

**ZONING BOARD OF APPEALS AGENDA**  
**August 19<sup>th</sup>, 2010 at 7:00 P.M.**  
**MUNICIPAL BUILDING, 165 MILL ROAD**

**DECISION:**

1. Janet and Mitchell Feldman, 127 Dune Road, (905-21-3-6) Applicants request an appeal of the Architectural Review Board's decision and findings of fact dated May 18, 2010. The Architectural Review Board's decision denied the applicants a standing seam metal roof on the proposed new residence. This application is made in accordance with Chapter 5-19.A. of the Village Code.

**HOLDOVERS:**

2. Dawn Fischer and Stacy Friedman, 15 Sunset Lane, (905-8-3-44) Applicants request a variance to construct a swimming pool in the front yard in violation of Chapter 197-9.D. of the Village Code which requires all accessory structures in the rear yard. Applicants also request a variance to construct a screened porch 13.7 feet from the south side property line when Chapter 197-9.D. of the Village Code prohibits a side yard less than 15 feet in the R-4 Zoning District. (This matter was re-opened at the June 17<sup>th</sup>, 2010 meeting for submissions and discussion)
3. 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.
4. Joseph and Kelly Zaffuto, 32 Liberty Street (905-8-2-4) Applicant requests an area variance to construct a swimming pool with total lot coverage of 23.4% when Chapter 197-7.C. of the Village Code prohibits lot coverage more than 20% in the R-2 Zoning District.
5. Rajesh and Madhu Garg, 136 Beach Lane, (905-15-5-11.4) Applicants request a variance to construct a new single family dwelling, swimming pool and deck in the R-1 Zoning District. The proposed dwelling is located 28.7 feet from Exchange Place when Chapter 197-6.D. of the Village Code prohibits a dwelling closer than 50 feet from the front property line. Applicants also request a variance to construct an accessory structure (deck) in the side yard of the main building when Chapter 197-35.A. of the Village Code allows accessory structures to be located in the rear yard only.

**NEW APPLICATIONS:**

6. Rolling Pin, Inc. (Simon Jorna) 112-114 Main Street, (905-12-4-34) Applicant requests an appeal of the Building Inspector's determination, as provided for in Chapter 197-69 of the Village Code. The Building Inspector determined that an alteration of the second floor apartment increased the bedroom size from 3 bedrooms to 5 bedrooms thereby requiring two additional parking spaces and site plan approval as per Chapter 197-19 of the Village Code. The applicant appeals that determination and believes the apartment was not increased from 3 bedrooms to 5 bedrooms but, instead, always had 5 bedrooms and, therefore, no additional parking spaces are required.
7. Gary Kessler, 447 Dune Road, (905-17-5-4) Applicant requests a variance to construct an addition to a single family dwelling and a deck all within the coastal erosion hazard area in violation of Chapter 74-8.C. of the Village Code. Applicant also requests an area variance to construct an addition to the existing single family dwelling 69.3 feet from the front lot line and 66.1 feet from the crest of the dune when Chapter 197-8.D. requires a 75 feet setback from the front lot line and the crest of the dune. Applicant also requests a variance to construct a deck 63.2 feet from the crest of the dune when Chapter 197-35.C. requires a 75 feet setback for all accessory structures.

**MISCELLANEOUS:**

8. Westhampton Beach Associates, LLC. (Muchnick) 65-71 Old Riverhead Road, (905-4-1- and (905-2-1-14-18) Applicant requests an extension of time to obtain a building permit from August 20<sup>th</sup>, 2010 to February 20<sup>th</sup>, 2011 and to complete the work from February 20<sup>th</sup>, 2012 to August 20<sup>th</sup>, 2012, in accordance with the original Zoning Board approval on December 20<sup>th</sup>, 2007 and the extension resolution of January 21<sup>st</sup>, 2010.
9. Guy and Cynthia Davis, 1 Beach Lane, (905-11-3-5) Applicants request a six (6) month extension of time to obtain a building permit to January 18, 2011 and to complete the project by September 18<sup>th</sup>, 2011 in accordance with the Zoning Board approval of March 18<sup>th</sup>, 2010.

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

Dated: July 23, 2010