use of the property for automotive repair became nonconforming as of the adoption of a new zoning code on November 22, 2024. Section 19-7.1(3) allows enlargement of a nonconforming use but specifically limits the enlargement to an extent not exceeding 25% of its area on the effective date of the new zoning code. Such expansion shall not diminish the compatibility of said building with the existing or potential use of the immediately adjacent properties. With the expansion proposed herein, the property has met the maximum threshold allowed. Any proposed future expansion would therefore require the issuance of a use variance and possibly additional area variances.

In making its determination on an area variance application based on the above stipulation, the Board took into consideration the benefit to the applicant(s) if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. The criteria the Board uses to make that determination are:

- (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting area variance: The applicant's proposed expansion will not exceed 25% of the current area coverage, as permitted by the current zoning laws, and is providing an additional landscaping buffer, particularly along the north property line. The area variances are unlikely to produce an undesirable change in the character of the neighborhood or have a detrimental effect on nearby properties. The applicants also subsequently purchased the adjoining property to the north, 22 Pershing Avenue, with the stated intention of allowing it to serve as a buffer to further decrease the impacts on nearby properties. The applicants understand that the use on 16 Pershing Avenue Property is not permitted to expand to 22 Pershing Avenue in any manner;
- (2) whether the benefit sought by the applicant(s) can be achieved by some method, feasible for the applicant(s) to pursue, other than area variances: The applicant could potentially decrease the size of their expansion; however, the expansion will not exceed the 25% allowed for a nonconforming use, in compliance with the current zoning law. Additionally, it does not appear that there are alternative methods reasonable for the applicant to pursue to achieve the benefits of the expansion without variances. The expansion will improve site circulation without impinging on the residential district to the west, and will not negatively impact the appearance of the property along its Main Street frontage;
- (3) whether the requested area variances are substantial: The expansion will not exceed the allowed limit of 25% and will not impact either the residential properties to the west or Main Street to the south. Additionally, the height and transparency variances replicate the existing conditions so that the expansion will be visually harmonious;
- (4) whether the proposed variances will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Relative to the impact of the development on the environmental conditions in the neighborhood, the Planning Board, as Lead Agency for the purposes of SEQRA, issued a Negative Declaration for the project on April 28, 2026, essentially attesting to the fact that any adverse impact would be minimal. As stipulated by Section 19-7.1, the expansion will not diminish the compatibility of said building with the existing or potential use of immediately adjacent properties;
- (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the

decision of the Board but shall not necessarily preclude the granting of the area variance. The difficulty in complying in this instance is not necessarily self-created, as the current use only became nonconforming because of the amended zoning laws on November 22, 2024. The applicant also purchased the adjoining property to the north, 22 Pershing Avenue, to lessen the impacts to adjoining properties in the neighborhood with the knowledge that the use on 16 Pershing Avenue Property may not be expanded onto 22 Pershing Avenue. Further, the applicant made several amendments to their request based on feedback from the ZBA when appearing before the board on four occasions, from September 9, 2025 to July 15, 2026.

Motion:
Second:
Carried:

Jessica Vinall, Vice-Chair
Zoning Board of Appeals

Date



**THE CITY OF POUGHKEEPSIE
NEW YORK
ZONING BOARD OF APPEALS**
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4263

FEE: \$350
CODE: A2112

ID#: _____

IPS# _____

NOTE: The City of Poughkeepsie never requests and will not accept application fees via wire transfer, ACH, or credit/debit card over the phone or by email. Fees are accepted by check via mail or cash/check in person at City Hall.

AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 287 & 307 South Avenue

ZONING DISTRICT: CD

OWNER INFORMATION:

Name: PK South Ave LLC

Address: 162 Rinaldi Blvd

Poughkeepsie, NY 12601

Phone: c/o 845-874-7166

Email: _____

APPLICANT INFORMATION:

Name: Same as owner

Address: _____

Phone: _____

Email: _____

CONSULTANT INFORMATION:

Name: KARC Planning Consultants, Inc.

Address: PO Box 924

Poughkeepsie, NY 12602

Phone: 845-874-7166

Email: _____

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Joseph O'Brien, Deputy Zoning Administrator

Date of decision/determination/violation: October 22, 2025

Please note that a copy of the communication must be attached with this application.

Revised 12/24: Previous Editions Obsolete

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
See attached cover letter		

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-9.10(11)(c) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why. See attached cover letter
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary? See attached cover letter
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial. See attached cover letter
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not? See attached cover letter
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain. See attached cover letter

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 287 & 307 South Ave

LIST OF REQUIRED ATTACHMENTS

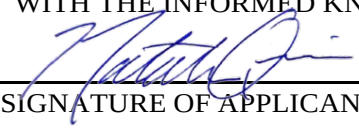
1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):

Massing Study

SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.


SIGNATURE OF APPLICANT

January 13, 2025
DATE

Natalie Quinn, agent for applicant
Print Name



PLANNING CONSULTANTS, INC.

October 21, 2025

To whom it may concern:

Please accept this letter as written authorization that KARC Planning Consultants, Inc. is authorized to sign as Agent on behalf of PK South Ave LLC property owner of 287 & 307 South Avenue Poughkeepsie, NY 12601, with respect to permits and applications before the City of Poughkeepsie.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Arket", is written over a horizontal line.

Ryan Arket
PK South Ave LLC



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

October 22nd, 2025

Natalie Quinn, KARC Planning Consultants

Re: 287 South Avenue
ID: 424146
Zoning Review Request PD-2025-120

Dear Applicant,

The Development Department is in receipt of your zoning review request relating to the property at 287 South Avenue and the proposed merger of the neighboring property at 307 South Avenue and construction of a five-story building containing 82 dwelling units.

