

ZONING BOARD OF APPEALS AGENDA
Thursday, June 18, 2020, 5:00 P.M.
MUNICIPAL BUILDING, 165 MILL ROAD, WESTHAMPTON BEACH

****The June 18, 2020 Meeting will be held via teleconference please check the Village of Westhampton Beach website (www.westhamptonbeach.org) for log in instructions. If you have any questions, please email the Board Secretary, Maeghan Mackie mmackie@westhamptonbeach.org**

MINUTES TO BE APPROVED

May 21, 2020

DECISIONS:

- 1. Michael & Karoline Kelsen, 72 Beach Lane (905-015-03-004.06)** Applicant requests a variance from §197-5 A(1) to create additional habitable space within previously unfinished attic space on a preexisting nonconforming finished third-story of a single-family dwelling, representing an increase in degree of nonconformity where §197-6 E limits single-family dwellings to two stories.

- 2. Beth D'Alessio, 3 Liggon Lane (905-003-01-060.01)** Applicant requests variances from §197-5 A(1) for a proposed addition within required front (25.6' proposed, 40' required) & side yard (10.7' proposed, 15' required) setbacks where conformity is required for additions to nonconforming buildings, from §197-9 C for a proposed building area coverage of 23.8% of the lot area where the maximum permitted is 20%, and from §197-9 D for proposed side yard setbacks of 10.7 & 13.8 feet where the minimum required is 15 feet with a proposed combined side yard of 24.5 feet where the minimum required is 40 feet, and also from §197-9 D for a proposed rear yard setback or 37.1 feet where the minimum required is 40 feet.

- 3. Clint & Elisa Greenbaum, 61 Seafield Lane (905-005-03-011)** Applicant requests variances from §197-5 A(1) for proposed additions that increase floor area within a required yard of a dwelling / accessory building with preexisting nonconforming setbacks to the rear property line where conformity is required for additions to preexisting nonconforming buildings (9.1' proposed, 50' required), and from §197-6 D for a proposed addition connecting principal dwelling & detached accessory building resulting in a principal rear yard setback of 8.1 feet where the minimum required is 50 feet.

HOLDOVER:

- 4. Brennan & Sadie Diaz, 7 Bayfield Lane (905-10-4-41)** Applicant requests variances and/or interpretation that such variances are not required from §197-5 A(1) to legalize conversion of a detached garage to a recreation room where the building is considered nonconforming as it is

attached to an apartment, and from §197-6 A(2) where converted recreation room use in an out-building is deemed not to be normal and accessory to the principal single-family dwelling use.

5. Michael & Karoline Kelsen, 72 Beach Lane (905-015-03-004.06) Applicant seeks an interpretation that the Building Inspector erred in his determination that the subject detached building with preexisting apartment is a nonconforming building and that the proposed game room over garage should be deemed an accessory use to the single-family dwelling principal use. In lieu of a favorable determination from the Board, applicant requests a variance from §197-6 A(2) for proposed habitable space (game room over garage) in detached structures deemed not to be normal and accessory to principal single-family dwelling use, and from §197-29 C(1) for proposed reconstruction and additions to a detached building with preexisting nonconforming apartment where a permit from the Zoning Board of Appeals is required for reconstruction of building with nonconforming use, and irrespective of interpretation, the applicant also seeks a variance from §197-1 for a proposed half-bathroom within accessory building (game room over garage) where plumbing facilities are not permitted in detached buildings other than cabanas/accessory apartments.

NEW APPLICATIONS:

6. Brennan & Sadie Diaz, 7 Bayfield Lane (905-010-04-041) Applicant requests variances and/or interpretation that such variances are not required from §197-5 A(1) to legalize conversion of a detached garage to a recreation room where the building is considered nonconforming as it is attached to an apartment, from §197-6 A(2) where converted recreation room use in an out-building is deemed not to be normal and accessory to the principal single-family dwelling use, from §197-29 C(1) & §197-29 C(2)(c) where such conversion represents a non-permitted increase in floor area devoted to the nonconforming use of a second dwelling in a residential district, and applicant requests a permit from the Zoning Board of Appeals in accordance with §197-29 C(1) to legalize such alterations to a nonconforming use.

7. Mathew & Deborah Vivek, 206 Main Street (905-013-02-020.06) Applicant requests variances from §197-43 A(1) to erect a driveway gate (fence) in the front yard that is 7 feet in height, where the maximum permitted is 4 feet, from §197-43 A(3) for proposed driveway posts/pillars that are 7 feet in height where the maximum permitted is 6 feet, from §197-43 A(7) for proposed driveway posts/pillars that are 1 feet from the lot line where the minimum required setback is 3 feet, and from §197-43 A(8) for proposed driveway gates 1 feet from the street line where the minimum required setback is 20 feet.

Dated: June 15, 2020