

# Town of Poughkeepsie

## Zoning Department

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### AGENDA TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS REGULAR MEETING FEBURARY 9, 2015 7:00 PM

#### Old Business

1. **Adjourned Public Hearing – Yeung Home & Property LLC, 60 Cedar Street, Zone R-20, Grid #6162-10-368747-0000.** The requested Use Variance involves relief from Article III, Section 210-13F to allow a two-family dwelling on said property where a two-family dwelling use is prohibited. Unlisted Action. Uncoordinated review.
2. **Adjourned Public Hearing – Leanne Le, 81 Buckingham Avenue, Zone R-20, Grid #6162-10-315726-0000.** The requested Area Variance involves relief from Article VIII, Section 210-92(Q)(1) to allow the parking or storage of motor vehicles in the front yard of the property. Unlisted Action. Uncoordinated review.
3. **Public Hearing – Anthony Leo, 11 Spring Street, Zone R-20, Grid #6162-05-239816-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a single family detached dwelling to be located 8 feet from the side lot line where 20 feet is required. Type II Action. Public hearing adjourned to March 9, 2015.
4. **Public Hearing – Salsa Restaurant, 2585 South Road, Zone B-SC, Grid #6060-02-968700-0000.** The requested Area Variance involves relief from Article IX Section 210-128B of the Town Code to allow a tenant sign of 40.77 square feet on a freestanding sign where said freestanding sign shall advertise the name of the center only. Unlisted Action. Uncoordinated Review.

#### New Business

5. **Public Hearing – HVFCU, 4 Tucker Drive, Zone B-SC, Grid #6262-03-139031-0000.** The requested Area Variance involves relief from Chapter 210, Article IX of the Town Code as follows: 1) §210-128(B) to allow a freestanding sign of 11 square feet where a freestanding sign shall advertise the name of the shopping center only; and 2) §210-128(C)(2)(a) to allow a wall sign of 115.2 square feet where one wall sign up to 100 square feet is allowed; and 3) §210-128(C)(2)(a) to allow 4 signs mounted on an ATM where no sign is permitted. Unlisted Action. Uncoordinated Review.
6. **Public Hearing – HVFCU, 159 Barnegat Road, Zone I-H, Grid #6060-04-858127-0000.** The request for Area Variance approval is made pursuant to Article IX, Section 210-129(C) of the Town Code to allow 2 signs mounted on a freestanding ATM where only one wall mounted sign on the principal structure is permitted. Unlisted Action. Uncoordinated Review.

7. **Public Hearing – Hertz Corporation, 10 IBM Road, Zone B-N, Grid #6060-04-858127-0000.** The request for Area Variance approval is made pursuant to Article IX, Section 210-126(C) of the Town Code to allow the installation of a second wall sign of 50 square feet where only one wall sign is permitted. Unlisted Action. Uncoordinated Review.
8. **Public Hearing – Matthew Johnson, 190 North Grand Avenue, Zone R-20, Grid #6162-16-836356-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow a home addition to be located 12.5 feet from the side lot line where 20 feet is required. Type II Action.
9. **Public Hearing – Michael & Adriane Haase, 4 Claudia Lane, Zone R-20, Grid #6259-01-130701-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow a proposed home addition to be located 11 feet from the side lot line where 20 feet is required. Type II Action.
10. **Public Hearing – John & Maria Rautenstrauch, 7 Old Farms Road, Zone R-20, Grid #6160-04-604474-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow a proposed home addition to be located 14 feet from the side lot line where 20 feet is required. Type II Action.
11. **Public Hearing – Marist College, 3399 North Road , Zone IN, Grid #6062-02-891913-0000.** The requested Area Variance is a request for relief from Chapter 210, Article VI, §210-38(E) of the Town Code to allow a front yard setback of 40 feet where 50 feet is required. Part of a Type I Action. Planning Board is the designated Lead Agency. Negative Declaration issued January 15, 2015. .
12. **Public Hearing – Malabar Realty, LLC, 798 Dutchess Turnpike and 219 Overocker Road, Zone B-H, Grid #6262-04-571014 and 574003.** Area Variance approvals are required pursuant to Chapter 210, Article VI, §210-35(C) to allow 1) a front yard setbacks of 12 feet 4 inches, 19 feet 10 inches, 24 feet 2 inches, 28 feet 7 inches, and 37 feet 3 inches for various improvements where 40 feet is required; and 2) a rear yard setback of 15 feet where 40 feet is required; and 3) a maximum impervious coverage of 80% where a maximum of 75% is permitted; and pursuant to Chapter 210, Article VIII, §210-69 to allow a fence of up to 8 feet in height within a front yard where a fence shall not exceed 3.5 feet in height; and pursuant to Chapter 210, Article VIII, §210-88(A) to allow the parking of motor vehicles within 20 feet of a residential district boundary; and pursuant to Chapter 210, Article VIII, §210-90(E) to allow a motor vehicle service facility to be located within 500 feet of a residential use in a residential district. Part of an Unlisted Action. Coordinated review. Planning Board is the designated Lead Agency.
13. **Public Hearing – Malabar Realty, LLC, 798 Dutchess Turnpike and 219 Overocker Road, Zone B-H, Grid #6262-04-571014 and 574003.** Special Use Permit is required: 1) pursuant to Chapter 210, Article VI, §210-35(C), and Article VIII, §210-90 of the Town Code to allow the re-establishment of a motor vehicle service facility; and 2) pursuant to Chapter 210, Article VI, §210-35(C), and Article VIII, §210-88 of the Town Code to allow the establishment of a motor vehicle rental business. Unlisted Action. Coordinated review. Planning Board is the designated Lead Agency.
14. **Public Hearing – Keith & Debbie Hoffnagle, 131 Violet Avenue, Zone R-20, Grid #6162-07-510847-0000.** The requested Use Variance involves relief from Article III, Section 210-13F and Article IV, Section 210-16(B) to allow the establishment of a restaurant in a district where restaurants are not a permitted use. Unlisted Action. Uncoordinated review.

15. **Public Hearing – New England Realty Group, Ltd., 92 Fairview Avenue, Zone R-20, Grid #6162-09-212690-0000.** The requested Interpretation is a request for a determination that the occupants of 92 Fairview Avenue are the functional equivalent of a “family” as that term is defined in Chapter 210, Article II, §210-9 of the Town Code. Type II Action.
16. **Public Hearing –Yi Jing Zheng, 19 Fairview Avenue Extension, Zone R-20, Grid #6162-05-139932-0000.** The requested Interpretation is a request for a determination that the occupants of 19 Fairview Avenue Extension are the functional equivalent of a “family” as that term is defined in Chapter 210, Article II, §210-9 of the Town Code. Type II Action.
17. **Public Hearing –Yi Jing Zheng, 18 Hawkins Street, Zone R-20, Grid # 6162-06-421929-0000.** The requested Interpretation is a request for a determination that the occupants of 18 Hawkins Street are the functional equivalent of a “family” as that term is defined in Chapter 210, Article II, §210-9 of the Town Code. Type II Action.
18. **Public Hearing –Yi Jing Zheng, 6 Lyford Street, Zone R-20, Grid # 6162-06-302928-0000.** The requested Interpretation is a request for a determination that the occupants of 6 Lyford Street are the functional equivalent of a “family” as that term is defined in Chapter 210, Article II, §210-9 of the Town Code. Type II Action.