This property is located within the Campus Development District (CD), which does permit 82 dwelling units per Section 19-5.5 of the Zoning Ordinance, but will require Site Plan approval.

Based on the provided plot plan, some possible deficiencies have been identified which would require Area Variances from the Zoning Board of Appeals. However, please note that the plans were not provided to scale and will require more detail for a comprehensive review while the list provided is not exhaustive.

1. Section 19-4.3(3)(c)(2) states that the minimum secondary street setback shall be 20'. **The proposed northern setback is shown to be 6'3" and the proposed eastern setback is shown to be 2'4".**
2. Section 19-4.3(3)(e) states that the maximum lot coverage shall be 50%. **The proposed lot coverage is stated to be 58.3%.**
3. Section 19-4.3(3)(f) states that a minimum open space of 20% is required. **No percentage was provided or detail for the proposed open space.**
4. Section 19-6.2(1)(a) states that all parking shall not be located between the building and the front lot line. **49 parking spaces are proposed within the front yard.**
5. Section 19-6.2(1)(f) states that parking spaces shall be 20' long and 9' wide with an aisle width of 22'. **The plan was not provided to scale and no dimensions for the parking area were provided.**
6. Section 19-6.2(1)(g) states that off-street parking areas shall be adequately illuminated for convenience and safety, but no lighting for parking areas shall cause glare on adjoining property. **No lighting is proposed.**
7. Section 19-6.2(4)(b) states that whenever a parking area containing three or more spaces faces a street or a property line, a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center shall be



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

provided between the parking area and the street line or property line. The planting plan for this strip shall be approved by the Planning Board as part of the site plan review. **No such landscaping is proposed.**

8. **Section 19-6.2(4)(c)** states that not more than 12 parking spaces shall be permitted in a continuous row, and not more than 24 spaces shall be permitted in a single parking area without being interrupted by landscaping approved by the Planning Board. **48 parking spaces are proposed in a continuous row located within the front yard without being interrupted by landscaping.**
9. **Section 19-6.2(11)(a)** states that 103 parking spaces are required for the proposed use. **83 parking spaces are proposed.**

After all Area Variances are granted by the Zoning Board of Appeals and Site Plan approval is granted by the Planning Board, you would then need to file all required Building permits and obtain an issued Certificate of Occupancy from the Building Department.

If you have any questions or comments, please feel free to contact me, info is listed below, thanks.

Joseph D. O'Brien

Deputy Zoning Administrator

Office - 845-451-4273

jobrien@cityofpoughkeepsie.com

July 28, 2026

Scott Parker, Chairperson
City of Poughkeepsie ZBA
62 Civic Center Plaza
Poughkeepsie, NY 12601

Re: 287 & 307 South Ave
Parcel No. 131300-6061-60-974481 & 982453
City of Poughkeepsie
Area Variance Application

Dear Chair Parker:

As you are aware, the applicant is seeking to construct a multifamily residential building at 287 & 307 South Avenue (Lots 974481 & 982453) in the City of Poughkeepsie. Together, the lots total approximately 0.998 acres (43,452 SF). The parcels are located in the Campus Development (CD) Zoning district, where multi-family residential is a permitted use.

Since the ZBA's July 15, 2026 review, the applicant has revised the site layout to better address recommendations from the ZBA, reduce the number and extent of zoning variances required, and improve the project's overall compatibility with the surrounding neighborhood. The principle revision is summarized below:

- **Lot Coverage Reduction:** The surface of the entire south entrance to the building has been converted from impervious asphalt to pervious pavers. This modification reduces the percentage of lot coverage (including impervious surfaces) below the 50% threshold required by the Zoning Code to 49.17%. Additionally, by converting the south entrance to pervious pavers, the entrance now matches the surface proposed throughout the rest of the site and adds to the property's overall resilience to stormwater runoff and flooding. While permeable pavers in this high-impact turning area will require more maintenance, which is why pavers were originally avoided in this area, this change reduces the proposed lot coverage from 53% to 49%, therefore making the project compliant in this respect.

Revised Unit Count & Mix

The applicant's previously submitted building matrix chart included an error in the total unit count. The corrected building matrix chart is included with this submission and is reflected in the table below:

	January 2026 Proposal	June 2026 Proposal	July 2026 Proposal (Current)
Unit Type	Amount	Amount	Amount
One-Bed	54	30	25
Two-Bed	24	40	36
Three-Bed	4	4	4
Total	82	74	65

Revised Table of Requested Variances

As noted above, the revised plan eliminates the need for the 50% maximum lot coverage variance as the site's impervious surface coverage is now 49.17%. The following variances remain necessary due to unique site constraints, as more fully described in the narrative below. Please note that the variances related to the location of front yard parking and the width of the front yard landscaped screening area are combined below as the justifications for each are closely aligned.

Variance	Code Section	Requirement	Proposed	Requested Variance
#1	19-4.3(3)(c)(2)	Min. secondary street setback of 20'	Eastern: 2'	Eastern: 18'
#2	19-6.2(1)(a)	No parking located between the building and the front lot line.	Front yard parking with landscape screening.	Front yard parking & Planting area width less than 3' for an extent of 123' of frontage
	19-6.2(4)(b)	Planting area of 3' in width between parking area and property line		

Given the elimination of the lot coverage variance, we are providing revised justifications for the remaining required variances below for ease of reference.

SECONDARY STREET SETBACK (VARIANCE #1)

1. Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties?

Granting relief from the 20-foot secondary street setback along the east portion of the lot will not produce an undesirable change in neighborhood character or result in a detriment to nearby properties. The proposed use and development intensity are permitted and anticipated within the zoning district.

