

INCORPORATED VILLAGE OF MASSAPEQUA PARK
NASSAU COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN pursuant to the provision of the State of New York, that a Public Hearing will be held by the Zoning Board of Appeals in the Incorporated Village of Massapequa Park on **Wednesday, February 27, 2019 at 8:00 PM** in the Village Hall, 151 Front Street, Massapequa Park, New York 11762 for the following purposes:

Case No. 4121 To consider the variance application of Mr. Jeffrey Leyva & Ms. Weihong Lu, 180 Abbey Street, Massapequa Park, NY 11762 to maintain a four (4) foot solid fence in the front yard and the same in the second front yard, as well as a six (6) foot solid fence ALL in violation of Village Code.

Such proposal is in violation of Village Code: Chapter 345-40 (B1) Fences and Similar Obstructions which states: On corner plots, the front shall be limited to non-opaque, not solid fences no higher than 48 inches. The street side (side yard) shall be entitled to a six (6) foot opaque (solid) fence, provided a minimum 13 foot setback from the property line is maintained.

Existing four (4) foot solid fence starts at or around the front portion of the house and goes north, stopping 24 inches from the front property line, four (4) inches beyond the property line. The six (6) foot solid fence runs along the south property line, passes the east foundation, stops 15 feet past the foundation and then splays down to a four (4) foot solid fencing stopping zero (0) feet from the east property line. Then runs parallel to the sidewalk and returns to just front of the northeast corner foundation.

Case No. 4122 To consider the variance application of Mr. & Mrs. Robert Mason, 266 Walnut Street, Massapequa Park, NY 11762 to install a solid four (4) foot and six (6) foot fence and maintain an aluminum roof over patio in the second yard ALL in violation of Village Code.

Such proposals are in violation of the following Village Codes:

Chapter 345-40 (B1) Fences and Similar Obstructions which states: On corner plots, the front shall be limited to non-opaque, not solid fences no higher than 48 inches. The street side (side yard) shall be entitled to a six (6) foot opaque (solid) fence, provided a minimum 13 foot setback from the property line is maintained.

Proposed six (6) foot fence to start at northeast corner foundation and proceed east, stopping four (4) feet from the east property line, run parallel to the property line, and then caddy corner the fence before the driveway, and at the completion of caddy corner drop down to a four (4) foot solid fence and stop at front of garage.

Chapter 345-30 Permitted Structures in Front Yards which states: Allowed a front covered portico, porch, egress window well and a temporary storage container. Existing aluminum roof over patio canopy extends approximately five (5) inches beyond the east foundation wall which is 10.1 feet from the east property line and runs south, then returns to the house structure.

Case No. 4123 To consider the variance application of Mr. Greg Collura, 227 Willow Street, Massapequa Park, NY 11762 to maintain an existing rear yard pavilion, pool heater and a proposed garage without the required setbacks in violation of Village Code.

Such proposals are in violation of the following Village Codes:

Chapter 345-31 Rear and Side Yards which states: Must maintain a five (5) foot side yard setback and must maintain a fifteen foot rear yard setback. Existing pavilion is located in the northeast corner of parcel, six (6) inches from both the side and rear yards. Existing pool heater is located 3.2 feet from the west property line.

Chapter 345-31(E1) Exceptions which states: Except as otherwise provided in 345-32 a side or rear yard shall be open and unobstructed except for the ordinary projections of window sills, belt courses, cornices and other ornamental features to the extent of not more than four (4) inches, except that if the building is not over 2 ½ stories in height, the cornices or eaves may project not more than 18 inches into such yard. Proposed garage with rear storage to be located five (5) feet from east property line with its eaves to extend 24 inches, therefore six (6) inches further than allowed by code.

Case No. 4124 To consider the variance application of Mr. & Mrs. Robert Jacobs, 480 Oakdale Avenue, Massapequa Park, NY 11762 to erect a six (6) foot solid fence in the same location as the existing stockade fence in violation of Village Code.

Such proposal is in violation of Village Code: Chapter 345-40 (B1) Fences and Similar Obstructions which states: On corner plots, the front shall be limited to non-opaque, not solid fences no higher than 48 inches. The street side (side yard) shall be entitled to a six (6) foot opaque (solid) fence, provided a minimum 13 foot setback from the property line is maintained. Proposed fence to start at the south foundation approximately six (6) feet west of the east foundation and proceed south, stopping 1.6 feet south beyond south property line stopping 1.2 feet south of the southwest corner of parcel and then runs north along the west property line.

Case No. 4125 To consider the variance application of Mr. & Mrs. Wayne Docke, 20 Second Avenue, Massapequa Park, NY 11762, to maintain a partially built raised patio without the required rear yard setback in violation of Village Code.

Such proposal is in violation of Village Code: Chapter 345-31(A) Rear and Side Yards which states: Must maintain a 15 foot rear yard setback and a five (5) foot side yard setback to all structures. Existing raised patio is located 4.8 feet to rear property line.

Case No. 4126 To consider the application of Mr. & Mrs. Stratis Konstantinacos, 114 Thornwood Road, Massapequa Park, NY 11762 to maintain a built-in pool deficient in rear yard setback and of the required walkway in violation of Village Code.

Such proposal is in violation of Village Code: Chapter 345-41 (H,J) Pools, Walkways, Distances which states: An unobstructed walk area of not less than 24 inches wide shall be provided to extend entirely around pools below grade. Also, no portion of a pool, including walkways, pump, filters, showers, accessories or pool water disinfectants shall be located at a distance less than five (5) feet from any side or rear property line or building setback line. Pool is located 5.1 feet and 5.3 feet from west property line, and does not have the required two (2) foot walkway along the west side of the pool.

**By order of the Zoning Board of Appeals
February 7, 2019**