

ZONING BOARD OF APPEALS AGENDA
March 18th, 2010 at 7:00 P.M.
MUNICIPAL BUILDING, 165 MILL ROAD

DECISIONS:

1. Oak West, LLC (Ziegler) 54 Oak Street, (905-5-3-22) Applicant requests a variance to construct an accessory apartment, as provided for under Article XI of the Village Code. Applicant proposes to convert an existing garage into the apartment. The accessory apartment regulations prohibit an accessory apartment on any property that has a building with more than a 70% nonconformity, as provided for in Chapter 197-93.2.B.(6) of the Village Code. The garage to be converted is located in the R-4 Zoning District, which requires accessory structures to be 15 feet minimum from any lot line and 70% of the required setback is 10.5 feet. The garage to be converted is located 6.9 feet from the rear property line and, therefore, not in compliance with the accessory apartment regulations.
2. Sunset Realty Holding, LLC, 33 Sunset Avenue (905-12-3-9) Applicant requests a sign located 10 feet back from the front property line on a property where the building is set back only 34.4 feet when Chapter 197-30.(8)(a) requires the sign to be set back 15 feet and the ground sign is only allowed if the building is set back 40 feet or more. The property is located in the B-1 Zoning District.
3. Cynthia and Guy Davis, 1 Beach Lane, (905-11-3-5) Applicants request a variance to construct a two-story garage and storage building accessory to a single family dwelling in the side yard when Chapter 197-35.A. of the Village Code prohibits accessory structures in the side yard. Applicants request a variance to construct an office building 5 feet from the front lot line when Chapter 197-16.4 requires buildings to be set back 20 feet in the HC Zoning District. Applicants request a variance to construct an office building with 2nd floor apartment which requires 6 parking spaces and the applicants have only provided 5 parking spaces in violation of Chapter 197-19 of the Village Code. This property is located in the HC Zoning District.

HOLDOVERS:

4. Frank Gordon, 12 Redfield Lane, (905-5-2-30.1) Applicant requests a variance for additions and alterations to an existing dwelling located in the R-4 Zoning District. Applicant requests a minimum side yard of 12.4 feet and a total side yard of 35.6 feet when Chapter 197-9.D. of the Village Code prohibits a side yard less than 15 feet and a total side yard less than 40 feet.
5. J.R.C. Land Company, LLC, 111 Hazelwood Avenue, (905-2-2-21.3) Applicant requests a special use permit from the Zoning Board of Appeals, as provided for under Chapter 197-29.C. of the Village Code. The applicant requests the Special Use Permit to alter and expand a nonconforming cement batch plant. Specifically, the applicant wishes to install a portable screening plant, install a storage trailer and expand an existing storage/office building. The property is located in the (Multi-Family Residential) MF-20 Zoning District.
6. David H. Fox, Sr., 64 Sunset Avenue, (905-12-4-21) Applicant requests a variance to construct a new two-story retail and office building in the B-1 Zoning District. Applicant requests a 73.9 feet setback when Chapter 197-17.1 of the Village Code prohibits a setback greater than 5 feet in the B-1 Zoning District. The applicant also requests a variance to build 8 parking spaces when 12 parking spaces are required by Chapter 197-19 of the Village Code.
7. Edward and Luisa Cabrera, 481 Dune Road, (905-16-2-25.1) Applicants request a variance to construct an open trellis 45 feet from the crest of the dune on top of an existing deck when Chapter 197-8.D. of the Village Code prohibits structures less than 75 feet from the crest of the dune. Applicants also request permission to construct a second story sun room addition to an existing structure 19.2 feet from the side lot line and 38.7 feet from the front lot line when Chapter 197-8.D. of the Village Code requires a minimum side yard of 20 feet and a front yard of 75 feet.

NEW APPLICATIONS:

8. Sundy Schermeyer, 39 Beach Road, (905-12-2-38) Applicant requests a variance to maintain a pool house that was built 18.5 feet from the rear lot line when Chapter 197-35.C. of the Village Code requires the accessory structure to be a minimum of 20 feet from the rear lot line. The property is located in the R-2 Zoning District.
9. Westhampton Bath & Tennis Club Owners Corp., 231 Dune Road, (905-19-2-12) Applicant requests a special exception permit from the Zoning Board of Appeals, as provided for in Chapter 197-29.C.(1) of the Village Code to reconstruct the south wall of the ballroom in the Bath and Tennis building. The use of the Bath and Tennis property is a nonconforming use located in the R-3 Zoning District.
10. Glenn Reilly, 104 Oneck Lane, (905-8-1-24) Applicant requests a variance to reconstruct an existing one story dwelling and add a new a two story 12.9 feet from the south property line and 16.7 feet from the north property line with a total side yard of 29.19 feet when Chapter 197-7.D. of the Village Code requires a minimum side yard of 20 feet and a total side yard of 50 feet in the R-2 Zoning District.
11. S3MK Corporation (DeMatteis) 136 Dune Road, (905-21-1-2) Applicant requests a variance from Chapter 197-27.D. of the Village Code to raise the existing grade for a new septic system 5 feet from the front property line when the Village Code prohibits the raising of any grade within 10 feet of any lot line. The property is located in the R-3 Zoning District within the flood plain boundaries.

By Order of the Board of Trustees
Village of Westhampton Beach
By: Kathleen McGinnis, Village Clerk

Dated: February 26, 2010