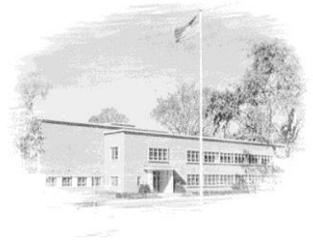




NOTICE OF MEETING OF THE
ZONING BOARD OF APPEALS
INCORPORATED VILLAGE OF GARDEN CITY
VILLAGE HALL
351 STEWART AVENUE
GARDEN CITY, NY 11530
MEETING AGENDA
WEDNESDAY, JULY 8TH, 2020



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 **Wednesday, JULY 8th, 2020 at 5:00 p.m. via ZOOM**, to take action on the following matters:

1. APPEAL OF NANCY & ROBERT REMICK for a variance of the provisions of Section **200-52.H** of the Village Code, to allow for the maintenance and permitting of a replacement A/C compressor and a new additional split system A/C unit at the side of the existing dwelling known as **385 TERRACE AVENUE** (Map of Garden City Terrace, Block 608 Lot 18, R-6 district) the placement of which has;

A. cause the required plot line setback for freestanding cooling equipment of **(10.0')** to be reduced to no less than **(4.5')**.

In accordance with a survey filed with the Building Department, #**2020-7703**

2. APPEAL OF PAUL & ALYSSA QUINLAN for a variance of the provisions of sections **200-31 & 200.52.H** of the Village Code, to allow for the issue of a building permit for the erection of a **44 sq. ft.** front portico and a mechanical permit for the maintenance of an existing A/C compressor, at the existing dwelling known as **86 KILBURN ROAD** (Map of Garden City Estates, Block 53-7 Lot 5557, R-8 district) the granting of which would;

1. cause the existing front yard setback of **(21.02')** to be reduced to no less than **(20.3')** where **(25.0')** is required.

2. cause a freestanding A/C compressor to be as close as **(6.5')** to an adjoining property line, where **(10.0')** is required.

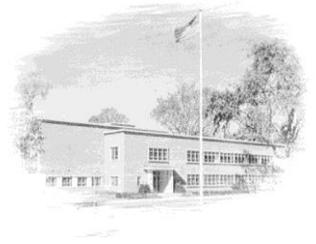
Building Department application # **2020-7592**, plans of **Paul John de Silva, R.A.**

3. APPEAL OF BDSR CORP/KURLANDER for a variance of the provisions of Sections **200-7, 200-29 and 200-62**, of the Village Code, so as to permit and maintain **605 sq. ft.** of first and **755 sq. ft.** of second floor accessory office space, and **315 sq. ft.** of second floor mezzanine storage space, at the existing tenancy know as **SITE ONE LANDSCAPE SUPPLY**, in a portion of the warehouse building known as **3 COMMERCIAL AVENUE** (Map of Descriptive, Block D, Lots 17A, C-S district), the granting of which would;

A. exceeded the maximum allowable accessory area of **(403 sq. ft. or 10%)** for the use, to be exceeded by **(1,237 sq. ft.) (1056 sq. ft. or 36.17%)**



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- B. not provided (3) additional off-street parking spaces-
- C. allow for the use as a wholesale landscape supply.

Building Department application # **2019-7377, Daniel Fabrizi R.A.**

Note: said use has been constructed.

4. APPEAL OF CHERY FORKLIFT (NEWYORK) INC. for a variance of the provisions of Sections **200-7, 200-29 and 200-62**, of the Village Code, so as to permit the use of the existing warehouse building as an equipment dealer and utilize (4) four off street parking spaces for display, at the premises known as **61 COMMERCIAL AVENUE** (Map of Descriptive, Block D, Lot 19) which would:

- A. cause a use other than storage in an (S) District~
- B. not provide (5) off-street parking spaces.

Building Department application # **2019-7354.**

Note: Said uses, and display are existing.

5. 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 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.

***Adjourned at the February meeting.**

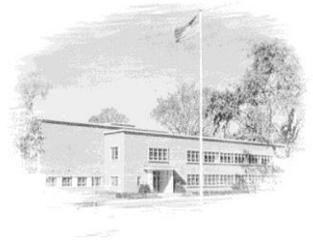
Building Department application # **2019-7296.**



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6. APPEAL OF MICHAEL & SUSAN MIRANDO for a variance of the provisions of Section **200-52.H** of the Village Code, to allow for the installation of a freestanding 110 gallon oil tank at the side of the existing dwelling known as **223 CLINTON ROAD** (Map of Descriptive Property, Block D-6 Lot 2115, R-6 district) the placement of which would;

A. cause the required plot line setback for freestanding cooling equipment of **(10.0')** to be reduced to no less than **(8.4')**.

