

**ZONING BOARD OF APPEALS AGENDA**  
**Thursday, July 19, 2018 5:00 P.M.**  
**MUNICIPAL BUILDING, 165 MILL ROAD, WESTHAMPTON BEACH**

ALL NEW INFORMATION MUST BE SUBMITTED BEFORE 3 P.M. ON July 20, 2018 for the **August 16, 2018**, MEETING. IF THE BOARD RECEIVES NO NEW INFORMATION OR REASON FOR ADJOURNMENT BY LETTER BY 3 P.M. ON JULY 12, 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**

June 21, 2018

**HOLDOVERS:**

**1. 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.

**2. 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.

**3. 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.

**NEW APPLICATIONS:**

**4. Maguire, 24 Woodland Avenue, Westhampton Beach (905-12-2-20)** Applicant requests a variance to construct a roofed porch 43.9' from the front property line when chapter 197-7. D. of the Village Code requires a minimum of 50'. Applicant also requests a proposed lot coverage of 20.3% when Chapter 197-7. C. of the Village Code prohibits lot coverage from exceeding 20%. The property is located in the R-2 Zoning District.

**Zoning Board of Appeals Agenda**  
**July 19, 2018**  
**Page - 2-**

**5. Stuart R. Gelles, 413B Dune Road, Westhampton Beach (905-17-5-37)** Applicant requests a variance to construct a dwelling and decks within the Coastal Erosion Hazard Area in violation of Chapter 74.8.C. of the Village Code. Applicant also requests variances for a lot coverage of 23.1% When Chapter 197-10. C. (1) allows no greater than 20% and a rear yard setback for an accessory deck at 19.2' when Chapter 197-35. C. requires 20' setback. The property is located in the R-5 Zoning District.

**6. Wolfersdorf, 17 Beach Road, Westhampton Beach (905-12-4-48)** Applicant requests area variances to construct additions to an existing single-family dwelling located in the HC Zoning District. The applicant requests an 18.4' front yard and a 26.8' rear yard when Chapter 197-17.1 of the Village Code requires a minimum of 20' and 30' respectively. Applicant also requests a minimum side yard for a proposed addition 9.7' from the North lot line when Chapter 197-17.1 of the Village Code requires 10'.

**7. Porter, 15 Jessup Lane, Westhampton Beach (905-10-6-21)** Applicant requests an area variance to construct a swimming pool located 10' from the rear lot line when Chapter 197-35. C. of the Village Code prohibits accessory structures less than 10' from any lot line. The property is located in the R-1 Zoning District.

**8. Bernstein, 37 Exchange Place, Westhampton Beach (905-15-5-29.1)** Applicant requests an area variance to reconstruct a tennis court and to construct a new swimming pool, porch and patio that are not located in the rear yard as required by Chapter 197-35. A. of the Village Code. The applicant also requests a variance to construct the court at existing grade When Chapter 197-63. P. (3) requires the court to be recessed 2' below the existing grade. Finally, the applicant requests a Special Permit from the Board of Zoning Appeals to reconstruct an existing accessory cottage as provided for in Chapter 197-29. C. of the Village Code. The property is located in the R-1 Zoning District and the Flood Plain.

**9. Nikolaidis, 36 Hazelwood Avenue, Westhampton Beach (905-6-1-11.1)** Applicant requests a variance to subdivide a parcel of land into three (3) lots. Applicant proposes Lots #2 and #3 to be accessed by two 14' wide flag lots at Hazelwood Avenue which does not comply with Chapter 197-9. B. of the Village Code which requires a lot width at the road of 75'. The applicant also requests a variance to create an 8' side yard for the existing house on lot #1 when Chapter 197-9. D. requires a minimum side yard of 15'. The property is located in the R-4 Zoning District.

Dated: July 6, 2018