



Town of Poughkeepsie

Zoning Department

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Poughkeepsie, NY 12603

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DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
AUGUST 10, 2015
6:00 PM

Old Business

1. **Re-open Public Hearing – Malabar Realty, LLC, 798 Dutchess Turnpike and 219 Overocker Road, Zone B-H, Grid #6262-04-571014 and 574003.** The request for an Area Variance was previously the subject of a public hearing on several area variance requests and said public hearing was closed on July 13, 2015. Due to changes to the site plan as proposed by the applicant the Zoning Board of Appeals has determined that said changes require re-opening the public hearing to allow public comment on the proposed amended site plan. Under the revised plan Area Variance approvals are required pursuant to Chapter 210, Article VI, §210-35(C) to allow 1) front yard setbacks of 26 feet, 28 feet 7 inches, 23 feet 11 inches, 36 feet 11 inches, and 37 feet 4 inches for various improvements where 40 feet is required; 2) a rear yard setback of 25 feet where 40 feet is required; 3) 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; 4) 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 5) 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. Unlisted Action. Coordinated review. Planning Board is the designated Lead Agency. Negative Declaration issued 2/19/15. **Public Hearing adjourned to 9/21/15.**
2. **Public Hearing Closed 7/13/15 – 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and Article VIII, §210-90 of the Town Code to allow the re-establishment of a motor vehicle service facility; and 2) [withdrawn by applicant] pursuant to Chapter 210, Article VI, §210-35(C), and Article VIII, §210-88 of the Town Code to allow the establishment of a motor vehicle rental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. Negative Declaration issued 2/19/15. **Decision deferred with consent of applicant to 9/21/15.**

New Business

3. **Public Hearing – Wayne & Theresa MacDonald, 12 Ridgewood Terrace, Zone R-20, Grid #6159-04-862479-0000.** The requested Area Variance involves relief from Article VIII, Section 210-16(E) to allow a home addition to be located one (1) foot from the side lot line where 20 feet is required. Type II Action.

The Board voted to deny the variance for the reasons set forth in the resolution of the Board.

Motion: Jim Challey

Second: Art Grace

Vote: 7:0:0

4. **Public Hearing –Golden Corral, 2345 South Road, Zone B-H, Grid #6160-03-055096-0000.** The requested Area Variance involves relief from Article VIII, Section 210-127(B) and 210-123(C) to allow a proposed monument sign of 126 square feet where only 50 square feet is allowed and; 2) to allow a height of 29.6 feet where 20 feet is allowed. Unlisted Action. Coordinated Review. Planning Board is the designated Lead Agency. Negative Declaration issued June 4, 2015. **Public Hearing adjourned to 9/21/15.**