The site is located in a context defined primarily by transportation infrastructure and large-scale, non-residential uses rather than a traditional residential streetscape. The east lot line fronts a vegetated Route 9 right-of-way, does not abut private developable parcels, and poses no risk of limiting visibility or negatively impacting neighborhood structures, privacy, or neighborhood scale. If the existing Route 9 right-of-way, which has widths between 17ft and 43ft is taken into consideration, the proposed building sits a minimum of 20 ft from the street edge. Thus, in reality, the proposed building will appear to all passersby as meeting the required 20 ft secondary street setback from Route 9.



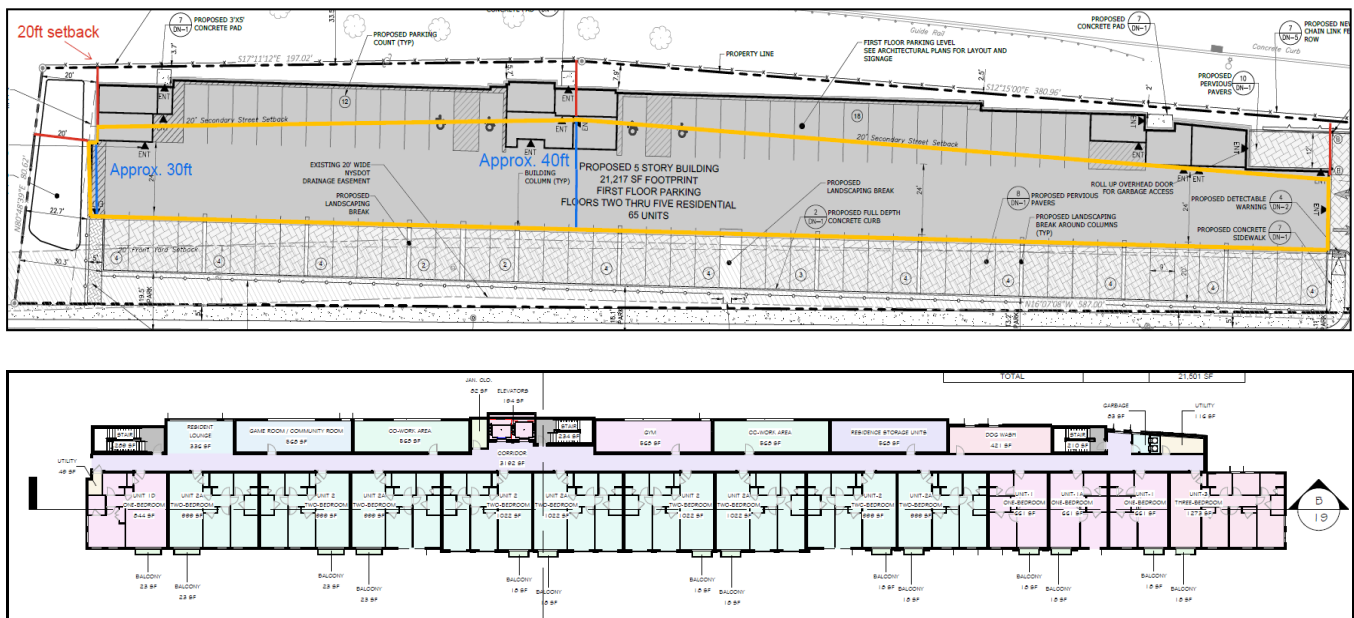
2. Can the benefit be achieved by some other method feasible for the applicant to pursue other than the area variance?

Due to the lot's unusual configuration, the existing NYSDOT easement, and the property's extreme narrowness, strict compliance with the required 20ft secondary street setback along Route 9 would severely constrain the buildable envelope and materially limit development of a permitted multifamily use within the CD District. When the required setback is combined with the existing easement, the remaining building width is reduced to approximately 30-40 ft.

While the Building Code does not establish a minimum building width, a residential building of this width is not reasonably capable of accommodating a functional multifamily layout. A code-compliant multifamily building requires space for essential building components, including stairwells, an accessible elevator, corridors, structural walls, utility chases, and dwelling unit walls. Collectively, these elements consume approximately 22 to 26 feet of the available building width, leaving only

approximately 8 to 12 feet on either side for residential dwelling units. The resulting floor plans would be impractically narrow, significantly reducing the functionality, livability, and efficiency of the proposed apartments and substantially limiting the number and quality of code-compliant dwelling units that could be provided.

The sketch below illustrates these practical limitations. Under a fully compliant layout, the resulting building footprint would be on average 35 ft in width. By comparison, the requested variance increases the building width to approximately 47 feet, allowing for a more conventional and efficient multifamily layout with a double-loaded corridor and functional one- and two-bedroom dwelling units while still maintaining the overall intent of the required setback.



Strict compliance would not merely reduce the project's size; it would prevent the site from accommodating a practical and functional multifamily building of the type expressly permitted within the CD District. The applicant has already revised the site plan to eliminate the side-yard setback variance along Academy Street and reduce lot coverage below the maximum permitted by the Zoning Code. Accordingly, the remaining setback variance along the eastern property line represents the minimum relief necessary to allow reasonable use of this uniquely constrained parcel while respecting the surrounding neighborhood and the purposes of the zoning regulations.

3. Is the requested area variance substantial?

The requested secondary street setback variance of approximately 18 feet may be considered substantial in numerical terms, but when viewed in context, the setback relief is attributable to the narrow configuration of the parcel and its frontage along a highway corridor rather than a traditional

neighborhood street, and the overall development remains consistent with the permitted use, density, and development intensity of the CD District without creating off-site impacts.

