

Town of North Hempstead

Chairman
David L. Mammina, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

**APPEAL #21545 – HR Port Tennis Owner, LLC; 100 Harbor Rd., Port Washington;
Section 5, Block A, Lot 333; Zoned: Business-A**

Variances §§ 70-133, 70-196(J)(1)(b), 70-196(J)(1)(f), 70-196(J)(2)(a), & 70-196(J)(2)(c) to install HVAC equipment too close to a side property line; wall signs that are too tall, too big, and too high above grade; and more than one ground sign on a property and ground signs that are too close to a property line.

Whereas, an application (SGP24-000017, SGP24-000018, SGP24-000019, CBP24-000022, CBP24-000024, SGP24-000021, SGP24-000022, CPH23-000135, CPG23-000125, BZA24-000034) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **June 5, 2024**, the appeal in the above-entitled matter was decided as follows:

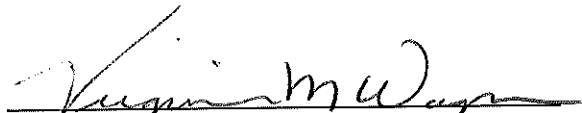
GRANTED of the dimension and in the location as shown on drawings prepared by Ricardo Zurita, R.A. dated April 7, 2023 and revised through February 28, 2024. and on drawings prepared by Valle Signs dated March 4, 2024 and revised through May 13, 2024 *as amended*.

Motioned by: Member Donatelli Seconded by: Member Goodsell

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Chairman Mammina

Nays: None

Absent: Vice Chairman Francis


VIRGINIA M. WAGNER
SECRETARY

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NOTICE OF DECISION

APPEAL #21546 - Blue Wave (Wei Yu); 344 Hillside Avenue, Williston Park; Section 9, Block 142, Lot 28; Zoned: Business-A

Variance from 70-103.O and conditional use §70-126.A to legalize existing work and to construct new interior alterations to convert a former retail space to an existing restaurant (a conditional use) and to legalize a drive aisle that is too narrow.

Whereas, an application (CBP23-000177, BZA24-000013) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **June 5, 2024**, the appeal in the above-entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Ky Fu dated November 28, 2022 and revised through March 25, 2024 **SUBJECT TO THE CONDITIONS CONTAINED IN THE ATTACHED RIDER.**

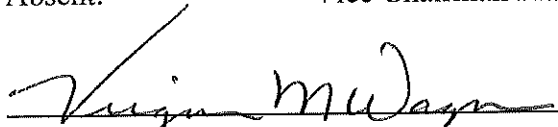
SEE ATTACHED RIDER

Motioned by: Member Goodsell Seconded by: Member Donatelli

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Chairman Mammìna

Nays: None

Absent: Vice Chairman Francis


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Board of Zoning Appeals

Town of North Hempstead

Rider to Appeal # 21546(Conditions)

APPEAL #21546 - Blue Wave (Wei Yu); 344 Hillside Avenue, Williston Park; Section 9, Block 142, Lot 28; Zoned: Business-A

Variance from 70-103.O and conditional use §70-126.A to legalize existing work and to construct new interior alterations to convert a former retail space to an existing restaurant (a conditional use) and to legalize a drive aisle that is too narrow.

1. That the applicant shall install and maintain a suitable refrigerated garbage locker within the building. There shall be no outdoor storage of putrescible waste generated by the proposed restaurant at any time. The applicant shall arrange for indoor carry-out pick-up with a licensed sanitation collector and shall forward a copy of the contract to the Building Official prior to the issuance of a Certificate of Occupancy or Certificate of Completion. All pick-up of sanitation shall be performed after 8:00 a.m.
2. That all exterior doors (with the exception of the primary customer entrance door) shall be of solid construction in a material permitted under the New York State Fire Prevention and Building Code, shall be equipped with self-closing hardware, and shall remain closed at all times except for ingress and egress.
3. At no time may the number of seats on the premises exceed 46 or the maximum occupancy of the building as permitted by the Place of Public Assembly license, whichever is less. For purposes of this condition, a seat is defined as any place on the premises where a patron may sit and be served, whether or not a person is seated there. A table set up with four chairs counts as four seats. The conditional use permit and/or variance set forth herein shall continue only for so long as there is compliance with this condition. If at any time the applicant is not in compliance with this condition, then the conditional use permit shall terminate, and the applicant must make a new application to the Board in order to continue the restaurant use.
4. That, if applicable, the applicant shall obtain a Place of Assembly or Place of Public Assembly License, as defined in the Town Code, from the Building Department prior to the issuance of a Certificate of Occupancy or Completion.
5. That the applicant shall comply with all laws, ordinances, rules and regulations of all public authorities having jurisdiction over the premises and that no Certificate of Occupancy or Completion shall be issued until absolute compliance has been proven to the Commissioner of the Buildings.
6. That the applicant and or its successor shall comply with Code §70-225B(7)(a). Any restaurant or retail food use must apply to the board of Zoning and Appeals if any of the following occurs:

