



NOTICE OF MEETING OF THE
ZONING BOARD OF APPEALS
INCORPORATED VILLAGE OF GARDEN CITY
VILLAGE HALL
351 STEWART AVENUE
GARDEN CITY, NY 11530



MEETING AGENDA
TUESDAY, JULY 21ST, 2020

Pursuant to the provisions of the General Municipal Law and **Chapter 200** of the Code of the Incorporated Village of Garden City, New York notice is hereby given that the Board of Appeals of said Village will meet in the Village Hall at 351 Stewart Avenue, Garden City, New York on **TUESDAY, JULY 21st, 2020 at 5:00 p.m. via ZOOM**, to take action on the following matters:

- 1. APPEAL OF JOHN & BRITTA GARCIA** for a variance of the provisions of Sections **200-3** and **200-15**, of the Village Code, so as to permit a minor sub-division of the existing **56,172 sq. ft. plot** into two (2), a **30,013 sq. ft. improved** and a **26,159 sq. ft. unimproved** plot, at the premises known as **107 ROCKAWAY AVENUE** (Map of Garden City Central, Block 49, Lots 1-2, R-20 district) the granting of which would;

- A. reduce the required **125'** minimum plot width to not less than **12.5'** at the required **50.0'** setback

Building Department application # **2019-6688**, presented by **Craig G. Biscone**, Esquire.

***Reserved decision at the July meeting.**

- 2. APPEAL OF 71 ROXBURY ROAD LLC.** for a variance of the provisions of Sections **200-15** and **200-46.C** of the Village Code, so as to permit in a **R-8** district, the minor sub-division of the existing **12,000 sq. ft. premises** known as **71 ROXBURY ROAD** (Map of Garden City Estates, Block X, Lot X, R-8 District) into two (2) equal plots of **6,000 sq. ft. respectively**, and maintain an existing **1 family dwelling** (while demolishing a **220 sq. ft. one story side portion** and **200 sq. ft. rear deck**) which-

- A. on each plot would;

1. cause the **75.0'** required plot width to be reduced to no less than **60.0'** -
2. cause the required plot area to be reduced from **7,500 sq. ft. to 6,000 sq. ft.**

- B. would create a non-conforming dwelling that will;

1. exceed the allowable building area of **1,500 sq. ft. or 25.0% by 129 sq. ft. (1,629 sq. ft. or 27.1%)**,
2. maintain the **20.5'** front setback of the existing portico from *Roxbury Road*, where **25.0'** is required,
3. maintain the existing **4.6'** minimum side yard where **8.0'** is required.

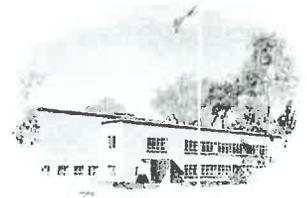
Application # **2020-7548**, survey & plot plan filed with the Building Department.

***Reserved decision at the July meeting.**

- 3. APPEAL OF 25 YALE STREET LLC.** For a variance of provisions of Sections **200-52**, and **99-2.A** of the Village Code, allowing for the issue of a permit to maintain **84.6'** of



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previously installed **6.0'** high wood fence, at the premises known as **25 YALE STREET** (Map of Shaw Gardens, Block T, Lot 16, R-8 District), the granting of which would cause;

- A. a fence to exceed (**6'**) in height where (**4'**) is permitted.
- B. (**34.6'**) of (**6.0'**) high fence to be as close as (**30.0'**) to Yale Street where (**50.0'**) is required.

Building Department application # **2019-7296**.

***Adjourned at the July meeting.**

- 4. APPEAL OF MUHAMMAD A MUZAFFAR** for a variance of the provisions Sections **200-52** of the Village Code issue a permit for **27.0'** of previously installed **4'** high white vinyl fence and the installation of an additional black fence in the two front yards of the corner premises known as **91 MEADOW STREET** (Map of Garden City Lawns, Block 45, Lot 7, R-6 district), the erection of which;

- A. has caused the (**50.0'**) required setback for accessory structures from **Clinton Road**, to be reduced to no less than **30.0'**, with respect to the existing fencing.
- B. will cause the (**50.0'**) required setback for accessory structures from **Clinton Road**, to be reduced to no less than (**.08'**), with respect to (**96.0'**) the proposed additional fencing.
- C. will cause the (**30.0'**) required setback for accessory structures from **Meadow Street**, to be reduced to no less than (**.08'**), with respect to (**88.0'**) of the proposed additional fencing.

