



Town of Poughkeepsie

Zoning Department

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3650 Phone
845-790-4772 Fax

**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
FEBRUARY 8, 2016
6:00 PM**

Old Business

1. **Public Hearing – Staples, 2566 South Road**, Zone B-SC, Grid #6160-01-075610. The requested Area Variance involves relief from Article IX, Section 210-128(C) of the Town Code to allow a wall sign of 125 square feet where a maximum of 100 square feet is permitted. Unlisted Action. Uncoordinated Review. *The applicant withdrew the application and the Board voted to dismiss the application without prejudice.*
2. **Public Hearing – Michael North, 10 Bird Lane**, Zone R-20, Grid #6160-04-632287. The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow: 1) an existing deck with addition to be located 1 foot from the side lot line where 20 feet is required and; 2) an existing pool to be located 11 feet from the side lot line where 15 feet is required and; 3) relief from Article VIII Section 210-48 to allow an existing shed to be located 1 foot from the side lot line where 6 feet is required. Type II Action.

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

Motion: Christine Soricelli

Second: Betty Bomba

Vote: 7:0:0

3. **Public Hearing – Hardee’s Restaurant, 2275 South Road**, Zone B-H, Grid #6159-01-194942. The requested Area Variance involves relief from Article IX, 210-131(F) and Article VIII, Section 210-60(B)(4)(b) of the Town Code to allow: 1) [withdrawn by applicant] one directional sign of 5.69 square feet where directional signs shall not exceed 3 square feet; and 2) additional wall signage consisting of one 32.19 square feet “debossed star” on the south elevation, [withdrawn by applicant] one 228.97 square feet “debossed star” on the east elevation, [withdrawn by applicant] one 161.69 square feet “debossed star” on the west elevation, [withdrawn by applicant] one 24.32 square feet “star light fixture” on the west elevation, and two 58.92 square feet “Hardee’s appendage” on the [withdrawn by applicant] north and the south elevation, and two 7.58 square feet “charbroiled burgers” on the east and on the [withdrawn by applicant] south elevation, where only one wall sign not to exceed 100 square feet is permitted. Unlisted Action. Coordinated Review. Planning Board as the Lead Agency issued a Negative Declaration March 20, 2015.

The applicant modified the requested variances at the hearing and the Board voted to grant the variances with conditions for the reasons set forth in the resolution of the Board.

Motion: Jim Challey
Second: Art Grace
Nay: Paul Lahey
Vote: 6:1:0

New Business

4. **Public Hearing – Texas Roadhouse Holdings, LLC, 2323 South Road, Zone B-H, Grid #6160-03-111047.** The request for Area Variance approval is made pursuant to Article IX, §210-127(C) of the Town Code to permit a second wall sign of 18.1 square feet not facing a public road. Unlisted Action. Coordinated Review. Planning Board as the Lead Agency issued a Negative Declaration November 19, 2015.

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

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

5. **Public Hearing – Gianni Dilello, 87 Delavergne Avenue, Zone R-20, Grid #6158-01-0426378.** The requested Area Variance involves relief from Article VIII, Section 210-16(E) of the Town Code to allow an existing rear porch to be located 18 feet 6 inches from the side lot line where 20 feet is required. Type II Action.

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

Motion: Art Grace
Second: Christine Soricelli
Vote: 7:0:0

6. **Public Hearing – Popeye’s Restaurant, 535 Haight Avenue, Zone ATC, Grid #6161-08-894787.** The requested Area Variance involves relief from Article IX, §210-125(B)(2) to allow two 12 square foot freestanding signs, where only one freestanding sign not exceeding 12 square feet is permitted, and to allow both freestanding signs to be located 3 feet from the highway right-of-way where 10 feet is required. Unlisted Action. Coordinated Review. Planning Board as the Lead Agency issued a Negative Declaration December 17, 2015.

Deleted:

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

Motion: Paul Lahey
Second: Christine Soricelli
Vote: 7:0:0

7. **Public Hearing – Joseph Kolor, 3 Van Duzer Drive, Zone R-20, Grid #6160-03-388464.** The requested Area Variance is made pursuant to Article VIII, Section 210-16(E) of the Town Code to allow a proposed two story addition to be located 5 feet from the side lot line where 20 feet is required. Type II Action.

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

Motion: Tony D'Aquanni
Second: Art Grace
Vote: 7:0:0

Meeting adjourned at 8:25 PM
MOVED: Art Grace
SECONDED: Betty Bomba
CARRIED: 7:0:0

PRESENT:

Member Bomba

Member Capone (Alternate)

Chairman Challey

Member D'Aquanni

Member Grace

Member Lahey (Alternate)

Member Soricelli

ABSENT:

Member Buckey

Member Slomin