

ZONING BOARD OF APPEALS AGENDA
Thursday, May 17, 2018 5:00 P.M.
MUNICIPAL BUILDING, 165 MILL ROAD, WESTHAMPTON BEACH

ALL NEW INFORMATION MUST BE SUBMITTED BEFORE 3 P.M. ON May 25, 2018 for the **June 21, 2018**, MEETING. IF THE BOARD RECEIVES NO NEW INFORMATION OR REASON FOR ADJOURNMENT BY LETTER BY 3 P.M. ON May 10, 2018, 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

April 19, 2018

DECISIONS:

- 1. Pintoff, 22 Beach Road (905-13-2-17)** Applicant requests a variance to construct a garage and storage building 6.7' from the South property line and 3.8' from the East property line when Chapter 197-35. C. requires a minimum setback of 20' to the property line. The property is located in the R-1 Zoning District.

- 2. 517 Dune Road LLC, 517 Dune Road (905-16-2-6)** Applicant requests variances to demolish and reconstruct an existing dwelling on existing pilings and first floor joists. The property is located in the Coastal Erosion Hazard Area (CEHA) and the work exceeds the "restoration" threshold as defined by Chapter 74 (Coastal Erosion Management) in Violation of Chapter 74-8. C. of the Village Code. Applicant also requests a variance to replace a flat roof with a gabled roof on an accessory structure less than 6.1' from the property line when chapter 197-35. C. of the Village Code requires a minimum of 20 ft. from the property line. Applicant also proposes to reconstruct and extend the roof and walls of the dwelling 7.1' from the east property line and 10.6' from the west property line for a total side yard of 17.7' when Chapter 197-8. D. of the Village Code requires 20' minimum and total side yards of 50'. And finally, applicant requests a variance to maintain a total lot coverage of 36.8% when chapter 197-8. C. allows a maximum of 20%.

- 3. Ocean Spray Pools Inc., 97 Old Riverhead Road (905-2-1-6.3)** Applicant requests a variance to construct an addition to an existing retail building located in the existing B-3 Zoning District. The requested front yard setback is 49.2' when Chapter 197-17.1 requires a 50' setback. The total lot coverage is proposed at 22% when Chapter 197-17.1 of the Village Code allows lot coverage no more than 20%.

- 4. Martin and Margaret Maguire, 24 Woodland Avenue, (905-12-2-20)** Applicant requests a variance to construct a roofed front porch 43.9' from the front property line when Chapter 197-7. D. of the Village Code requires a 50' front yard setback. The property is located in the R-2 Zoning District.

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HOLDOVERS:

5. 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.

6. Sandpiper at Westhampton Beach, 473 Dune Road, (905-16-2-26) Applicant requests a Special Permit by the Board of Zoning Appeals to expand a deck on the East and West side of the existing building. The Sandpiper is a non-conforming multi-family Cooperative and therefore requires Board of Zoning Appeals approval as provided for in Chapter 197-29. C. (1) of the Village Code. Applicant also requests a variance to construct the deck on the East side 55’ from the Crest of the Dune and the deck on the West side 9’ from the crest of the dune when Chapter 197-35. C. of the Village Code requires structures to be at least 75’ from the Crest of Dune. The property is located in the R-3 Zoning District.

7. Michael and Marnie Rice, 435 Dune Road (905-17-5-22) Applicant requests a variance to construct a deck onto the rear of the dwelling. Applicant proposes a setback of 10’ from the rear lot line when Chapter 197-35. C. of the Village Code requires 20’. Applicant also requests a lot coverage of 24% when Chapter 197-10. C. (1) allows no more than 20%. The property is located in the R-5 Zoning District.

NEW APPLICATIONS:

8. Michael and Marnie Rice, 435 Dune Road (905-17-5-22) Applicant requests a variance to construct a deck onto the rear of the dwelling. Applicant proposes a setback of 10’ from the rear lot line, and 12.2’ off of the West side lot line when Chapter 197-35.C. of the Village Code requires 20’. Applicant also requests a lot coverage of 24% when Chapter 197.10.C (1) of the Village Code allows no more than 20%. The property is located in the R-5 Zoning District.

9. Kevin Cosgrove, 216 Dune Road (905-20-1-3) Applicant requests a variance to construct a new dwelling, deck, swimming pool, and raised septic system. The applicant proposes a minimum total side yard of 41.9’ when Chapter 197-8. D. requires a minimum of 50’. Applicant proposes a 32.5’ front yard setback from the front property line to the dwelling when Chapter 197-8. D. requires a 50’ front yard setback minimum and applicant proposes a 1’ setback from the South and East property line for fill when Chapter 197-27. D. requires a 10’ setback for fill.

10. Michael Rettig, 51 South Road Applicant requests a variance to construct a tennis court 42.7’ from Michael’s Way in the front and side yard when Chapter 197-35. A. allows accessory structures including tennis courts in the rear yard only. The property is located in the R-1 Zoning District.

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11. Bernice Drapkin, 207 Dune Road (905-20-2-7) Applicant requests a variance to construct a roofed structure and pergola 17' from the West property line and 59.5' from the rear property line when Chapter 197-35.C. requires a 20' side yard setback and a 75' rear yard setback.

REQUEST FOR EXTENSION:

12. Thomas K. Martin, 36 Liberty Street (905-8-2-2) Applicant requests an extension of their November 17, 2016 approval, and the condition which requires the applicant to obtain bank consent be eliminated.

Dated: APRIL 30, 2018