



# Town of Poughkeepsie

## Zoning Department

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### DECISION AGENDA TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS REGULAR MEETING May 10, 2010 7:00 PM

#### Old Business

1. Closed Public Hearing – **ABD Stratford, LLC**, 198 Bower Road, Zone R-4A, Grid #6362-01-320922-0000. Requesting an Interpretation of §210-160(A) & §210-160(C) of the Town Code appealing a determination by the Zoning Administrator that townhouse type dwelling units are not permitted on the Stratford Farms Subdivision. Type II Action.

***The public hearing was closed on December 14, 2009. At the request of the applicant the Board adjourned further deliberation on this matter until such time as the applicant requests the Board to continue deliberations.***

**Motion: Karmen Buckey**

**Second: Art Grace**

**Recused: Marcy Marlow**

**Vote: 6:0:1**

2. Public Hearing – **PRECISION TUNE** – 2555 South Road, B-H, Grid# 6060-02-994630-0000. For the purpose of considering a recommendation from the Zoning Administrator to revoke a Special Use Permit issued by the ZBA. The basis for the request is the failure of the owner of said property, RJG Properties, LLC, to comply with the conditions of the 10/24/89 Special Use Permit approval, namely: 1) vehicular activity and parking for business is being conducted on town property in violation of the conditions of the Special Use Permit ; and 2) the installed fence has not been erected in accordance with the conditions of the Special Use Permit; and 3) the exit to Van Sicken Drive has not been permanently blocked in violation of the conditions of the Special Use Permit.

***The Board adjourned the public hearing to the June 14, 2010 meeting.***

**Motion: Art Grace**

**Second: Karmen Buckey**

**Recused: Paul Lahey**

**Vote: 6:0:1**

#### New Business

3. Public Hearing – **MARTIN MILLS** – 58 Lindenbergh Place, R-20, Grid# 6162-20-852109-0000. The requested Area Variance involves relief from Article IV, §210-16(E) of the Town Code to allow a deck to be located 10 feet from the side lot line where 20 feet is required. Type II Action.

***The Board voted to approve the application for the reasons as set forth in the resolution of the Board.***

**Motion: Marcy Marlow**

**Second: Art Grace**

**Vote: 7:0:0**

4. Public Hearing – **PETER VANIKIOTIS**– 2521 South Road, B-H, Grid# 6060-02-975536-0000. The requested Area Variance is for 1) relief from Article IX, Section 210-127(B) to allow

the installation of a freestanding sign of 84 square feet where a one freestanding sign not greater than 50 square feet is permitted, and 2) relief from Article IX, Section 210-122(A)(8) to allow the use of strip lighting (neon) to outline a commercial structure. Unlisted Action.

***At the request of the applicant the Board adjourned the public hearing to the June 14, 2010 meeting.***

**Motion: Art Grace**

**Second: Paul Lahey**

**Recused: Marcy Marlow**

**Vote: 6:0:1**

5. Public Hearing – **CARL & KAREN WHITEHEAD** – 20 Wayne Drive, R-20, Grid# 6159-02-615635-0000. The requested Area Variance involves relief from Article IV, §210-16(E) of the Town Code to allow a deck to be located 14 feet from the side lot line where 20 feet is required. Type II Action.

***The Board voted to approve the application for the reasons as set forth in the resolution of the Board.***

**Motion: Marcy Marlow**

**Second: Betty Bomba**

**Vote: 7:0:0**

6. Public Hearing – **GARY HRICEWICH** – 5 Peter Cooper Drive, R-20, Grid# 6162-07-550877-0000. The requested Area Variance involves relief from Article IV, §210-16(E) of the Town Code to allow an addition to be located 2.1 feet from the side lot line where 20 feet is required. Type II Action.

***The Board voted to approve the application for the reasons as set forth in the resolution of the Board.***

**Motion: Marcy Marlow**

**Second: Art Grace**

**Vote: 7:0:0**

7. Public Hearing – **BILLY & MELISSA KAPOGIANNIS** – 5 Lorraine Boulevard, R-20, Grid# 6159-04-856358-0000. The requested Area Variance involves relief from Article IV, §210-16(E) of the Town Code to allow an addition to be located 14.3 feet from the side lot line where 20 feet is required. Type II Action.

***The Board voted to approve the application for the reasons as set forth in the resolution of the Board.***

**Motion: Marcy Marlow**

**Second: Art Grace**

**Vote: 7:0:0**

8. Public Hearing – **ASHTON PARK** - 2290 South Road, Zone B-NH, Grid# 6159-03-375410-000. The requested Area Variance involves relief from Article IX, §210-126(B) for the installation of a third freestanding sign of 92 square feet where one freestanding sign not greater than 50 square feet is permitted. Unlisted Action.

***At the request of the applicant the Board adjourned the public hearing to the June 14, 2010 meeting.***

**Motion: Art Grace**

**Second: Betty Bomba**

**Recused: Marcy Marlow**

**Vote: 6:0:1**

9. Public Hearing – **CEC ENTERTAINMENT** – 1895 South Road, Zone SHC, Grid# 6158-01-297959-0000. The requested Area Variance is for 1) relief from Article IX, Section 210-127(C) to allow the installation of three wall signs of 162 square feet (logo and lettering), 65 square feet (logo only), and 65 square feet (logo only), respectively, where one wall sign not greater than 24 square feet is permitted on a single building; and 2) relief from Article IX, Section 210-122(A)(8) to allow the use of strip lighting (LED) to outline a commercial structure. Unlisted Action.

***At the request of the applicant the Board adjourned the public hearing to the June 14, 2010 meeting.***

**Motion: Art Grace**  
**Second: Betty Bomba**  
**Vote: 7:0:0**

**Meeting Closed at 9:26 PM**  
**MOVED: Marcy Marlow**  
**SECONDED: Paul Lahey**  
**CARRIED: 7:0:0**

**PRESENT:**

Chairman Challey  
Member Bomba  
Member Buckey  
Member Capone  
Member Grace  
Member Marlow  
Member Lahey (Alternate)