[1]. an increase in the size of an approved kitchen by 20% of floor area of said kitchen, or 250 square feet, whichever is less, inclusive of prep areas, is proposed.

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[2]. The addition or removal of counter/kiosk service for the placement of a food order.

7. That the conditional use permit set forth herein shall continue only for so long as there is compliance with these conditions. If at any time the applicant is not in compliance with these conditions, then the conditional use permit shall terminate, and applicant must make a new application to this Board in order to continue the premises as a restaurant/food use.

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NOTICE OF DECISION

APPEAL #21555 – Justin & Nataly Hakimian; 17 Winfield Terrace, Great Neck; Section 2, Block 373, Lot 1; Zoned: Residence-A

Variance from §70-100.1A to legalize a gas firepit and gas barbeque in a side yard.

Whereas, an application (RBP24-000175, BZA24-000050) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **June 5, 2024**, the appeal in the above-entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Hooshang Nejathaim, P.E. dated February 25, 2024.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Member Goodsell

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Chairman Mammina

Nays: None

Absent: Vice Chairman Francis

A handwritten signature in black ink, appearing to read "Virginia M. Wagner", written over a horizontal line.

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NOTICE OF DECISION

APPEAL #21556 – Nicholas Nissorios; 85 Dover Rd., Manhasset; Section 3, Block 224, Lot 10; Zoned: Residence-A

Variance from §70-29.B to construct a one-story addition that would make the house too big.

Whereas, an application (RBP24-000298, BZA24-000054) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **June 5, 2024**, the appeal in the above-entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Michael Wallin, R.A. dated April 26, 2022 and revised through March 22, 2024.

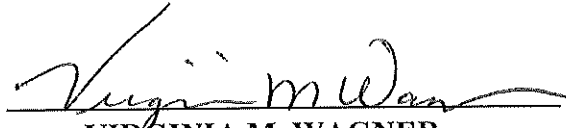
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Hernandez Seconded by: Member Donatelli

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Chairman Mammìna

Nays: None

Absent: Vice Chairman Francis


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NOTICE OF DECISION

APPEAL #21559 – Biju Lukose; 522 Sperry Blvd., New Hyde Park; Section 8, Block 347, Lot 38; Zoned: Residence-C

Variances from § 70-50.C to construct additions that would be too close to the street.

Whereas, an application (RBP24-000217, BZA24-000055) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **June 5, 2024**, the appeal in the above-entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Dennis T. Oliver, R.A. dated March 17, 2023 and revised through March 25, 2024.

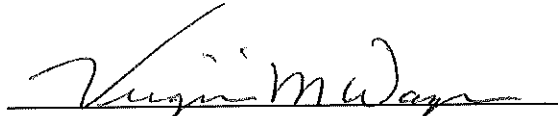
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Goodsell Seconded by: Member Hernandez

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Chairman Mammina

Nays: None

Absent: Vice Chairman Francis


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NOTICE OF DECISION

APPEAL #21563 – Anastasios Zoitas; 147 Aldershot Ln., Manhasset; Section 3, Block 231, Lot 1; Zoned: Residence-A

Variances from §§ 70-30.C & 70-30.B to legalize a covered porch converted to habitable space that is too close to the street (both primary and secondary front yard).

Whereas, an application (RBP24-000377, BZA24-000053) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **June 5, 2024**, the appeal in the above-entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Timothy John Costello, R.A. dated April 8, 2024 and revised through April 22, 2024.

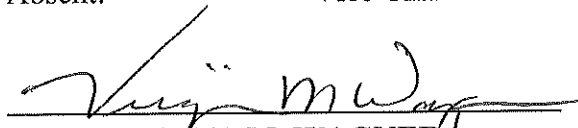
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Hernandez Seconded by: Member Donatelli

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Vice Chairman Francis, Chairman Mammìna

Nays: None

Absent: Vice Chairman Francis


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