

ZONING BOARD OF APPEALS AGENDA
Thursday, August 17, 2017 7:00 P.M.
MUNICIPAL BUILDING, 165 MILL ROAD, WESTHAMPTON BEACH

ALL NEW INFORMATION MUST BE SUBMITTED **BEFORE 3 P.M. ON August 25, 2017 FOR THE September 21, 2017 MEETING.** IF THE BOARD RECEIVES NO NEW INFORMATION OR REASON FOR ADJOURNMENT BY LETTER BY 3 P.M. ON AUGUST 10, 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

July 20, 2017

DECISIONS:

- 1. 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.

- 2. 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.

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. 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.

NEW APPLICATIONS

5. Keith and Melinda Brown, 37 Liberty Street (905-8-1-35) Applicant requests a variance to construct a roofed pergola/patio, outdoor fireplace and a masonry BBQ in the required side yard in violation of Chapter 197-35 (A) which requires accessory structures to be located in the rear yard only. Applicant also requests a variance to place the Masonry BBQ 12.4' from the rear property line when Chapter 197-35.C. requires a minimum of 20'. The property is located in the R-2 Zoning District.

6. Westhampton Free Library, 7 Library Avenue (905-19-2-31) Applicant requests a variance to convert 2,423 sq. ft. of unfinished attic space located on the 2nd floor of the Library into usable finished space which will require approximately 17 new parking spaces. The subject property has no additional area to create new parking and therefore the proposed alteration is in violation of Chapter 197-21 and Chapter 197-24 of the Village Code. The property is located in the B-1 Zoning District.

Dated: August 7, 2017