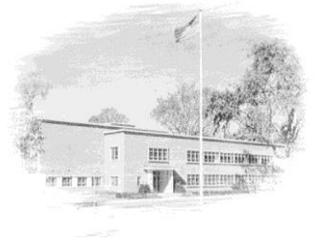




NOTICE OF MEETING OF THE  
**ZONING BOARD OF APPEALS**  
INCORPORATED VILLAGE OF GARDEN CITY  
VILLAGE HALL  
351 STEWART AVENUE  
GARDEN CITY, NY 11530  
**MEETING AGENDA**  
**WEDNESDAY, AUGUST 12TH, 2020**



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, August 12th, 2020 at 5:00 p.m. via ZOOM**, to take action on the following matters:

- 1. APPEAL OF PETER & SABRINA TRIMARCHI** for an extension of a previously granted variance (7/16/2019) of the provisions of Section **200-15 & 200-46.C** of the Village Code, so as to permit the erection of a **417 sq. ft.** first floor rear addition with a **1711 sq. ft.** second floor above and **168 sq. ft.** front porch (demolish existing **684 sq. ft.** second floor), at the existing dwelling known as **70 HAYES STREET** (Map Shaw Gardens, Block O, Lot 33, R-8 District) the construction of which would;

**A.** reduce the required rear yard minimum setback of **15.0'** to no less than **12.5'**, with respect to the new landing & steps.

**B.** cause a **9.5'** rearward and **7.4'** forward extension of a pre-existing side yard of **5.9'**, where **10.0'** minimum is required.

Building Department application # **2019-6153, Daniel Fabrizi R.A.**

- 2. 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.

- 3. 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.

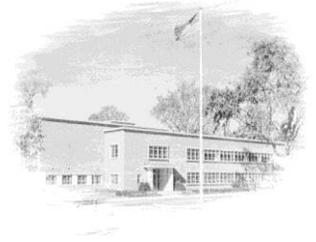
**C.** will cause the **(30.0')** required setback for accessory structures from **Meadow Street**, to be reduced to no less than **(.08')**, with respect to **(88.0')** of the proposed additional fencing.

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

\*Adjourned at the July meeting.



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**4. APPLICATION & APPEAL OF 50-52 NHP ROAD LLC.** for a variance of the provisions of Sections **200-3, 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 **904 sq. ft.** raised patio, and to allow for the issue of 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 **((473) sq. ft. (3,473 sq. ft. or 86.8%)** ~

**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.

**D.** cause an accessory structure greater than **(10%)** of the existing floor area in a **C** district **(904 sq. ft. or 35.1%)** where **(257) sq. ft.** is allowable.

Building Department application # **2020-8095.**

\*Adjourned at the July meeting.

**5. 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 **14' x 30'** 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.**

\*Adjourned at the July meeting.

**6. APPLICATION & APPEAL OF JUSTIN C. FRANKEL** as per the provisions of Sections **200-45** and **200-70**, and a variance of section **200-15** 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), the granting of which will;

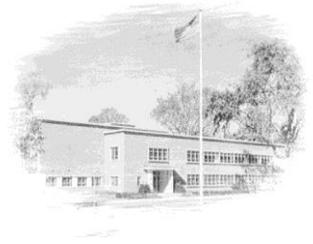
**A.** cause the allowable building area of **(3,000) sq. ft.** or **(20%)** to be exceeded by **(97) sq. ft. (3,097 sq. ft. or 20.6%)**

Building Department application # **2020-7845, Barbara M. Ruggiero R.A.**

\*Adjourned at the July meeting.



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**7. APPEAL OF JON & JESSICA FINELLI** for a variance of the provisions of Section **200-15 & 200-61** of the Village Code, so as to allowing for the issue of a building permit erection of a **271 sq. ft.** two story side addition with a **1<sup>st</sup>** floor garage, and a **459 sq. ft.** rear two story addition, while converting the existing **215 sq. ft.** attached garage to habitable space (demolish existing **459 sq. ft.** one story rear portion), at the dwelling known as **84 KINGSBURY ROAD** (Map of Country life Development, Block R, Lots 319, R-6 district) the granting of which would:

**A.** cause the allowable building area of **(1,611) sq. ft.** or **25.0%**, to be exceeded by **(115) sq. ft. (1,726 sq. ft. or 26.77%)~**

**B.** cause the required aggregate side yards of **(19.34')**, to be reduced to no less than **(16.44')**.

**C.** cause the required minimum side yard of **(8.0')** to be maintained at the current **(6.03')** with respect to the rear **459 sq. ft.** two story addition.

