

Town of North Hempstead



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Board of Zoning Appeals

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NEW CASES

APRIL 10, 2013

APPEAL #19473 - Charles Jin, MD(Owner)/Harras, Bloom & Archer (Applicant), variances 70-31.B and 70-210.1 to maintain an enclosed porch within a required side yard setback on a non-conforming lot; N/W/cor. 8 Dorset Rd. and Norfolk Rd., Great Neck, Sec. 2, Blk. 93, Lot 6, R-A District.

GRANTED

APPEAL #19474 - Robert Symmons, variance 70-100.2.A(2) to maintain fencing beyond the front building line; N/E/cor. 17 Beechwood Ave. and Nassau Ave., Manhasset, Sec. 3, Blk. 74, Lot 102, R-B District.

GRANTED

APPEAL #19475 - Valerie & Dario Nunez, variances 70-40.B, 70-40.C, 70-42 and 70-208.F to construct a second story addition and two story portico on a non-conforming dwelling within required front and rear yard setbacks, and maintain an enclosed porch within a required front yard setback; N/W/cor. 91 Rocky Wood Rd. and Oxford Rd., Manhasset, Sec. 3, Blk. 181, Lot 260, R-B District.

CONTINUED

APPEAL #19476 - Richard & Christine Conte, variances 70-31.B, 70-100.1.A and 70-100.2.I to maintain an open porch within a required side yard setback and to maintain accessory structures within the required front yards; S/W/cor., 63 Sussex Dr., and Village Rd., Manhasset, Sec. 3, Blk. 225, Lot 10, R-A District.

GRANTED

APPEAL #19477 - Mathew Varghese, variances 70-49.B, 70-50.B, 70-50.C, 70-51.B, 70-101.A, and 70-103.A.1 to construct a second story addition within the required front and side yard setbacks, convert the garage to habitable space and other alterations which, exceeding the permitted floor area, with insufficient off-street parking and exceeding the allowable projection into a yard; N/W/cor. 219 White Ave., and North Third St., New Hyde Park, Sec. 8, Blk. 3, Lot 35, R-C District.

ADJOURNED

APPEAL #19478 - Karen Gitlin-Weiner (Owner)/RMB Drafting Services, Inc. (Applicant), variance 70-51.A to maintain an addition with insufficient aggregate side yards; N/side 27 Lawrence St., 105' W/of Haddon Rd., New Hyde Park, Sec. 8, Blk. 231 Lot 21, R-C District.

GRANTED

APPEAL #19479 - Christopher & Jenna Ingram, variance 70-100.2.A to maintain fencing exceeding the permitted height; N/side 155 Whitney St., 107.25' W/of Carle Rd., Westbury, Sec. 10, Blk. 276, Lot 9, R-B District.

RESERVED

APPEAL #19480 - Joe Franco (Owner)/Joseph A. Deal (Applicant), variance 70-225.B(7)(a) for interior alterations to an existing restaurant; S/side 420 Northern Blvd., 560' E/of Merrivale Rd., Great Neck, Sec. 2, Blk. 85, Lot 20, B-A District.

RESERVED

APPEAL #19481 - Jeffrey O'Brien, President, Strathmore Association(Owner)/Emily Abruzzo, AIA(Applicant), variance 70-34.A to maintain the conversion of a single-family dwelling to a mixed use building, including an accessory apartment, not permitted; N/side 1471 Northern Blvd. at Strathmore Rd., Manhasset, Sec. 3, Blk. 55, Lot 112, R-B District.

ADJOURNED

APPEAL #19482.A - Acadia Marcus Avenue LLC (PetSmart), conditional use 70-126 to convert a retail space to a pet shop; S/side 1600 Marcus Ave., 170' E/of New Hyde Park Rd., Sec. 8, Blk. 302, Lot 27, B-A District.

CONTINUED

APPEAL #19482.B – PetSmart, Inc., variances 70-196.J(1)(f) and 70-196.J(1)(b) to erect a wall sign exceeding the permitted height and height above grade; S/side 1600 Marcus Ave., 170' E/of New Hyde Park Rd., Sec. 8, Blk. 302, Lot 27, B-A District.

GRANTED

APPEAL #19483.A - Acadia Marcus Avenue LLC (Smashburger), conditional use 70-126 and variance 70-103.A.1 to convert a retail space to a restaurant with insufficient off-street parking; S/side 1600 Marcus Ave., 170' E/of New Hyde Park Rd., Sec. 8, Blk. 302, Lot 27, B-A District.

GRANTED

APPEAL #19483.B - Acadia Marcus Avenue LLC (Smashburger), variance 70-196.J(1)(f) to erect a wall sign exceeding the permitted height above grade; S/side 1600 Marcus Ave., 170' E/of New Hyde Park Rd., Sec. 8, Blk. 302, Lot 27, B-A District.

GRANTED

CONTINUED CASES

APPEAL # 19268 – Irena Wojcik, request for determination, or in the alternative, variances 70-47.B, 70-47.1.B, 70-49.A, 70-51.E, and 70-100.2.A(2), to permit the maintenance of a two-family dwelling in a required side yard setback with insufficient lot area, lot width, and habitable floor area,

and a fence within a required front yard setback; N/side 17 Elm St., 526' E/of Glen Cove Rd., Greenvale, Sec. 20, Blk. J-6, Lot 111, R-C District. (4-4-12)

CONTINUED

APPEAL #19436 - Domenick Perruzza, request for determination, or in the alternative, variance 70-138 to maintain a dwelling unit within a mixed use building – not a permitted use; W/side 710 Port Washington Blvd., 70' N/of Davis Ave., Port Washington, Sec. 5, Blk. 129, Lot 140, B-B District.

