

ZONING BOARD OF APPEALS AGENDA  
Thursday, September 21, 2023, 5:00 P.M.  
MUNICIPAL BUILDING, 165 MILL ROAD, WESTHAMPTON BEACH

**DECISIONS:**

- 1. Westhampton Country Club, 35 Potunk Lane (905-009-03-023.01)** Applicant requests permit from the Zoning Board of Appeals under §197-29 C(1) for proposed reconstruction of a staff housing building for a preexisting nonconforming membership golf club, and variance from §197-29 C(2)(c) for proposed staff housing building with a gross floor area of 6,200 SF, representing a prohibited increase in floor area of the previously demolished staff housing building with a gross floor area of 3,330 SF.
  
- 2. BMB Enterprises, LLC., 145 Main Street (905-11-2-29)** Applicant requests variances from §197-40.1.C. to construct a proposed apartment that has 1,052 square feet of habitable space where the maximum permitted is 850 square feet, and from §197-21 for the proposed apartment use which requires two additional parking stalls, requiring relief pursuant to §197-27. Dated: June 12, 2023
  
- 3. Court Street Binghamton LLC, 352 Dune Road (905-018-01-008)** Applicant requests variances from §197-8 D to construct a two-story addition with a proposed side yard setback of 15 feet where a minimum on 20 feet is required and with a resultant combined side yard setback of 44.1 feet where a minimum of 50 feet is required.

**HOLDOVERS:**

- 4. David Weinstein, 7 Meadow Lane (905-010-01-022)** Applicant requests variances from §197-1 to legalize an as-built pool cabana with plumbing facilities of 351 square feet where the maximum permitted is 200 square feet.
  
- 5. Mary & Kenneth McGorry, 350 Dune Road (905-018-01-009)** Applicant requests variances from §197-8 D to construct a dwelling with proposed side yard setbacks of 12.6 and 17.5 feet where a minimum of 20 feet is required, with a proposed combined side yard setback of 30.1 feet where a minimum of 50 feet is required, and with a proposed rear yard setback of 52.2 feet where a minimum of 75 feet is required, and from §197-35 C for a proposed accessory deck setback of 13.9 feet where a minimum of 20 feet is required.
  
- 6. Jim Badzik, 27 Sunswyck Lane (905-015-04-003)** Applicant requests variances from §197-1 to construct an accessory building with plumbing facilities of 1,399 square feet where the maximum permitted is 200 square feet, and from §197-35 A to construct the accessory building within the front yard (corner lot) where not permitted.

**NEW APPLICATIONS:**

- 7. Scott Eichel, 161 Dune Road (905-020-02-025)** Applicant requests variances from §197-8 A(2) for proposed habitable space (office over garage) in detached building not deemed to be normal and accessory to principal single-family dwelling use, from §197-8 D to construct a

dwelling with proposed side yard setbacks of 18.7 feet where the minimum required is 20 feet, and with a proposed combined side yard setback of 37.4 feet where the minimum required is 50 feet, from §197-35 C for a proposed accessory deck with side setbacks of 18.7 feet where the minimum required is 20 feet, and with a proposed rear setback to the crest of dune of 55.5 feet where the minimum required is 75 feet, and also from §197-35 C for a proposed accessory pool with a rear setback to the crest of dune of 61.7 feet where the minimum required is 75 feet.

**8. Joy Hepburn, 339 Mill Road (905-008-01-014.03)** Applicant requests variance from §197-35 to legalize a patio at-grade constructed in the front yard, where prohibited, in conjunction with the construction of an inground swimming pool where relief was granted by the ZBA for the pool only on June 17, 2022.

**9. Lawrence & Donna Francis, 77 Library Ave (905-015-02-028)** Applicant requests variances from §197-29.1 A for a proposed unfinished second story over detached garage, representing a prohibited increase in gross floor area of a preexisting nonconforming accessory structure in the front yard.

**10. Thomas & Faith Tilson, 218 Dune Road (905-020-01-002)** Applicant requests variances from §197-29.1 A for a proposed second-story addition, representing a prohibited increase in degree of nonconformity of a dwelling with a substandard side yard setback, 17.4 feet existing/proposed where a minimum of 20 feet is required, & substandard combined side yard setback, 44.9 feet existing/proposed where a minimum of 50 feet required.

**11. Westhampton Property Management LLC, 141 Montauk Highway (905-005-02-006.01, -006.02, -007 & -009.01)** Applicant requests variances from §197-17 for a proposed grocery store with a gross floor area of 5,844 square feet where the maximum permitted is 5,000 square feet, from §197-17.1 for a proposed building area coverage of 39.4% of the partially combined lot area where the maximum permitted is 20%, for a proposed front yard setback of 41.8 feet where the minimum required is 50 feet, for a proposed (easterly) side yard setback of 10.9 feet where the minimum required is 20 feet, with a proposed combined side yard setback of 10.9 feet where the minimum required is 50 feet, and for a proposed rear yard setback of 15.9 feet where the minimum required is 50 feet, and lastly from §197-29.1 A for a proposed storage addition which represents a prohibited increase in gross floor area of a preexisting building with a preexisting nonconforming (westerly) side yard (3 feet proposed where the minimum required is 20 feet).

Dated: September 8, 2023