4. Will the variance have an adverse effect on the physical or environmental neighborhood or district?

The requested setback variance will not result in adverse physical or environmental impacts. This parcel currently contains all impervious surfaces with little to no landscaping or stormwater treatment. The proposed development will introduce landscaped areas, permeable paving, and formal stormwater management measures, resulting in improved site drainage, reduced runoff, and enhanced environmental performance compared to existing conditions. Accordingly, the variances will not adversely affect the physical or environmental character of the neighborhood and will instead produce a net environmental benefit.

5. Is the need for the area variance the result of self-created difficulties on your part or unique to the property?

While the need for the requested variance may be considered partially self-created, it primarily results from the pre-existing and unusual configuration of the lot, including its narrow width and constrained buildable area. These physical characteristics significantly limit reasonable development options regardless of the specific proposal. The applicant is seeking the minimum relief necessary to enable development of a permitted use in a manner consistent with the intent of the zoning regulations.

PARKING LOCATION & SCREENING (VARIANCE #2)

1. Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties?

Permitting limited parking between the building and the front lot line and granting relief from the required 3-foot planting buffer will not produce an undesirable change in neighborhood character. The parking that is technically located within the front yard is primarily situated beneath the building, with one row of parking extending beyond the building footprint. This condition results from an existing DOT easement that allows parking but prohibits building encroachment within the easement. Absent this constraint, the parking would be fully located beneath the structure.

The parking spaces will be screened from South Avenue through a combination of shrubs, trees, and vines on fencing. The fence shown on the site plan will comply with Section 19-6.5(5)(C) of the Zoning Code and will be reduced to a height of 3 feet. The existing parcel currently contains a large surface parking area with minimal landscaping. The proposed development replaces these conditions with

structured parking beneath the building and enhanced perimeter landscaping, representing a clear improvement over existing site conditions.

2. Can the benefit be achieved by some other method feasible for the applicant to pursue other than the area variance?

Due to the narrow width and constrained configuration of the lot, there is no practical alternative location for the required parking without eliminating spaces entirely or compromising safe circulation and site functionality. Similarly, providing a uniform 3-foot planting buffer is not feasible due to these same site constraints. Accordingly, no feasible alternative exists that would eliminate the need for the requested parking location and screening variance.

3. Is the requested area variance substantial?

The relief requested – to allow parking between the building and the front lot line and a planting area less than 3ft for a length of 123ft – is proportional to the site conditions and does not exceed what is necessary to allow reasonable use of the property.

4. Will the variance have an adverse effect on the physical or environmental neighborhood or district?

The proposed parking configuration will not result in adverse physical or environmental impacts. The site is currently almost entirely impervious, and the project will introduce landscaping, permeable surfaces, and formal stormwater management measures that improve environmental performance compared to existing conditions. Overall, the proposed parking layout and landscaped screening will result in a net physical and environmental benefit.

5. Is the need for the area variance the result of self-created difficulties on your part or unique to the property?

While the applicant is proposing a code-permitted use, the need for the requested parking location and planting buffer variance primarily results from the pre-existing narrowness and constrained dimensions of the lot. These characteristics significantly limit parking layout options regardless of the specific development proposal. The applicant is seeking reasonable and minimum relief necessary to accommodate required parking in a safe and functional manner.



PLANNING CONSULTANTS, INC.

We respectfully request placement on the August 11, 2026 Zoning Board of Appeals meeting agenda to discuss this application. Please let us know if any additional information or materials are required at this time.

Enclosed please find the following:

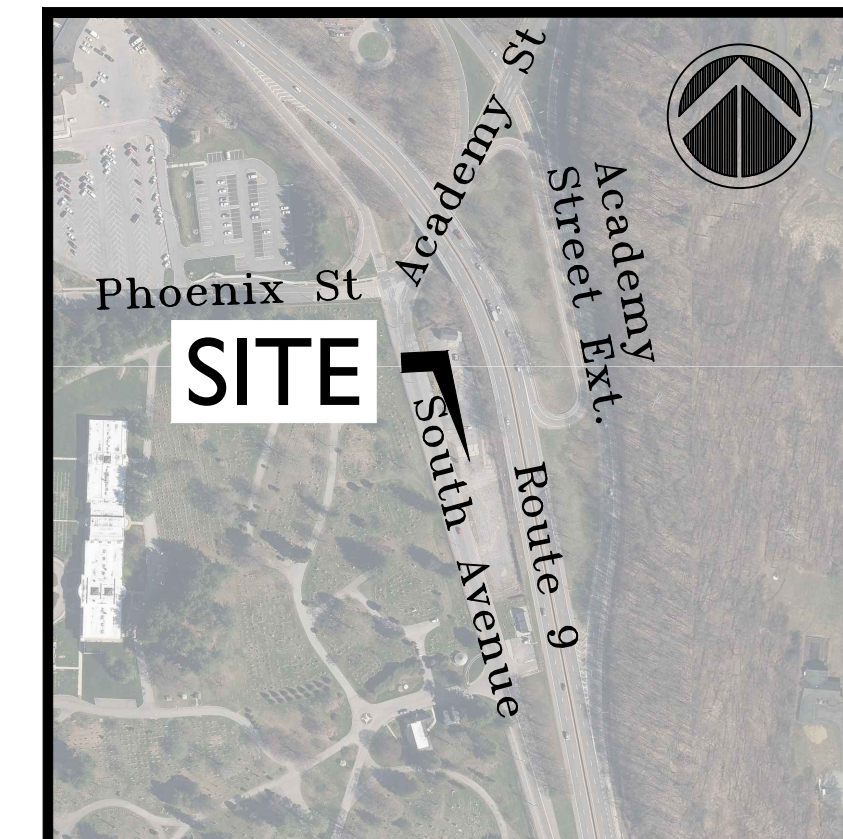
1. Cover Letter and Justification prepared by KARC, dated July 28, 2026
2. Site Plan prepared by LRC Engineering, dated July 28, 2026
3. Updated Building Matrix Chart prepared by ADG, dated July 28, 2026

Thank you.