CONTINUED

APPEAL #19464 - Abe Mathews, variance 70-49B and 70-49C, to construct one and two-story additions exceeding the permitted gross floor area; S/side 43 Bellwood Dr., 647.87' W/of Herricks Rd., Garden City Park, Sec. 9, Blk. 612, Lot 14, R-C District.

ADJOURNED

APPEAL #19465 - Faizal Ali & Nali Ali, variance 70-29.B to maintain a second story addition exceeding the permitted gross floor area; E/side 40 Hamilton Dr., 809.29' N/of Shelter Rock Rd., Roslyn, Sec. 9, Blk. 653, Lot 12, R-A District.

CONTINUED

RESERVED CASES

APRIL 10, 2013

APPEAL #19111 – Rosalind Lange, variances 70-49.B and 70-49.C to permit the construction of a sunroom exceeding the permitted gross floor area; W/side #33 Redwood Rd., 94' N/of Maple Dr., New Hyde Park, Sec. 8, Blk. 211-04, Lot 120, R-C District. (3-7-12)(11-14-12)

GRANTED

APPEAL #19466 - Peter Philiastides, variances 70-100.2.A(2) and 70-100.2.A(4) to maintain fencing exceeding the permitted height and beyond the front building line; S/side 326 Mineola Ave., 150' E/of Silverlake Blvd., Carle Place, Sec. 10, Blk. 16, Lot 11, R-C District. (3-6-13)

GRANTED IN PART, DENIED IN PART

APPEAL #19458 - Felix & Patricia Terraferma (Owner)/Otaki Sushi, Inc. (Applicant), conditional uses 70-139.A and 70-139.I, and variances 70-103.A, 70-208.F, 70-225.B(7)(a) and 70-229.A to maintain and construct interior alterations to convert a non-conforming retail space to a restaurant and fish market, a conditional use, with insufficient off street parking, maintenance of accessory structures, a conditional use and non-compliance with prior Appeal #15349; S/side 2136 Jericho Tpke., 51.76' W/of Old Broadway, Garden City Park, Sec. 33, Blk. 121, Lot 3, B-B District.

GRANTED

APPEAL #19470 - David Baron, variances 70-100.2.A(2) and 70-100.1B to maintain brick piers, fencing and brick archways within a required front yard setback; NW/cor. 82 Monterey Dr. and Valentine Dr., New Hyde Park, Sec. 8, Blk. 276, Lot 9, R- A District. (3-20-13)

GRANTED

AMENDED/CORRECTED DECISIONS

APRIL 10, 2013

APPEAL #19191 – Mitchell Reiffman, variances 70-103.A, 70-103.B, 70-103.H and 70-103.K to permit the conversion of an office building to medical use with insufficient parking and stall size, use of a remote site for parking and parking on a vacant property; S/W/cor. #111 East Shore Rd. & Cherry Lane, Manhasset, Sec. 2, Blk. 189, Lot 451, B-B District.

APPEAL #19264.A – Locust Partners, LLC (Owner/Applicant)/U. Arias Corp. (Applicant), appeal for determination, or in the alternative, conditional uses 70-103.K and 70-212.A and variance 70-212.B to permit the continued use of a vacant lot for parking and storage; W/side 65 and 73 Locust St., 300' S/of Hillside Ave., Manhasset, Sec. 3, Blk. 48, Lot 102, Business-B District.

APPEAL #19264.B – Locust Partners, LLC, appeal for determination, or in the alternative, variances 70-103.A, 70-103.F, 70-103.P, 70-145.A and 70-231 to permit the continued use of a property with insufficient off-street parking and loading zones, enclosed parking spaces, without direct access to a street, and vehicular entrance doors with insufficient setback; W/side 73 Locust St., 300' S/of Hillside Ave., Manhasset, Sec. 3, Blk. 48, Lot 101, Business-B District.

APPEAL #19264.C – Locust Partners, LLC (Owner)/U. Arias Corp. (Applicant), appeal for determination, or in the alternative, variances 70-103.B, 70-103.F, 70-103.O, 70-103.P, 70-138.G, 70-145.A, 70-208.F & 70-231 to permit the maintenance of an accessory use on the same lot as a non-conforming use for outdoor storage of vehicles and equipment, with insufficient parking stall dimension, width of drive aisle, number of loading zones, enclosed parking spaces, without direct access to a street, and vehicular entrance doors with insufficient clear space; W/side 65 Locust St., 250' S/of Hillside Ave., Manhasset, Sec. 3, Blk. 48, Lot 5, Business-B District.

APPEAL #19472 - Fifth Avenue of L.I. Realty (Owner)/Miracle Mile Restaurant (Cipollini), LLC (Applicant) conditional use 70-126.A and variance 70-229.A to expand a restaurant into an adjoining retail space, a conditional use, not in compliance with prior Appeal #17462; S/W cor. 2110C Northern Blvd., and Searingtown Road, Manhasset, Sec. 3, Blk. 183, Lot 190, B-A/P Districts.