

**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, June 10, 2015** at **8:00 PM** in the Village Hall, 151 Front Street, Massapequa Park, New York 11762 for the following purposes:

**Case No. 3896** To consider the variance application of Mr. and Mrs. Robert Berardi, 54 Eastlake Avenue, Massapequa Park, NY 11762 to maintain an existing fixed awning over partial rear yard deck in violation with Village Code.

Such proposal is in violation of Village Code Chapter 345-28 (C) Lot Coverage which states: Maximum lot coverage permitted is 30%. Existing fixed awning is 34.2%

**Case No. 3897** To consider the variance application of Mr. Joshua Stone, 1301 Lakeshore Drive, Massapequa Park, NY 11762 to erect a six (6) foot fence and maintain an a/c condenser in the second front yard in violation with Village Codes.

Such proposal violates the following: Village Codes Chapter 345-40(B1) Fences and Similar Obstructions which states: On corner plots the front side 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 property line is maintained. Proposed fence would be located with a zero (0) setback to and along north property line. Chapter 345-30(D) Permitted Structures in Front Yards which states: The following items are permissible encroachments; a portico, porch, and a temporary storage container. Existing central air conditioning condenser is located approximately one foot from north foundation line.

**Case No. 3898** To consider the variance application of Mr. and Mrs. Scott Fauvell, 285 Pennsylvania Avenue, Massapequa Park, NY 11762 to erect a six (6) foot fence in the second front yard in violation of Village Code.

Such proposal violates Village Code Chapter 345-40(B1) Fences and Similar Obstructions which states: On corner plots the front side 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 would be located with a zero (0) setback to and along west property line.

**Case No. 3899** To consider the variance application of Mr. Sandro Chilelli, 5 Van Buren Street, Massapequa Park, NY 11762 to install a built in pool without the required setbacks and install pool heater and filter in the second front yard, maintain two (2) a/c condensers in second front yard, and to maintain a side yard shed too close to property line in violation of Village Codes.

Such proposals are in violation of Village Code Chapters 345-41 (H, J) Pools, Walkways, Distances, which states: 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) ft. from any side or rear property line or building set back line. Proposed pool to be located five (5) ft. from rear property line which is two (2) ft. less than required by code. Walkway is 2 ft. wide with a three (3) foot setback to property line which is two (2) ft. less than required. Proposed pool heater and filter to be located 15 ft. from S/E property line which is 16.88 ft. more forward then allowed by code.

Village Code Chapter 345-43(B) Sheds, which states: All sheds on residential property in Residential A and AA Districts in the Incorporated Village of Massapequa Park shall be a minimum of two (2) ft. from the rear and either side of the property line. The furthest point of a shed, be it the base or the overhang, shall be a minimum of two (2) ft. from the rear and either side of the property line of the subject premises. Existing shed has a one (1) foot setback at base and a zero (0) setback at roof to (NW) side property line.

Village Code Chapter 345-30(D) Permitted Structures in Front Yards which states: The following items are permissible encroachments; a portico, porch, and a temporary storage container. Existing central air conditioning condensers are located 24.88 ft. from (SE) property line.

**Case No. 3900** To consider the variance application of Mr. and Mrs. Michael DeMainto, 51 Fulton Street, Massapequa Park, NY 11762 to maintain an existing six (6) ft. fence in official front yard and an existing shed in rear yard in violation of Village Codes.

Such proposal is in violation of Village Code Chapter 345-40(B1) Fences and Similar Obstructions which states: On corner plots, the front side shall be limited to nonopaque, not solid fences no higher than 48 inches. The street side (side yard) shall be entitled to a six (6) ft. opaque (solid) fence, provided a minimum 13 ft. setback from the property line is maintained. To maintain a six (6) ft. solid fence starting at the south corner of garage goes east approximately three (3) ft. then south for 23 ft. stopping 2.7 ft. from south property line then runs parallel stopping at east side property line.

Village Code Chapter 345-43(B) Sheds which states: All sheds on Residential A and AA Districts in the Incorporated Village of Massapequa Park shall be a minimum of two (2) ft. from the rear and either side of the property line. The furthest point of a shed, be it the base or the overhang, shall be a minimum of two (2) ft. from the rear and either side of the property line of the subject premises. Existing shed is located one ft. from rear property line.

**Case No. 3901** To consider the variance application of Ms. Michele Borget-Devos, 310 Lakeshore Blvd., Massapequa Park, NY 11762 to construct a masonry counter with gas BBQ and install a hot tub in violation of lot coverage.

Such proposal is in violation of Village Code Chapter 345-28(C) Lot Coverage which states: maximum allowed lot coverage is 30%. Proposed is 37.40%

**By order of the Zoning Board of Appeals  
May 21, 2015**