

ZONING BOARD OF APPEALS AGENDA
Thursday, July 20, 2017 7:00 P.M.
MUNICIPAL BUILDING, 165 MILL ROAD, WESTHAMPTON BEACH

ALL NEW INFORMATION MUST BE SUBMITTED **BEFORE 3 P.M. ON JULY 21, 2017 FOR THE AUGUST 17, 2017 MEETING.** IF THE BOARD RECEIVES NO NEW INFORMATION OR REASON FOR ADJOURNMENT BY LETTER BY 3 P.M. ON JULY 13, 2017, THE APPLICATION WILL BE DENIED WITHOUT PREJUDICE. APPLICANT OR HIS REPRESENTATIVE MUST BE PRESENT AT THE MEETING OR THE CASE MAY NOT BE HEARD AT THE BOARD'S DISCRETION.

MINUTES TO BE APPROVED

JUNE 15, 2017

DECISIONS:

- 1. Jason Behfarin, 93 Beach Lane (905-15-2-14.2)** Applicant requests a variance to install a fence and a gate with a height of 5 feet in violation of Chapter 197-43 (A)(1) which requires that no fence within the front yard have a height greater than 4 feet.
- 2. 32 Sunset Lane LLC, 32 Sunset Lane (905—5-4-25)** Applicant requests a variance to construct a deck and hot tub in the front yard in violation of Chapter 197-35 (A) which requires accessory structures to be located in the rear yard. The property is located in the R-4 Zoning District.

HOLDOVERS:

- 3. Andersen-Kuntz 97 Hazelwood, Westhampton Beach (905-2-2-20.2)** Applicant requests an interpretation of the village code that the Building Inspector erred when he determined that the nonconforming use on the property had been “discontinued” as provided for in chapter 197-29.E. of the Village Code. In lieu of a favorable determination by the Board the applicant requests a use variance from Chapter 197-5.A.(1) to allow multiple contractors offices with workshops and storage. The property is located in the MF-20 Zoning District.

HELDOVER UNTIL AUGUST 17, 2017

- 4. Milton & Doryne Davis, 65 Oneck Road (905-10-3-39.1)** Applicant requests a variance to build a 200 square foot pool house which will increase the lot coverage to 21% when Chapter 197-6 requires a total lot coverage of 20%. The property is located in the R-1 Zoning District.

5. Robert Enenowitz and Anna Gerzon, 55 and 59 Old Riverhead Road, (905-4-1-7, 9.2, 9.3) Applicant requests a variance to construct 11 multi-family residential townhouses on a property located in the Hotel District (HD). The applicants parcel of land has a lot width of 173.04' and an area of 123,226 square feet when Chapter 197-17.1 (table of dimensional regulations) requires a lot width of 300 feet and a minimum lot area of 200,000 square feet. The applicant also requests an interpretation that the Building Inspector erred and is incorrect in his interpretation that the maximum number of dwelling units allowed is based upon the Special Exception standard in Chapter 197-81.B, six units per 1 acre (43,560 square feet) and instead should be based on the "Multi Family 20 and Hotel District table of permitted unit density" located at the end of Chapter 197 which shows number of units based on 40,000 square feet.

6. Florence Butler (Stone Butler Living Trust), 57 Oak Street (905-5-1-38) Applicant requests a variance to construct first and second floor additions to an existing dwelling. Applicant proposes a minimum side yard on the North side of 6.7' and a minimum side yard on the South side of 5.7' when chapter 197-9.D of the Village Code required a 15' minimum side yard. Applicant proposes a total side yard of 12.4' when Chapter 197-9.D. requires a 40' minimum side yard. Applicant proposes a 23.3' front yard setback when Chapter 197-9.D. requires a minimum front yard of 40'. Finally applicant proposes a lot coverage of 26.7% when Chapter 197-9.C. allows a maximum lot coverage of 20% The property is located in the R-4 Zoning District.

Dated: June 27, 2017