Building Department application # **2020-7914, John J. Viscardi, R.A.**

**8. APPEAL OF MARCO & LESLIE DIBENEDETTO** for a variance of the provisions of Section **200-15, 200-31 & 200-61** of the Village Code, so as to allowing for the issue of a building permit for the construction of a **17 sq. ft.** first floor addition and **11 sq. ft.** Bay window with a **36 sq. ft.** portico at the front, with a **1,062 sq. ft.** second floor addition above (demolish **65 sq. ft.** front stoop), at the premises known as **77 WILSON STREET** (Map of Shaw Gardens, Lot 28, Block O-17, R-8 district) the granting of which would:

**A.** cause the previously granted (September 25, 1964) allowable building area of **(1,936) sq. ft.** or **(26.8%)**, to be exceeded by **(70) sq. ft. (2,006 sq. ft. or 21.86%)~**

**B.** cause a vertical extension of the existing aggregate side yards that total **(15.30')**, where **(21.60')** is now required.

**C.** cause the required front yard setback of **(30.0')** to be reduced to no less than **(26.7')** to the proposed portico

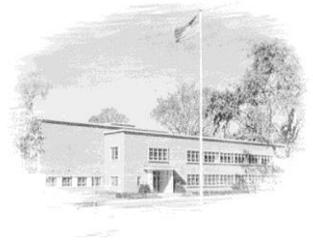
Building Department application # **2020-7930, John J. Viscardi, R.A.**

**9. APPEAL OF 164 OXFORD HOLDINGS LLC.** for a variance of the provisions of Section **200-15** of the Village Code, so as to permit the erection of a **4,764 sq. ft. 2 1/2** story dwelling with **316 sq. ft.** rear open porch, **52 sq. ft.** front portico, **2,448 sq. ft.** basement and, **420 sq. ft.** 2 car detached garage with landscape plan (while demolishing existing **3,062 sq. ft. 2** story dwelling with **419 sq. ft. 2** car attached garage), at the premises known as **164 OXFORD BOULEVARD** (Map of Garden City Estates, Block 38, Lot 82, R-12 District), the construction of which would:

**A.** cause the allowable building area of **(3,000) sq. ft.** or **(20.0%)** to be exceeded by **(296) sq. ft. (3,296 sq. ft. or 21.97%)~**



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Building Department application # 2020-8000, **John J. Viscardi, R.A.**

**10. APPEAL OF ANTHONY & CATERINA ASARO** for a variance of the provisions of Section **200-15** of the Village Code, so as to permit the erection of a **508 sq. ft.** one story side and **455 sq. ft.** second floor front additions (while demolishing a **258 sq. ft.** first floor side portion, at the existing dwelling known as **81 WILLOW STREET** (Map of Garden City East, Block 106, Lots 4, Zone R-12) the construction of which would;

**A.** cause the allowable building area of **(3,528) sq. ft.** or **(20.0%)** to be exceeded by **(385) sq. ft. (3,913 sq. ft. or (22.4%)**, where **(3,278) sq. ft.** or **(20.86%)** currently exists, pool and area variance granted at the *March 21, 2017* meeting) ~

**B.** cause a **(10.25')** extension to the North of the existing **(17.15')** rear yard, where a **(30.0')** setback is required.

Building Department application # 2020-7944, **H. Bradford Gustavson R.A.**

**11. APPEAL OF ELENA L. DE LIGUORI** for a variance of the provisions of Section **200-15, 200-31** and **200-46.C** of the Village Code, so as to permit the installation of a split system A/C compressor in the side yard of dwelling known as **15 STRATFORD AVENUE** (Map of Park Manor, Block, Lots 157, 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 **(3.85')**.

Building Department application # 2020-8059.

**12. APPEAL OF SPENCER GORDON** 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 **48 sq. ft.** portico with **25 sq. ft.** steps at the front, while constructing a **342 sq. ft.** rear first floor with **972 sq. ft.** second floor additions above and at the side of the existing dwelling known as **121 POPLAR STREET** (Map of Garden City Lawns, Block 9, Lot 64, R-6 District), the granting of which will;

**A.** reduce the required front yard setback of **(30.0')** to no less than **(26.9')** to the portico, and **(23.9')** to front steps.

