

ZONING BOARD OF APPEALS AGENDA
Thursday, December 21, 2017 5:00 P.M.
MUNICIPAL BUILDING, 165 MILL ROAD, WESTHAMPTON BEACH

ALL NEW INFORMATION MUST BE SUBMITTED BEFORE 3 P.M. ON December 15, 2017 FOR THE JANUARY 18, 2018, MEETING. IF THE BOARD RECEIVES NO NEW INFORMATION OR REASON FOR ADJOURNMENT BY LETTER BY 3 P.M. ON DECEMBER 14, 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.**

DECISIONS:

1. David McBride, 45 White Oak Lane (905-9-1-3) Applicant requests a variance for additions and alterations to an existing dwelling. The property is located in the R-1 Zoning District.

The proposed addition at the north east corner of the dwelling has a 42.8' front yard when Chapter 197-6.D. of the Village Code requires a 50' front yard.

Applicant proposes an addition at the north east corner of the dwelling and has a side yard of 23.4' in violation of Chapter 197-6.D. which requires a 30' side yard.

The porch addition on the south side of the dwelling is 24.8' from the side lot line when Chapter 197-6.D. of the Village Code requires 30' minimum.

The proposed total side yard is 41.3' when Chapter 197-6.D. of the Village Code requires 70'.

The proposed lot coverage is 24.2% when Chapter 197-6.C. of the Village Code prohibits lot coverage greater than 20%.

2. Levinson, 416 Dune Road (905-17-3-59) Applicant requests variances to raise an existing dwelling, install a septic system and additions and alterations to the existing dwelling. The property is located in the R-5 Zoning District.

The deck is being constructed 17.9 feet from the North lot line and a deck, shed and outdoor shower is located 10' from the East lot line when Chapter 197-35.A. requires 20';

Fill is being placed on the lot line on the South and West side of the property when Chapter 197-27.D. requires a 10' setback;

The lot coverage is being proposed at 24.5% when Chapter 197-10.C.(1) allows a maximum of 20%; and

Decks, shed and outdoor shower on the East side of property are not in the rear yard as required under Chapter 197-35.A of the Village Code.

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.
- 4. Doug and Barbara Gentile, 32 White Oak (905-9-1-1)** Applicant requests an area variance to construct a swimming pool which is not located in the rear yard in violation of Chapter 197-35.A. of the Village Code. The property is located in the R-1 Zoning District.
- 5. Empire Custom Holmes, LLC, 52 Hazelwood Avenue (905-6-1-4.2)** Applicant requests the following variances to construct a new dwelling and inground swimming pool. The front yard setback is proposed at 30’5” when Chapter 197-D of the Village Code requires 40’. The rear yard setback is proposed at 18’ when Chapter 197-9.D. of the Village Code requires 40’. The swimming Pool is not located in the rear yard as required by Chapter 197-35.A. of the Village Code. The property is located in the R-4 Zoning District.

NEW APPLICATIONS:

- 6. North Cudjoe LLC C/O John Podpirka, 392 Dune Road (905-19-4-2)** Applicant requests variance to add a first and second floor addition with side yards at 14’.8” and 24’.8” Applicant also requests a variance to construct a second story deck 14.8’ off the property line. Property is located in the R-3 Zoning District. Chapter 197-(8) (D) requires two side yards totaling not less than 50 feet, neither of which shall be less than 20 feet. The application shows the minimum east side yard at 14’.8” and the west at 24’.8” for a total side yard of 39’.6”. Chapter 197-35 (C) requires accessory structures be located 20 ft. off the property line.
- 7. Sunset West LLC C/O Pan Bros., 87 & 131 Sunset Avenue, (905-12-1-48.4, 48.5 & 49) Applicant** requests a variance to install three (3) signs for a total of 37 sq. ft. and lettering to measure 17 5/16 inches. Property is located in the B-1 Zoning District. Chapter 197-30 (C) (1) (a) requires that each business establishment be permitted a maximum of (2) two signs with total of 20 square feet. Chapter 197-30 (C) (20) (b) requires that the lettering on wall signs in the B-1 District not exceed 10 inches.

8. Mark and Christine Tobin, 185 Dune Road, (905-20-2-15) Applicant requests a variance to raise an existing dwelling to conform with FEMA regulations, add an addition to the first and 2nd floor and a proposed Spa. The application is located in the Flood Zone, the Coastal Erosion Hazard Area and the R-3 Zoning District. The proposed 1st floor addition on the north side of the dwelling has a total sideyard of 43.2' when Chapter 197-8.D. requires 50'. The proposed 2nd story addition has a total side yard of 43.2' when Chapter 197-8.D. requires 50'. The proposed 2nd floor addition is 45' from the rear lot line when Chapter 197-8.D. requires 75'. The Proposed Spa is 41.3' from the Dune Crest line when Chapter 197- 35.C. requires accessory structures to be 75' from the dune crest. The work exceeds the restoration threshold in the CEHA in violation Chapter 74-8.A.(8) of the Village Code.

REQUEST FOR EXTENSION:

9. Litt, 336 Dune Road, Westhampton Beach (905-18-1-14) Applicant requests an extension of their May 18, 2017 determination for an additional six (6) months up to and including June 21, 2018.

Dated: December 4, 2017