Sincerely,

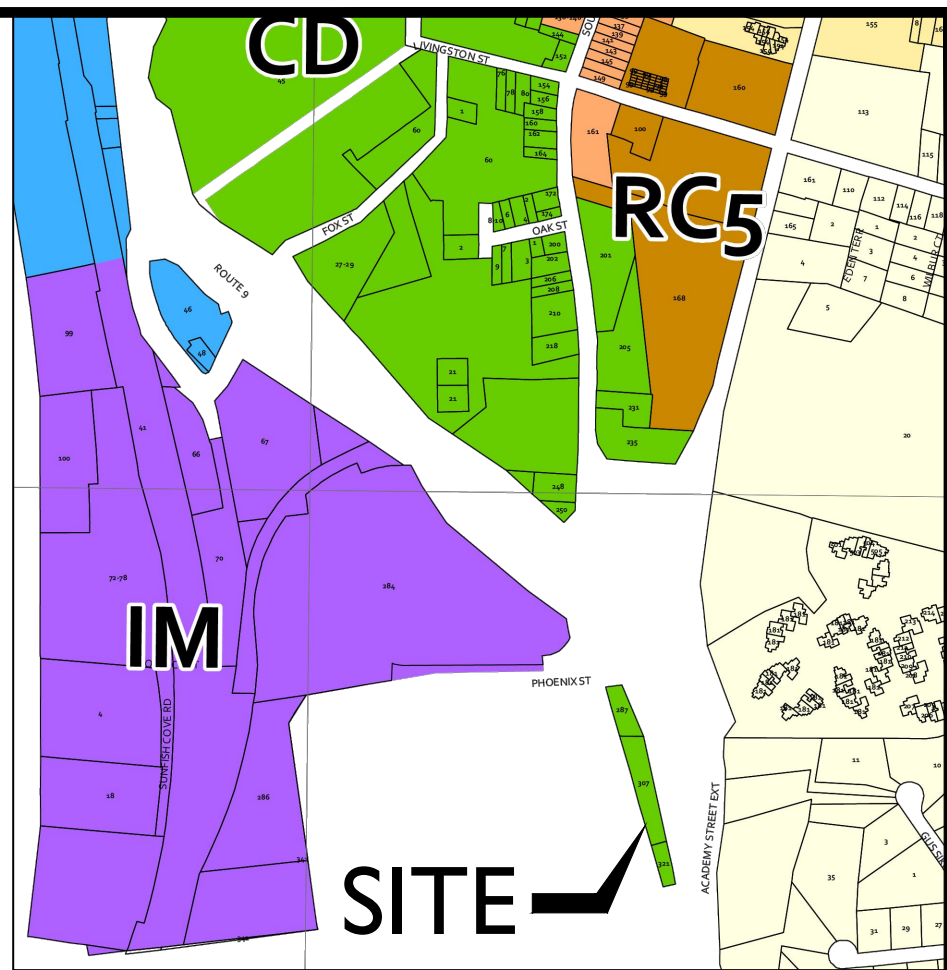
A handwritten signature in blue ink, appearing to read "Natalie Quinn", written over a horizontal line.

Natalie Quinn, Agent for Applicant



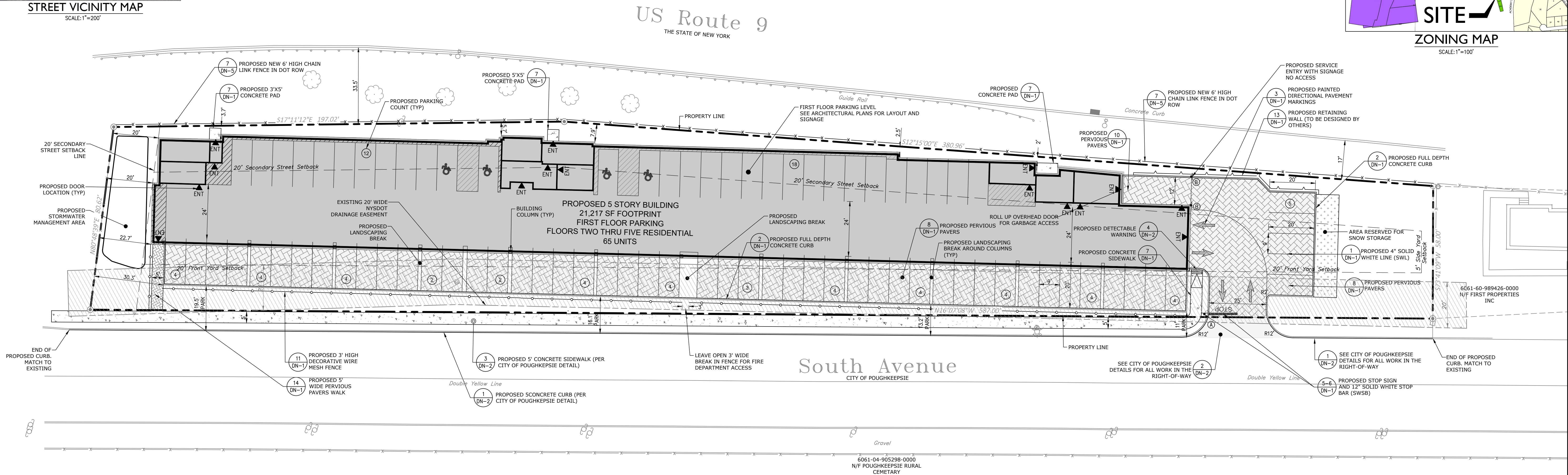
STREET VICINITY MAP

SCALE: 1"=200'