Building Department application # **2020-7462**.

***Adjourned at the July meeting.**

- 5. APPEAL OF STEVEN AFFRONTI** for a variance of the provisions of Sections **200-15** of the Village Code, to allow for the amendment of a building permit for construction of a **170 sq. ft.** screen porch at the rear, while currently erecting an **800 sq. ft.** second floor side addition with **48 sq. ft.** front portico, at the existing dwelling known as known as **25 HOMESTEAD AVENUE** (Map of Shaw Gardens, Block 1, Lot 31, R-6 district) the granting of which would;

- A. cause the required rear yard setback of (**25.0'**) to be reduced to no less than (**20.7'**) with respect to the proposed screen porch.

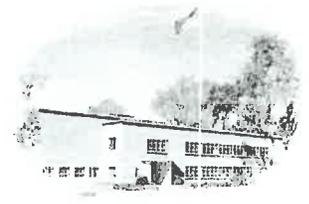
Building Department application # **2020-7547**, plans by **Thomas P. Domanico R.A.**

***Adjourned at the July meeting.**

- 6. APPLICATION & APPEAL OF 50-52 NHP ROAD LLC.** for a variance of the provisions of Sections **200-15**, **200-52.E** and **200-52.F** of the Village Code, so as to allow the issue of a building permit for the maintenance of an **871 sq. ft.** raised patio, and to allow for the issue of



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a temporary permit to allow for the transfer of a portion of the existing occupancy for take-out seating only, due to Executive orders of the Governor related to the reopening of restaurants, in the rear yard of the commercial tenancy known as “*ENZO’S Pizzeria & Restaurant*” **52 NEW HYDE PARK ROAD** (Map of Garden City Central, Block 30, Lot 11, R-20 district) the construction of which would:

A. cause the allowable floor area ratio of (75% or 3,000 sq. ft.) to be exceeded by (320) sq. ft. (3,320 sq. ft. or 83.0%) ~

B. cause the (30% or 240 sq. ft.) allowable coverage of the required 20.0’ rear yard by an accessory structure, to be exceeded by (280) sq. ft. for a total of (65.0) % coverage of such rear yard, with respect to the patio ~

C. cause the 3.0’ plot line setback of an accessory structure to be no less than 0.0’ to the South side plot line, and no less than 0.0’ to the rear plot lines with respect to the existing patio.

Building Department application # 2020-8095.

7. APPEAL OF ERIC & JENNIFER FEINGOLD in accordance with the provisions of Section 200-15 of the Village Code, to allow for the issue of a building permit, for the erection of a 216 sq. ft. open porch with fireplace in the rear of the premises known as **86 POPLAR STREET** (Map of Garden City lawns, Block 5, Lot 13, R-8 District), the granting of which would;

A. cause the allowable plot coverage of (2,094 sq. ft. or 25.0%) to be exceeded by (185) sq. ft. (2,279 sq. ft. or 27.2%).

Building Department application # 2020-7680, H. Bradford Gustavson, R.A

8. APPLICATION AND APPEAL OF MICHAEL WYSTRACH as per the provisions of Sections 200-45, 200-70, 200-76 and 200-80 of the Village Code, to allow for the issue of a permit to install an 18 x 40 in-ground swimming pool containing 70 sq. ft. spa with automatic cover, outdoor kitchen, landscaping plan and 6’ high chain-link and estate fencing; while maintaining and altering a previously permitted (1925) (3) three car detached garage with chauffeurs 2nd floor dwelling unit, and converting the garage portion of this detached building to a cabana use, in the accessory quadrant of the corner premises known as **115 HILTON AVENUE** (Map of Garden City Central, Block 9, Lot 2) the granting of which would;

A. Allow for the alteration and continuation of a non-conforming use with respect to the chauffeur’s unit.

Building Department Application # 2020-7585, plans of H. Bradford Gustavson R.A.



