

**ZONING BOARD OF APPEALS AGENDA  
FEBRUARY 16, 2012 - 7 P.M.  
MUNICIPAL BUILDING, 165 MILL ROAD, WESTHAMPTON BEACH  
(Revised)**

**HOLDOVERS:**

**4. EMK 137 Realty, LLC (True Value Hardware) 137 Montauk Highway, (905-5-2-5)** Applicant requests a variance to demolish an existing 5.2 foot x 32.3 foot, 177.65 square foot storage building and expand to a 40.4 foot x 10.4 foot 420.16 square foot storage building and create access to the storage building from Oak Street. Chapter 197-17.1, Table of Dimensional Regulations requires a minimum side yard of 20' and a total side yard of 50' when the applicant is proposing a minimum side yard of 1' and a total side yard of 9'. Applicant also proposes a rear yard setback of 1.5' when the Village Code requires 50'. As provided in Chapter 197-69 of the Village Code, the applicant also requests an interpretation that the Building Inspector was incorrect in determining that the extra 242 square feet of storage requires two additional parking spaces as an expansion of a retail use and instead requires no additional parking because it is expansion of storage. Alternatively, if the Board does not overturn the Building Inspector, the applicant requests a variance for two parking spaces as provided for in Chapter 197-24 of the Village Code. The property is located in the B-2 Zoning District. Holdover to February 16, 2012, meeting.

**5. 112 Main Street (Rolling Pin Inc.) (905-12-4-53 and 54)** Applicant requests a variance from Chapter 197-20.A. for two parking spaces as provided for in Chapter 197-24.A. of the Village Code. Two additional spaces are required after applicant altered the second-floor apartment without a permit from the existing three bedrooms to a five-bedroom apartment, which increased the parking requirement for the apartment from two to four spaces. The property is located in the B-1 Zoning District. Holdover to February 16, 2012, meeting.

**6. Hugh Merle, 15 Beach Road, (905-12-4-49)** Applicant requests a variance to construct a new single-family dwelling and detached garage on a lot located in the HC Zoning District. The subject lot is 74.33-feet wide and has a lot area of 6,322 square feet when Chapter 197-17.1 of the Village Code requires a lot width of 75 feet and a lot area of 10,000 square feet. The dwelling has a rear yard setback of 25 feet when Chapter 197-17.1 requires a rear yard setback of 30 feet. The proposed garage has a rear yard setback of 5 feet and a side yard setback of 10 feet when Chapter 197-17.1 of the Village Code requires a rear and side yard setback of 15 feet. Holdover to February 16, 2012 meeting.

**NEW APPLICATIONS:**

9. **Game Plan Holding LLC, 321 Dune Road, (905-18-2-20) Applicant requests a variance to reconstruct a deck located in the R-3 zoning district on the south side of Dune Road. The deck is located 46.8' from the crest of the dune when Chapter 197-5.A.(1) prohibits structures from being erected unless in conformity with district regulations and Chapter 197-8.D. prohibits structures less than 75' from the crest of the dune. Applicant also requests a variance from Chapter 74-8.C. of the Village Code which prohibits reconstruction and modification of a structure within the Coastal Erosion Hazard Area (CEHA).**

Dated: January 27, 2012

By Order of the Board of Trustees  
Village of Westhampton Beach  
By: Rebecca Molinaro, Village Clerk