

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, December 14, 2022, at 8:00 PM** in the Village Hall, 151 Front Street, Massapequa Park, New York 11762 for the following purposes:

Case No. 4359 To consider the variance application of Ms. Rebecca Julian, 64 Linden Street, Massapequa Park, NY 11762 to install a six (6) foot fence atop of an existing two (2) foot retaining wall in violation of Village Code.

Such proposal violates Village Code Chapter 345-40 (F) Fences and similar obstructions which states: The height of a fence shall be measured from the natural grade of the property at all points along the fence run. The height of the fence shall be the highest point of the fence measured at natural grade. Man-made beams, retaining walls and other structures shall not be considered part of the natural grade.

Proposed six (6) foot fence to be installed atop an existing two (2) foot high retaining wall making finished elevation from natural grade to be eight (8) feet.

Case No. 4360 To consider the variance application of Mr. Ryan Einig, 80 Kings Walk, Massapequa Park, NY 11762 to erect a three (3) foot retaining wall along the second front yard, with a zero setback, a six (6) foot fence setback from wall one (1) foot east of wall and to maintain a shed in the second front yard all in violation of Village Code.

Such proposals are in violation of the following Village Codes:

Chapter 345-40 (A, F) Fences and Similar Obstructions which states: No person shall erect in any residential district of the Village a solid fence, such as but not limited to a basket-weave type fence, a solid board fence or any synthetic or metal solid fence that is greater than six (6) feet in height or is before the front house setback; nor shall there be erected in such zone any fence more than 48 inches in height, except in the rear of the front line of the house, in which case the same shall be not more than six (6) feet. The height of a fence shall be measured from the natural grade of the property at all points along the fence run. The height of the fence shall be the highest point of the fence measured at the natural grade. Man-made beams, retaining walls and other structures shall not be considered part of the natural grade.

Proposed three (3) foot tall concrete retaining wall to be installed in line with north foundation, to run along west property line with a zero (0) foot setback stopping at south property line and return going east for approximately eight (8) feet. Proposed six (6) foot tall fence to be erected one (1) foot east of retaining wall with an access gate to second front yard with gate opening up all within property line.

Chapter 345-43 (C) Sheds which states: No shed shall be allowed to stand in the front setback of the house, on the subject premises. Existing shed currently stands in the second front yard.

Case No. 4361 To consider the variance application of Mr. and Mrs. Robert Wick, 182 Pacific Street, Massapequa Park, NY 11762 to relocate and maintain a taller shed than allowed in violation of Village Code.

Such proposal violates Village Code Chapter 345-43 (A, B, C) Sheds which states: A shed for the purpose of this section is defined as a free standing structure of 120 sq. ft. or less with no permanent connection to any other structure. Any structure that has a permanent connection of electricity, water, drainage or a foundation shall be considered a permanent structure not covered by this section. A permanent structure requires a building permit and is subject to the building code requirements. Any shed as defined by this section shall have a vertical height of not more than nine (9) feet. Existing eleven foot tall shed to be relocated from rear yard to north side yard, two (2) feet taller than allowed by code.

Case No. 4362 To consider the variance application of Mr. Kooresh Shooshtary, 263 Von Huenfeld Street, Massapequa Park, NY 11762 to erect a new front addition and portico larger than allowed in violation of Village Code.

Such proposals are in violation of the following Village Codes:

Chapter 345-30 Front Yards which states: In a Residential District: 25 feet required. The addition is proposed at 24.1 foot setback to the front property line, deficient by zero point nine (0.9) feet.

Chapter 345-30 (D2) Permitted Structures in Front Yards which states: The following are permissible encroachments: a portico, porch, emergency egress well and a temporary storage container. A front covered portico shall have a width not greater than eight (8) feet. The roof line may only extend an additional one (1) foot on each end. A front covered portico cannot extend more than six (6) feet from the house line.

Proposed portico is 13' – 8 ½" wide at base with an overall roof width of 15 feet, which is five (5) feet eight and one half inches and five (5) feet respectively larger than code allows.

**By order of the Zoning Board of Appeals
November 23, 2022**