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- 9. APPEAL OF DAVID CORATTI & REGINA HENDRICKS** for a variance of the provisions of Section **200-31** of the Village Code, to allow for the issue of a building permit for the construction of a **44 sq. ft.** front portico at the existing dwelling known as **57 POPLAR STREET** (Map of Garden City East, Block 116, Lot 17, R-12 District), the granting of which will;

A. reduce the required front yard setback of **50.0'** to no less than **46.3'**.

Building Department application # **2020-7730**, plans of **H. Bradford Gustavson, R.A.**

- 10. APPLICATION OF IGNATIUS & LAURA ALCAMO** as per the provisions of Sections **200-45** and **200-70**, of the Village Code, to allow for the issue of a building permit, to construct and maintain a 20' x 44' in-ground swimming pool with 6' fence, automatic cover and landscaping plan, in the rear yard of the premises known as **8 WESTBURY ROAD** (Map of Garden City East, Block 140, Lot 16, R-20 district).

Building Department Application # **2020-7806**, **Swim King Pools**

- 11. APPLICATION OF DENNIS FLAHERTY** as per the provisions of Sections **200-45** and **200-70**, of the Village Code, to allow for the issue of a building permit, to construct and maintain a 20' x 44' in-ground swimming pool with 6' fence, in the rear yard of the premises known as **133 ARTHUR STREET** (Map of Garden City East, Block 144, Lot 4, R-8 district).

Building Department Application # **2020-7844**, plans of **Westminster Nursery**.

- 12. APPLICATION OF JUSTIN C FRANKEL** as per the provisions of Sections **200-45** and **200-70**, of the Village Code, to allow for the issue of a building permit, to construct and maintain a 15' x 30' in-ground swimming pool with 6' fence, in the rear yard of the premises known as **25 PROSPECT AVENUE** (Map of Garden City East, Block 110, Lot 2, R-12 district).

Building Department Application # **2020-7844**, **Barbara M. Ruggiero R.A.**

- 13. APPEAL OF JOHN & RACHEL CASHWELL** for a variance of the provisions of Sections **200-15** of the Village Code, to allow for the issue of a building permit for construction of a **406 sq. ft.** second floor, and **46 sq. ft.** third floor additions at the rear of the existing dwelling known as known as **129 STRATFORD AVENUE** (Map of Shaw Gardens, Block 36, Lot 91, R-12 district) the granting of which would;

A. cause the required rear yard setback of (**30.0'**) to be reduced to no less than the existing (**15.0'**) with respect to the second-floor addition~

B. cause an expansion of the current ½ story resulting in a wall plate of which on at least one opposite exterior wall is greater than two feet above the floor of such story, or an **8.0%** expansion in floor area (**51.2%**) **half story**.

Building Department Application # **2020-7651**, plans by **Barbara M. Ruggiero, R.A.**



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14. APPEAL OF CHRISTOPHER & DAWN DENNIS for a variance of the provisions of Section 200-15 and 200-31, of the Village Code, to allow for the issue of a building permit for the erection of a **68 sq. ft.** two story front addition and a **358 sq. ft.** two car detached garage, while converting the existing **360 sq. ft.** sub grade garage to habitable basement space, at the existing corner property known as **178 BROMPTON ROAD** (Map of Garden City Estates, Block 37, Lot 56, R-12 District), the granting of which will;

- A. cause the allowable building area of (1,640 sq. ft. or 20%) to be exceeded by (204) sq. ft. (1,844 sq. ft. or 22.5%)-
- B. reduce the existing non-conforming (24.8') Newmarket Road front setback (variance granted May 24 1983) to no less than (19.5') where (30.0') is required.

