

**INC. VILLAGE OF MANORHAVEN  
BOARD OF ZONING APPEALS  
October 12, 2021, at 7:30 p.m. – AGENDA**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ATTENDANCE:**

**EXECUTIVE SESSION:**

**APPLICATIONS BEFORE THE BOARD:**

**Z612 – 10 Sintsink Drive East**, Port Washington, NY, 11050, S-4, B-L, L-212,216, The applicant seeks the following variances. 1- 155-40 (A). A nonconforming building or structure can be altered, extended, or enlarged only if such alteration, extension, or enlargement does not increase the existing nonconformity. The proposed plan increases the nonconforming use due to the residential use expansion not permitted in the Village of Manorhaven Zoning Code C-1 district. 2 - 155-17 (D) No building shall be erected to a height in excess of 26 feet or two stories, as measured from the established street grade. The proposed plans show that the existing height of the building is 28 feet high. The plans indicate expansion of the second-floor residential unit to 28 feet high, 2 feet higher than the Village of Manorhaven Zoning Code permits of 26 feet high. 3- 155-17 (J) The minimum rear yard setback shall be 10 feet. The proposed plans show an extension of the second floor residential 3 feet from the southeast corner to the rear property line. The Village of Manorhaven Zoning Code requires a 10 feet setback. This extension is 7 feet closer than the Village of Manorhaven Zoning Code permits it to be. 4 - 155-45 (J) In commercial or industrial districts, each off-street parking area shall have an area of not less than 10 feet by 20 feet, with access drives or aisles, in usable shape and condition, not less than 20 feet. The proposed plans indicate parking spaces of only 9 feet wide where Village of Manorhaven Zoning Code requires 10 feet wide spaces, 1 foot less than Code requires. 5- 38-4 (A) Building Permits. Building permits required. Except as otherwise provided in Subsection B of this section, a building permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Code Enforcement Officer. The proposed plans indicate an illegal lean to garage structure constructed without the required permit in violation of the Village of Manorhaven Zoning Code. The applicant has stated that they will remove this structure.

**Re: Z612 - Legal Counsel for Applicant has requested matter to be adjourned to November 9<sup>th</sup>, 2021.**

**BOARD/APPLICANT COMMENTS:**

**PUBLIC COMMENT:**

**Z595 - 59 Orchard Beach Boulevard**, Port Washington, NY, 11050, S-4, B-59, L-636 in Zone R4. (Continued hearing) Applicant, Pond Ridge Homes, seeks the following variances: (1) Section 155 – 16 (B) of the Village Code in order to construct a building with a building area of 45.02% of the lot area where the maximum permitted is 35%; (2) Section 155 – 35 (A) of the Village Code in order to maintain the eaves that project into the side yards by 42 inches when cornices, eaves, and gutters cannot project more than 24 inches into side yards; and (3) Section 155 – 35 (E) of the Village Code in order to maintain an open side entry stair leading to the second floor under both the left and right side of the building when the Code does not permit entry stairs on the side of the structure leading to a second-story, either open or enclosed, covered or uncovered.

**BOARD/APPLICANT COMMENTS:**

**Z608 – 87 Firwood Road**, Port Washington, NY, 11050, S-4, B-80, L-47,48 in Zone R4. The applicant seeks the following variances 1-155-13.1 (J) The maximum allowed building lot coverage, for a two-family dwelling, shall be 25%. The proposed building lot coverage is 32%, 7% more than Village of Manorhaven Zoning Code permits. 2-155-35 The proposed plans show a stairway to cellar located on the right or north side of dwelling. This stairway is not a side yard permitted encroachment into required side yards as per Village of Manorhaven Zoning Code.

**BOARD/APPLICANT COMMENTS:**

**PUBLIC COMMENT:**

**Z609 – 37 Cottonwood Road**, Port Washington, NY, 11050, S-4, B-77, L-43,44 in Zone R1. The applicant seeks the following variances: 1-155-13.1 (J) The maximum allowed building lot coverage, for a two-family dwelling, shall be 25%. The proposed plans show a building lot coverage of 29%, 4% more than Village of Manorhaven Zoning Code permits. 2-155-35 The proposed plans show a stairway to cellar located on the right or north side of dwelling. This stairway is not a permitted encroachment in a side yard per Village of Manorhaven Zoning Code.

**BOARD/APPLICANT COMMENTS:**

**PUBLIC COMMENT:**

**Z611 – 38 Dunwood Road**, Port Washington, NY, 11050, S4-, B-77, L-11,12 in Zone R1. The applicant seeks the following variances: 1 - 155-13.1 (G) Residential District R-1 - No building shall exceed two stories or 26 feet in height measured from established street Grade. The proposed height is 29 feet 10 inches as measured from the street grade, 3’10” higher than Village Code allows. 2 - 155-13.1 (J) Residential District R-1 - The maximum allowed building lot coverage, for a two-family dwelling shall be 25%. The proposed building lot coverage is 29.3 % including the stairs which are over 24 inches tall, 4.3% greater than the Village Code allows. 3 - 155-35 Appurtenance Construction. The proposed plans show two rear stoops, two air conditioners and two emergency escape window wells encroaching into the minimum rear yard setback of 20 feet. The proposed setbacks are 14’7” for the stoops, 17’ for the air conditioners and 17’3” for the emergency escape window wells and are not permitted appurtenance encroachments of the Village Code. 4 - 155-45K (2) Curb cuts in residential district - The Village Code requires only one curb cut maximum of 16 feet wide in all new dwellings. The proposed plans show two separate driveways with curb cuts of 8 feet wide each, which is in violation of Village Code.

**BOARD/APPLICANT COMMENTS:**

**PUBLIC COMMENT:**

**ADJOURNMENT:**

**The next BZA Meeting is Tuesday, November 9th at 7:00 p.m.**

Alex Kovacevic  
Village Deputy Clerk-Treasurer, Acting Secretary to the BZA  
Dated: October 6, 2021