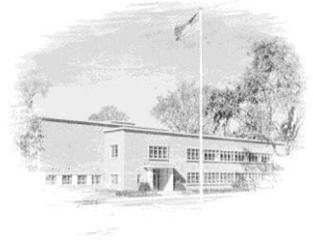
Building Department application # 2020-7821, plans of **Christopher L. Gray, R.A.**

**13. APPEAL OF LORRAINE MAEVSKY & KEVIN CROWLEY** for a variance of the provisions of Sections **200-15**, of the Village Code, so as to permit the erection of a **7 sq. ft.** first floor and **304 sq. ft.** second floor addition with a **78 sq. ft.** porch (demolish existing **63 sq. ft.** open porch and bay window) at the front of the existing dwelling known as **192 KILDARE ROAD** (Map of Garden City Gables, Block 7, Lots 31, R-6 district) the granting of which would:

**A.** cause the allowable building area of **(1,550) sq. ft.** or **(25%)** to be exceeded by **(145) sq. ft. (1,695 sq. ft. or 27.3%)**.



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Building Department application # **2020-7790, John M. Riffle, R.A.**

**14. APPEAL OF KELLY LEDERMANN** for a variance of the provisions of Sections **200-15 & 200-46** of the Village Code, so as to permit the construction of a **122.0 sq. ft.** rear first floor addition and **260 sq. ft.** one car detached garage (while demolishing a **229 sq. ft.** rear screen room and **357 sq. ft.** two car detached garage), at the existing dwelling known as **76 KENSINGTON ROAD** (Map of Garden City Estates, Block 55, Lot 42, R-12 district) the granting of which would:

**A.** cause the allowable building area of **(1,200) sq. ft.** or **20%** to be exceeded by **(339) sq. ft. (1,539 sq. ft. or 25.7%)** where **(1,745) sq. ft. or 29.09%** exists~

**B.** extend the existing **(16.8')** minimum aggregate of side yards **(6.9')** to the rear, where **(18.0')** is now required.

Building Department application # **2020-7701, Vincent J. Sena, R.A.**

**15. APPEAL OF TIMOTHY WAGNER** for a variance of the provisions of Section **200-46.C** of the Village Code, so as to permit the installation of two (2) split system Fujitsu A/C compressor on the North and South side walls of the premises known as **199 KILDARE ROAD** (Map of Garden City Gables, Block 9, Lots 55, R-6 district) the granting of which would;

**A.** cause the required minimum side yard of **(8.0')** to be reduced to no less than **(5.62')** where **(7.2')** currently exists, and~

**B.** cause the required **(18.0')** aggregate of side yards to be reduced to no less than **(13.52')** where **(15.10')** currently exists with respect to the South unit and~

**C.** cause the required **(18.0')** aggregate of side yards to be reduced to no less than **(16.34')** respect to the North unit.

Building Department application # **2020-7932**

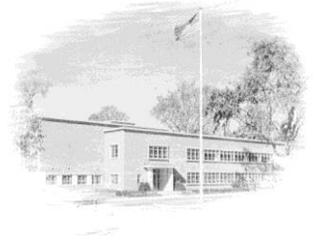
**16. APPEAL OF SAM MOGAVERO & ADREANA DEMARINIS** for a variance of the provisions of Section **200-52.H** of the Village Code, to allow for the amendment of a previously issued mechanical permit in order to allow for the maintenance of **two (2) A/C** compressors installed at the side of the existing dwelling known as, **166 BROOK STREET** (Map of Garden City Lawns, Block 12, Lot 28, R-6 District) the granting of which will;

**A.** cause the required plot line setback for freestanding cooling equipment of **(10.0')** to be reduced to no less than **(9.70')**.

Application # **2020-7977** survey & photographs filed with the Building Department.



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**17. APPEAL OF SPIRO & MICHELLE DOUNIS** 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 **12.6 sq. ft.** gas fire-pit in the rear of the premises known as **105 TULLAMORE ROAD** (Map of Country Club Estates, Block 4, Lot 75, R-6 District), the placement of which would;

A. cause the allowable plot coverage of **(1,650) sq. ft. or (25.0%)** to be exceeded by **(84) sq. ft. (1,740 sq. ft. or 26.36%)** where **(1,727) sq. ft. or (26.17%)** exists.

Building Department application # **2020-8025**.

**18. APPEAL OF CHARLES & SARAH MCINNIS** in accordance with the provisions of Section **200-31 & 200-46** of the Village Code, to allow for the issue of a building permit, for the erection of a **615 sq. ft.** two story rear with **384 sq. ft.** raised deck with **125 sq. ft.** front open porch, at the premises known as **153 BROOK STREET** (Map of Garden City Lawns, Block 11, Lot 72, R-6 District), the granting of which would;

A. cause the allowable aggregate of side yards to be reduced to **(15.9')** where **(18.0')** is permitted and **(22.4')** currently exists~

B. cause the required front yard setback of **(30.0')** to be reduced to no less than **(27.7')** with respect to the proposed porch.

Building Department application # **2020-7881, Howard P. Curtiss, R.A.**

**END OF CASES**

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

DATED: July 30, 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, AUGUST 25, 2020**

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