

ZONING BOARD OF APPEALS AGENDA
Thursday, July 21, 2022, 5:00 P.M.
MUNICIPAL BUILDING, 165 MILL ROAD, WESTHAMPTON BEACH

MINUTES TO BE APPROVED

May 19, 2022
June 16, 2022

DECISIONS

- 1. 17 Dune Road LLC, 17 Dune Road (905-022-02-021)** Applicant requests variances from §74-5 C(2) for a proposed dwelling within the Coastal Erosion Hazard Area where construction of nonmovable structures are prohibited, from §197-8 D for a proposed front yard setback of 57 feet where minimum required is 75 feet, also from §197-8 D for a proposed combined side yard setback of 45 feet where the minimum required is 50 feet, from §197-35 C for a proposed accessory deck setback to the crest of dune of 59 feet where the minimum required is 75 feet, and also from §197-35 C for a proposed accessory pool setback to the crest of dune of 60 feet where the minimum required is 75 feet.
- 2. Steven & Leslie Socol, 5 Michaels Way (905-009-03-017.18)** Applicant requests variance from §197-35 A for proposed accessory structures (pool, patio, sheds & trellis) to be located in a front yard (corner & through lot) where specifically prohibited.
- 3. Mark & Palmira Cataliotti, 37 Beach Rd (905-012-02-039)** Applicant requests variance from §197-35 C(1) to maintain an accessory residential storage shed located 0.8 & 4.3 feet from property lines where the minimum required is 10 feet.
- 4. Bella 165 LLC, 165 Dune Road (905-020-02-024.01)** Applicant requests variances from §197-8 D to construct additions resulting in a proposed building area lot coverage of 30.3% of the lot where the maximum permitted is 20%, and with a proposed front yard setback of 50.2 feet where the minimum required is 75 feet, also from §197-8 D to construct roofed-over entry with a side yard setback of 18.5 feet where the minimum required is 20 feet, with a proposed combined side yard setback of 33.6 feet where the minimum required is 50 feet, and also from §197-8 D for proposed rear square-off additions with a rear yard setback to crest of dune of 66.9 feet where the minimum required is 75 feet, from §197-29.1 as proposed additions are located within a required front yard (50.2' proposed, 75' required) and also within a required side yard (15.1' proposed, 20' required), representing a nonpermitted increase in degree of nonconformity of a building with nonconforming front and side yard setbacks, and from §197-35 C for a proposed deck extension with a setback to the side yard of 16.5 feet where 20 feet is required, and also from §197-35 C for a proposed deck extension with a setback to the crest of dune of 35.1 feet where a minimum of 75 feet is required.
- 5. Mohammad Rizwan Sabar, 156 Dune Road (905-020-01-023)** Applicant requests variances from §197-8 C for a proposed building area lot coverage of 22.4% where the maximum permitted is 20%, and from §197-8 D for a proposed rear yard setback of 55.08 feet where the minimum required is 75 feet.

6. Thomas Schmidt, 66 Exchange Place (905-015-04-049.01) Applicant requests variances from §197-6 C for a proposed building area lot coverage of 21.9% where the maximum permitted is 20%, from §197-6 D for a proposed front yard setback of 30 feet where the minimum required is 50 feet, a proposed combined side yard setback of 68.3 feet where the minimum required is 70 feet, and for proposed rear setbacks of 30.1 & 17 feet where the minimum required is 50 feet, from §197-35 C for proposed accessory structures located in the side yard where specifically not permitted, for a proposed accessory deck setback of 17 feet where the minimum required is 20 feet, and for a proposed accessory pool setback of 17 feet where the minimum required is 20 feet.

HOLDOVERS:

7. Egret Dune Corporation, 95 Dune Road (905-021-04-002) Applicant requests variances from §197-8 D for proposed side yard setbacks of 6 & 10 feet where the minimum required is 20 feet with a proposed combined side yard setback of 16 feet where the minimum required is 50 feet, from §197-35 C for proposed accessory deck with setbacks of 6 & 10 feet where the minimum required is 20 feet, and also from §197-35 C for proposed accessory pool with setbacks of 10 feet where the minimum required is 20 feet.

8. Michael & Elizabeth Levy, 205 Dune Road (905-020-02-008) Applicant requests variances from §74-5 C for proposed major additions to the dwelling (nonmovable structure) within the Coastal Erosion Hazard Area (CEHA) where specifically prohibited, from §74-8 A(8) for proposed major additions and restoration of the dwelling within the primary dune area where specifically prohibited, and from §197-29.1 A as proposed additions are located within a required rear yard (75' required from crest of dune), representing a prohibited increase in degree of nonconformity of a building with nonconforming rear yard setback.

9. WHB Development Partners LLC, 107 Old Riverhead Road (905-022-02-021) Applicant requests variances from §197-30 C(9)(c) for proposed ground mount sign lettering of 38 inches in height where the maximum permitted is 12 inches, from §197-30 C(9)(c) for a proposed ground mount sign area of 32 square feet where the maximum permitted is 25 square feet, from §197-30 C(20)(b) for proposed wall sign letters of 36 inches in height where the maximum permitted is 12 inches, and from §197-30 D(14) for proposed digital gas price ground sign which is internally illuminated where specifically prohibited.

NEW APPLICATIONS:

10. Peter Hertz, 104 Griffing Avenue (905-007-03-007) Applicant requests variances from §197-6 D to construct an addition with a proposed rear setback of 31 feet where the minimum required is 50 feet, and from §197-29.1 A as the addition is proposed partially within the required front yard (40.7' proposed, 50' required) and partially within a required side yard (21.7' proposed, 30' required), representing a prohibited increase in the degree of nonconformity of a dwelling with preexisting nonconforming front & side yard setbacks.

11. George & Elvira Anderson, 317 Dune Road (905-018-02-022) Applicant requests variances from §74-5 C(2) for proposed major additions within the coastal erosion hazard area where not permitted, from §197-8 C for a proposed combined side yard setback of 36.7 feet where the minimum required is 50 feet, from §197-8 F for a proposed exterior deck that exceeds the height of second habitable floor level where not permitted, from §197-29.1 A as the additions

are proposed partially within the required side yard (14.8' proposed, 20' required) and partially beyond the maximum allowable height (43.3' proposed, 40' maximum), representing a prohibited increase in the degree of nonconformity of a dwelling with preexisting nonconforming side yard setback and height, and lastly from §197-35 C for a proposed pool with a setback to the crest of dune of 45.8 feet where the minimum required is 75 feet.

12. 804F Realty Corp, 112 Montauk Highway (905-004-02-014.01) Applicant requests variances from §197-30 C(1)(a) for proposed signage totaling six (6) signs (ground sign, wall sign, four "V" canopy signs) where the maximum permitted is two signs, from §197-30 C(9)(a) for proposed ground sign setbacks of 5.3 & 6.3 feet where the minimum required is 10 feet, from §197-30 D(7) for two "V" canopy signs proposed above the eave line (on the roof) where not permitted, and also from §197-30 D(7) for two "V" canopy signs proposed covering architectural details (reverse gable cornices) where not permitted.

Dated: July 5, 2022