***Adjourned at the February meeting.**

In accordance with a plot plan filed with the Building Department.

7. 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.

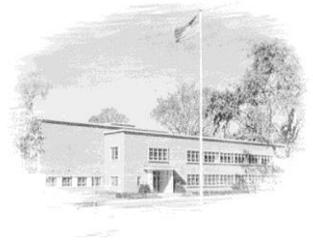
***Adjourned at the February meeting.**

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

8. APPEAL OF THOMAS & JOANNE GORDON for a variance of the provisions of Sections **200-47.2 & 200-52.H** of the Village Code, so as to permit the reconstruction of an existing landing and steps, and to maintain the placement of **(2)** two previously permitted A/C compressors at the side yards of the premises known as **152 POPLAR STREET** (Map of Garden City Lawns, Block 15, Lots 18, R-6 district) the granting of which would;



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- A. maintain the encroachment into the minimum (5.0') side yard by the reconstruction of existing porch steps, to be no less than (3.43') from the side plot line~
- B. cause the required (10.0') setback for freestanding cooling equipment to no less than (8.0').

Building Department application # 2019-7378, **Barbara Maiello Ruggiero R.A.**

9. APPEAL OF RAEGAN MORGAN & CHRISTOPHER FONTE for a variance of the provisions of Section **200-15, 200.46.C & 200.52.A** of the Village Code, so as to permit the erection of a **219 sq. ft.** second floor **Clinton Road** front, and **30 sq. ft.** first floor side additions, a **108 sq. ft.** portico and, (2) **two 15 sq. ft.** walk-in Bay windows at the **Brook Street** front and **53 sq. ft.** rear portico, and the placement of two **A/C** compressors, at the existing dwelling known as **98 BROOK STREET** (Map of Garden City East, Block 111, Lot 9, R-12 district) the granting of which would:

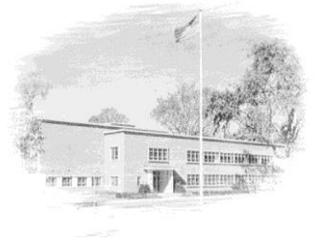
- A. reduce the required **60.0' ft.** minimum front yard setback to **Clinton Road** to not less than **(56.4') ft.** with respect to the **(219) sq. ft.** second floor addition (where **(56.4')** currently exists of which **(22.4) sq. ft.** encroach into the required front yard),
- B. reduce the required **(60.0') ft.** minimum front yard setback to **Brook Street** to not less than **(49.1') ft.** with respect to the proposed **(108) sq. ft.** portico (where **53.2'** currently exists),
- C. maintain the existing **(13.5')** side yard setback where **(15.0')** is required with respect to the **(30) sq. ft.** first floor side addition,
- D. reduce the **(60.0')** required setback for accessory structures to no less than **(55.0')** for one **A/C** compressor.

Building Department application # 2020-7506, **Barbara Maiello Ruggiero R.A.**

10. APPEAL OF ANITA ELISE ALMA for a variance of the provisions of Section **200-52.H** of the Village Code, to allow for the permitting to maintain a previously installed **A/C** compressor (installed 1980), at the side of the existing dwelling known as, **160 WETHERILL ROAD** (Map of Country Life Development, Block J, Lot 182, R-6 District) the granting of which will;



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- A. cause the required plot line setback for freestanding cooling equipment of (10.0') to be reduced to no less than (2.09').

Application # 2020-7507 survey & photographs filed with the Building Department.

11. APPEAL OF RAYMOND & HELEN MCCLEARY for a variance of the provisions of Sections **200-15** and **200-52** of the Village Code, allowing for the amendment of a building permit to allow for the maintenance of an for an **50 sq. ft.** deck and a **74 sq. ft.** shed, at the rear of the existing dwelling known as **74 JEFFERSON STREET** (Map of Stewart Manor, Block 17, Lot 4, 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 (21.1') with respect to the deck,
- B. cause the required accessory structure property line setback of (3.0') to be reduced to no less than (2.5') to the rear and (2.7') to the side for the shed.

Building Department application # 2020-7525, **Emilio Susa R.A**

12. 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;

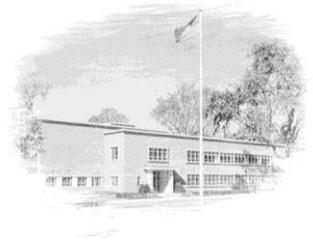
- A. cause the required rear yard setback of (25.0') to be reduced to no less than (20.7') with respect to the proposed screen porch.