ZONING MAP

SCALE: 1"=100'



EASEMENTS:

EXISTING NYS DOT 20' WIDE DRAINAGE EASEMENT (LIBER 1109 PAGE 25)

NOTES:

- EXISTING EASEMENTS ASSOCIATED WITH THIS PROJECT ARE SHOWN ON APPLICABLE PLAN SHEETS AND ARE LISTED ABOVE.
- NO EXISTING WATERCOURSES, MARCHES, WOODED AREAS, ROCK OUTCROPS, TREES WITH A DIA. OF 8" OR MORE ARE ASSOCIATED OR LOCATED WITHIN WITH THIS PROJECT
- SITE IS NOT IN FEMA 100 YEAR FLOODPLAIN
- A FIRE DEPARTMENT KNOX BOX LOCATION IS PROVIDED AT THE SOUTHERN ENTRY LOCATION.
- MAINTENANCE RECORDS FOR STORM WATER PRACTICES SHALL BE SUBMITTED TO THE CITY ENGINEERING DEPARTMENT ON AN ANNUAL BASIS.

SURVEY MAP REFERENCE

EXISTING CONDITIONS / TOPOGRAPHIC INFORMATION TAKEN FROM PLAN ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY PREPARED FOR PK SOUTH AVE LLC" DATED JULY 22, 2025 BY BRENDAN JOHNSON, PLS# 50919

LEGEND

---	EXISTING PROPERTY LINE
- - -	EXISTING EASEMENT LINE
---	BUILDING SETBACK LINE
---	PROPOSED ASPHALT SURFACE
---	PROPOSED CONCRETE SIDEWALK
---	PROPOSED CONCRETE CURB
---	PROPOSED EDGE OF BITUMINOUS CONCRETE
---	PROPOSED FENCE
---	PROPOSED SIGN
---	PROPOSED LIGHT
---	PROPOSED BOLLARD
---	PROPOSED DOOR LOCATION
---	PROPOSED CONCRETE PAVERS
---	EXISTING NYS DOT DRAINAGE EASEMENT
---	PROPOSED SNOW STORAGE

GENERAL NOTES:

- ALL CONSTRUCTION SHALL COMPLY WITH CITY OF POUGHKEEPSIE REQUIREMENTS AND SPECIFICATIONS.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS REQUIRED BY GOVERNMENT AGENCIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL POST ALL BONDS, PAY ALL FEES, PROVIDE PROOF OF INSURANCE AND PROVIDE TRAFFIC CONTROL NECESSARY FOR THIS WORK.
- REFER TO OTHER PLANS AND DETAIL SHEETS FOR ADDITIONAL INFORMATION. THE CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS IN THE FIELD AND CONTACT THE SITE ENGINEER IF THERE ARE ANY QUESTIONS OR CONFLICTS REGARDING THE CONSTRUCTION DOCUMENTS AND/OR FIELD CONDITIONS SO THAT APPROPRIATE REVISIONS CAN BE MADE PRIOR TO BIDDING. ANY CONFLICT BETWEEN DRAWINGS AND THE SPECIFICATIONS SHALL BE CONFIRMED WITH THE LOCAL CONSTRUCTION MANAGER PRIOR TO BIDDING.
- REFER TO THE DETAIL SHEETS FOR PAVEMENT, CURBING, AND SIDEWALK INFORMATION.
- ALTERNATIVE METHODS AND PRODUCTS OTHER THAN THOSE SPECIFIED MAY BE USED IF REVIEWED AND APPROVED BY THE SITE ENGINEER, AND THE APPROPRIATE REGULATORY AGENCIES PRIOR TO INSTALLATION.
- THE CONTRACTOR SHALL RESTORE ANY OF THE FOLLOWING IF THEY ARE NOTED TO REMAIN: UTILITY STRUCTURE, PIPE, UTILITY, PAVEMENT, CURBS, SIDEWALKS, OR LANDSCAPED AREAS DISTURBED DURING CONSTRUCTION TO THEIR ORIGINAL CONDITION OR BETTER TO THE SATISFACTION OF THE CITY OF POUGHKEEPSIE.
- TRAFFIC CONTROL MEASURES SHALL BE UTILIZED IN ACCORDANCE WITH CITY OF POUGHKEEPSIE.
- PAVEMENT MARKINGS SHALL BE FAST DRYING TYPE IN ACCORDANCE WITH CITY OF POUGHKEEPSIE SPECIFICATIONS.
- THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF ALL PRODUCTS, MATERIALS AND PLANT SPECIFICATIONS TO THE SITE ENGINEER AND OWNER FOR REVIEW AND APPROVAL PRIOR TO FABRICATION OR DELIVERY TO THE SITE. ALLOW A MINIMUM OF 14 WORKING DAYS FOR REVIEW. APPROVED SHOP DRAWINGS WILL BE PROVIDED BY THE ENGINEER AND COPIED TO THE CITY OF POUGHKEEPSIE.
- THE CONTRACTOR SHALL PROVIDE AND MAINTAIN TRAFFIC DEVICES FOR PROTECTION OF VEHICLES AND PEDESTRIANS CONSISTING OF DRUMS, BARRIERS, SIGNS, LIGHTS, FENCES AND UNIFORMED TRAFFIC MEN AS REQUIRED OR ORDERED BY THE ENGINEER OR REQUIRED BY THE LOCAL GOVERNING AUTHORITIES. CONTRACTOR SHALL MAINTAIN ALL TRAFFIC LANES AND PEDESTRIAN WALKWAYS AT ALL TIMES UNLESS WRITTEN APPROVAL FROM THE CITY AND GOVERNING AUTHORITIES IS GRANTED.
- THE PROJECT DRAWINGS ARE GENERALLY DIAGRAMMATIC IN INDICATING THE PRESENCE OF EXISTING UNDERGROUND UTILITIES. INFORMATION ON EXISTING UTILITIES HAS BEEN COMPILED FROM AVAILABLE INFORMATION INCLUDING UTILITY COMPANY AND MUNICIPAL RECORD MAPS AND FIELD SURVEY AND IS NOT GUARANTEED TO BE CORRECT OR COMPLETE. UTILITIES ARE SHOWN TO ALERT THE CONTRACTOR OF THEIR PRESENCE AND THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETERMINING ACTUAL LOCATIONS AND ELEVATIONS OF ALL UTILITIES AND SERVICES. WHEN THE UTILITIES ARE TO BE LEFT IN PLACE, THE CONTRACTOR SHALL PROVIDE ADEQUATE MEANS OF SUPPORT AND PROTECTION DURING THE EXCAVATION AND BACKFILLING OPERATIONS.
- PRIOR TO DEMOLITION OR CONSTRUCTION THE CONTRACTOR SHALL CONTACT "UDIG NY" AT 1-800-962-7962 AT LEAST 48 HOURS BEFORE COMMENCEMENT OF WORK TO VERIFY ALL UTILITY LOCATIONS. CONTRACTOR SHALL NOT INTERRUPT EXISTING UTILITIES SERVING FACILITIES OCCUPIED AND USED BY THE OWNER OR OTHERS DURING OCCUPIED HOURS.
- IF ANY UNCHARTED OR INCORRECTLY CHARTED EXISTING PIPING OR OTHER UTILITY IS UNCOVERED DURING EXCAVATION, THE CONTRACTOR SHALL CONSULT THE SITE ENGINEER IMMEDIATELY FOR DIRECTIONS BEFORE PROCEEDING FURTHER WITH THE WORK.
- STORAGE OF FLAMMABLE AND HAZARDOUS MATERIALS SHALL BE IN COMPLIANCE WITH THE NYS FIRE AND BUILDING CODE.
- CONTRACTOR TO PROVIDE SITE ENGINEER WITH SUBMITTALS. ONCE APPROVED, COPIES WILL BE SUPPLIED TO CITY ENGINEER AND APPROPRIATE CITY DEPARTMENTS.
- NO HERBICIDES OR PESTICIDES WILL BE USED DURING THE OPERATION OF THE SITE.
- A SPRINKLER SYSTEM SHALL BE INSTALLED IN THE BUILDING IN ACCORDANCE WITH NFPA AND THE NYS FIRE CODE 2020.