Building Department Application # **2020-7819**, plans of **Joseph M. Bello R.A.**

15. APPEAL OF CHRISTOPHER DELLI CARPINI & DANIELLE MOLAISSON for a variance of the provisions of Section 200-15 and 200-46.C of the Village Code, so as to permit the erection of an **50 sq. ft.** one story side addition with a **97 sq. ft.** porch entry, a **1,297 sq. ft.** second floor addition, **124 sq. ft.** rear raised terrace and a **33 sq. ft.** front entry (demolish **112 sq. ft.** enclosed porch and existing front entry), at the premises known as **38 EDMERE ROAD** (Map of Richlands, Block 2, Lots 30, R-8 district) the granting of which would;

- A. cause the allowable building area of (2,218 sq. ft. or 25.0%) to be increased by (9 sq. ft. to 2,227 sq. ft. or 25.1 %)~
- B. reduce the required 25' rear yard setback to not less than (16.7'), with respect to the raised terrace~
- C. extend vertically and horizontally the existing (6.57') side yard setback, where (10.0') is now required.

Building Department application # **2020-7811**, **Barbara M. Ruggiero, R.A.**

16. APPEAL OF JON & STEPHANIE BUTTRILL for a variance of the provisions of Section 200-15 and 200-46.C of the Village Code, so as to permit the erection of a **248 sq. ft.** second floor rear addition, at the existing dwelling known as **9 ELM STREET** (Map of Garden City East, Block 126, Lots 104, R-6 district) the construction of which would;

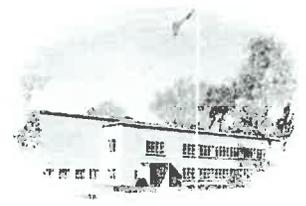
- A. cause the allowable building area of 1,538 sq. ft. or 25.0% to be exceeded by 54 sq. ft. (1,592 sq. ft. or 25.9%, where 1,553 sq. ft. or 25.3% currently exists)~
- B. extending the existing 6.8' side yard setback by 1.4 feet to the rear where 8.0' is now the required minimum.

Building Department application # **2020-7650**, **Janice Miller R.A.**



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17. APPEAL OF CHRISTOPHER & JANET ROGLER for a variance of the provisions of Sections **200-10, 200-16.C and 200-46.C** of the Village Code, so as to permit the erection of a **686 sq. ft.** second floor addition and to maintain the conversion of a **240 sq. ft.** one car garage to habitable use premises known as **219 EUSON ROAD** (Map of Garden City Estates, Lots 4, Block 19, R-8 district) the granting of which would:

- A. .not provide **one** off street parking space~
- B. allow for a vertical addition in a minimum side yard to be as close as **(7.97')** where **(8.0')** is required.

Building Department application # **2020-7693, Howard P. Curtis, R.**

18. APPEAL OF SCOTT & DORIE MEHLING in accordance with the provisions of Section **200-15** of the Village Code, to allow for the issue of a building permit, for the erection of a **165 sq. ft.** front open porch with **17 sq. ft.** vestibule, at the premises known as **145 MEADOW STREET** (Map of Garden City Lawns, Block 47, Lot 59, R-6 District), the granting of which would;

- A. cause the allowable plot coverage of **(1,500 sq. ft. or 25.0%)** to be exceeded by **(170) sq. ft. (1,670 sq. ft. or 27.8%)**.

Building Department application # **2020-7694, Howard P. Curtiss, R.A.**

END OF CASES

The Board may transact any other business that may properly come before the meeting.

DATED: July 9, 2020
Garden City, New York 11530

Karen Altman
Village Clerk

The Incorporated Village of Garden City does not discriminate on the basis of disability for admission to, access to, or participation in its programs, activities or public meetings, and has designated Karen M. Altman, Village Clerk, as Disability Compliance Coordinator. Persons with a disability who wish to attend a meeting should contact Karen M. Altman at least 24 hours in advance of meeting at:

351 Stewart Avenue
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(516) 465-4051
8:30 a.m. to 4:30 p.m.

NEXT MEETING: WEDNESDAY, AUGUST 12, 2020