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

13. APPEAL OF GREGORY & SUZANNE GENTILE for a variance of the provisions of Sections **200-46** of the Village Code, so as to permit the erection of a **29 sq. ft.** front first floor and **1,374 sq. ft.** second floor additions with a **147 sq. porch** (while demolishing existing **575 sq. ft.** ½ story & dormer), at the plot known as **31 ADAMS STREET** (Map of Stewart Manor, Lot 21, Block 62, R-6 district) the construction of



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which would;

- A. extend vertically the existing (5.9') minimum side yard setback where (8.0') is required.
- B. extend vertically the existing 18.2' aggregate of side yard setbacks where 20.1' is required.

Building Department application # **2020-7462**, plans of **John J. Viscardi, RA.**

14. APPEAL OF BALAZS SZABO for a variance of the provisions of **200-52** of the Village Code, to allow for the amendment of a mechanical permit to maintain the location of (3) three additional A/C compressors placed alongside a previously installed compressor (1989) and the maintenance of 46.9' of 4' fence, the locations of which were permitted as an R-12 district, recently placed during the construction of a 46 sq. ft. first floor addition with 72 sq. ft. portico at the front, a 1,731 sq. ft. second floor addition, an 88 sq. ft. portico and 84 sq. ft. deck at the rear (while demolishing a 680 sq. ft. 1/2 story and 300 sq. ft. rear deck), at the existing corner dwelling known as **15 ST. JAMES STREET NORTH** (Map of Garden City East, Block 133, Lot 10, R-20 district) the granting of such will;

- A. cause two of the three (3) newly installed compressors to be as close as (72.9') to the Butler Place property line, where (80.0') is now required~
- B. allow (46.9') of (4') fence to be as close as (44.7') to the St. James Street North property line, where (60.0') is now required.

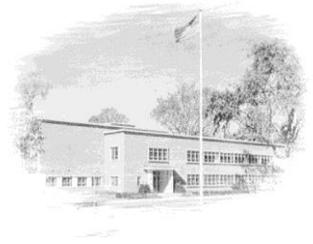
Building Department application # **2020-7552**, **Joseph M. Bello, R.A.**

15. APPEAL OF CAROL & ROBERT KERLER in accordance with the provisions of Section **200-52.A**, of the Village Code, to allow for the issuance of a permit for the installation of a 42.0' ft. of Green chain link fence and (2) two gates, at the corner premises known as **101 NEWMARKET ROAD** (Map of Garden City Estates, Block 20, Lot 33, R-8 District), the granting of which would cause;

- A. allow the encroachment of a (40.0 ft.) section of fencing and gate to be as close as (32.0') from Roxbury Road, where (50.0 ft.) is required.



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In accordance with a survey and photographs filed with the Building Department.

16. APPEAL OF BARRY TROTZ & KIMBERLY PROKOPCHUK-TROTZ for a variance of the provisions of Sections **200-46** of the Village Code, so as to permit the erection of a **70 sq. ft.** rear first floor addition, at the premises known as **61 TRANSVERSE ROAD** (Map of Mineola Gardens, Lot 28, Block 45, R-6 district) the construction of which would;

- A. extend horizontally the existing **(5.0')** minimum side yard setback where **(8.0')** is required.
- B. maintain the existing **(15.2')** aggregate of side yard setbacks where **(18.0')** is required.

Building Department application # **2020-7493**, plans of **Daniel Fabrizi, RA.**

17. APPEAL OF BRUNO & SUSAN BAUER for a variance of the provisions of Section **200-15, 200-46.C & 200-52.H** of the Village Code, so as to permit the erection of an **81 sq. ft.** one story rear addition, and the relocation of an existing **A/C** compressor, at the premises known as **81 GARFIELD STREET** (Map of Shaw Gardens, Block N, Lots 15, R-8 district) the granting of which would;

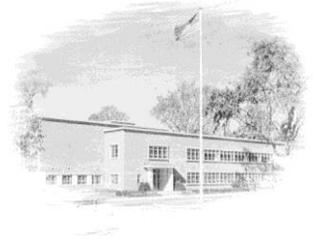
- A. reduce the required **(25.0')** rear yard setback to not less than **(23.6')**~
- B. extend the existing aggregate **(16.25')** of side yard setbacks by **(6.0')** to the rear where **(18.0')** is now required~
- C. cause a freestanding **A/C** compressor to be no less than **(8.5')** to a plot line where **(10.0')** is required.

Building Department application # **2020-7584**, **Daniel Fabrizi, R.A.**

18. 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-



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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.

Building Department application # **2020-7548**, presented by **Craig G. Biscone, Esquire.**

19. 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.**

END OF CASES

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



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DATED: June 24, 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
Garden City, New York 11530
(516) 465-4051
8:30 a.m. to 4:30 p.m.

NEXT MEETING: WEDNESDAY, JULY 21ST, 2020