SIGN LEGEND

NO.	LEGEND	MUTCD SIGN DESIGNATION	QTY.
A	STOP	R1-1	1
B	SERVICE ENTRANCE ONLY NO ACCESS		2

NOTE: SIGNAGE TO BE CONSISTENT WITH TOWN/STATE AND MUTCD STANDARDS

ZONING SUMMARY CHART

ZONING INFORMATION		
TAX MAP IDENTIFICATION	131300-6061-60-974481 & 982453	
ZONING DISTRICT	CD - CAMPUS DEVELOPMENT	
PROPOSED USE	MULTIFAMILY RESIDENTIAL	
ZONING SUMMARY		
ITEM	REQUIRED	PROVIDED
MIN. LOT AREA	N/A	43,452 SF (0.99 ACRES)
MIN. FRONTAGE	50 FT	587 FT
MAX. LOT COVERAGE	50%	49.17%
MIN. PRIMARY STREET SETBACK	20 FT	20 FT
MIN. SECONDARY STREET SETBACK	20 FT	2.0 FT (*)
MIN. SIDE YARD	5 FT	14.6 FT
MAX. HEIGHT	5 STORIES 68 FT	5 STORIES 58 FT
MAX. DENSITY	5+ UNITS	65 UNITS
REQUIRED PARKING	1.25/DWELLING + 82 SPACES	82 SPACES
REQUIRED BICYCLE PARKING	11 spaces	30 SPACES
REQUIRED OPEN SPACE	20%	24.90%
(*) DENOTES VARIANCE REQUIRED		

1. 2026-03-10 CITY PLANNING BOARD SUBMISSION
2. 2026-04-14 CITY PLANNING BOARD SUBMISSION
3. 2026-06-30 CITY PLANNING BOARD SUBMISSION
4. 2026-07-28 CITY PLANNING BOARD SUBMISSION
Revisions

Engineering & Surveying
A Foxconn Company

- Civil Engineering
- Land Surveying
- Landscape Architecture
- Land Planning
- Laser Scanning & BIM
- Subsurface Utility Engineering

Land Resource Consultants Engineering & Surveying, LLC
Loureiro NY, P.C.

85 Civic Center Plaza, Suite 204
Poughkeepsie NY 12601
(845) 345-3880

160 West Street, Suite E
Cromwell, CT 06416
(860) 635-2877
www.lrcnyc.com

SITE PLAN

PROPOSED MULTI FAMILY DEVELOPMENT
287-307 SOUTH AVE.
CITY OF POUGHKEEPSIE,
DUTCHESS COUNTY, NEW YORK

Design/Calcs	LRC	CAD File	SP25336401.dwg	Sheet No.
Drawn	SMC	Project No.	25-3364	
Checked	KFC	Date	2025-12-22	
Approved	LRC	Scale	1"=20'	

SP-1

Building Matrix Chart

Parking Chart			
Floor Level	Parking	Handicap Parking	Total
First FL Parking	26	4	30
Outdoor	52	0	52
Total Unit Count	78	4	82
Total SF	19,034		

Area Tabulation								
Floor Level	Unit Count	Residential Gross SF	Balcony	Patio	Commercial Gross SF	Amenities	Ancillary Spaces	Total SF
Ground FL Parking						375	1,702	2,077
Second FL	14	13,183	272			3,597	4,449	21,501
Third FL	19	16,023	382			757	4,449	21,611
Fourth FL	18	16,023	382			757	4,449	21,611
Fifth FL	14	13,183	272	3,180		426	4,452	21,513
Total	65	58,412	1,308	3,180		5,912	19,501	88,313
Rooftop				7,727			10,426	18,153
Total (w/ Roof)	65	58,412	1,308	10,907		5,912	29,927	106,466

Unit Schedule					
Floor Level	Studio	One Bed	Two Bed	Three Bed	Total Per Floor
First FL					
Second FL		4	9	1	14
Third FL		9	9	1	19
Fourth FL		8	9	1	18
Fifth FL		4	9	1	14
Rooftop					
Total Unit Count		25	36	4	65
Unit Distribution (percentage of total)		39%	55%	6%	100%



**THE CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
POUGHKEEPSIE, NY 12601
208-307 SOUTH AVENUE RESOLUTION
AUGUST 11, 2026**

In the matter of the appeal of PK South Ave LLC, represented by Natalie Quinn of KARC Planning Consultants, Inc, regarding the property at 287-307 South Avenue, Poughkeepsie, NY; Grid # 6061-60-974481 and 982453; Zoning District: CD; File #ZBA2026-002:

At a Regular Meeting of the Zoning Board of Appeals held on the 11th day of August 2026, at 6:00pm:

Present

Jessica Vinall, Co-Chair
Sam Finnerman
Thomas Klug
James Patterson
Justin Phillips
Miles Shadman

Absent

Scott Parker

WHEREAS, the Zoning Board of Appeals has received an application for area variances related to the proposed construction of multifamily residential building with 65 dwelling units, requiring variances of Section 19-4.3(c)(2), requiring a minimum secondary street setback of 20 feet to allow a eastern setback of 2 feet, Section 19-6.2(1)(a) which prohibits off-street parking in a front yard to allow parking in the front yard; and Section 19-6.2(4)(b), which requires planting area 3 feet in width between parking areas and property lines to allow planting areas less than 3 feet in width for 123 feet of frontage; and,

WHEREAS, the application was submitted by Natalie Quinn of KARC, accompanied by a series supplemental materials and site plans prepared by LRC Engineering & Surveying, the latest of which bears a revision date of 2026-07-28; and,

WHEREAS, a public hearing was held on February 10, 2026, March 10, 2026, July 15, 2026, and August 11, 2026; and,

WHEREAS, the Planning Board as lead agency for the purposes of SEQRA review adopted a Negative Declaration in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR 617 and City Code 19-6.4 and 19-4.17 at its meeting of March 24, 2026; and,

NOW THEREFORE BE IT RESOLVED THAT the City of Poughkeepsie Zoning Board of Appeals hereby finds that a consideration of the five factors for area variances weigh in favor of the applicant and grants a variance of Section 19-4.3(c)(2), 19-6.2(1)(a) and 19-6.2(4)(b) of the Zoning Code, as follows:

In making its determination on an area variance application based on the above stipulation, the Board took into consideration the benefit to the applicant(s) if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such

grant. The criteria the Board uses to make that determination are:

- (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting area variance: While the character of the neighborhood will be altered by the development, it does not necessarily follow that the development and variances requested will produce an undesirable change in that character. The proposed development is consistent with the Campus Development Zoning District that allows multi-family residential use, and the front yard parking is nearly within the footprint of the residential building. Currently the site is nearly entirely paved, with minimal landscaping and no stormwater management system. The proposed development includes site improvements with landscaping and storm water control, which would be an improvement over the existing conditions.
- (2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant(s) to pursue, other than area variances. Site constraints, including the multiple easements/rights-of-way, the relatively narrow triangular shape of the lot and the fact that the lot has essentially three front yards, make conforming development a challenge. For example, one of the DOT easements prohibits building encroachment but allows parking, which resulted in the need for the front yard parking variance. Without this constraint, the parking could have been designed to be fully under the structure. Further, the applicant has explored other methods of complying with the code that in the end were not feasible to execute.
- (3) whether the requested area variances are substantial. The requested variances do not appear substantial. The variance for the secondary front yard set-back at the east, along Route 9 S, where 20 feet is required and 2 feet is provided, might appear substantial, but given the fact that there is a NYSDOT easement between 17 and 43 feet wide, which is vegetated and not developable, essentially provides a setback in near compliance with the zoning requirements. The remaining variances to allow partial front-yard parking and to allow a variation in the width of the landscape screening are also not substantial, given the constraints of the site and that the application does not require a variance from the minimum parking requirements. Therefore, the variance is not substantial.
- (4) whether the proposed variances will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Relative to the impact of the development on the environmental conditions in the neighborhood, the Planning Board, as Lead Agency for the purposes of SEQRA, issued a Negative Declaration for the project on March 24, 2026, essentially attesting to the fact that any adverse impact would be minimal. Additionally, it is noted that the proposed development includes a formal stormwater management system and increased landscaping, which will reduce runoff and provide other environmental benefits;
- (5) whether the alleged difficulty is self-created, which consideration shall be relevant to the decision of the Board but shall not necessarily preclude the granting of the area variance. While an argument could be made that the need for the variances is self-created since the property is essentially a vacant parcel for which a conforming development could be proposed, the lot has a number of pre-existing constraints, including the presence of multiple easements/rights-of-way, the relatively narrow triangular shape of the lot and the fact that it has essentially three front yards, all of which make conforming development a

challenge.

Motion:

Second:

Carried:

Jessica Vinall, Chair
Zoning Board of Appeals

Date