

**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, August 12, 2015 at 8:00 PM** in the Village Hall, 151 Front Street, Massapequa Park, New York 11762 for the following purposes:

**Case No. 3910** To consider the variance application of Mr. and Mrs. Nicholas Feliciano, 348 Broadway, Massapequa Park, NY 11762 to erect a six (6) foot fence in the second front yard without the required 13' setback.

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". 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 4.26 feet from north property line.

**Case No. 3911** To consider the variance application of Mr. Peter Montalvo, 420 New York Avenue, Massapequa Park, NY 11762 to erect a gazebo partially in second front yard and to erect a six (6) foot fence, (5 feet solid with 1 foot lattice) in the second front yard in violation of Village Codes.

Such proposals are in violation of 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. Proposed gazebo to be located 3'6" into second front yard setback or 21.5' to north property line. 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". 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 1.25 feet to north property line.

**Case No. 3912** To consider the variance application of Mr. Elias Dombrowiecki, 244 Koehl Street, Massapequa Park, NY 11762 to erect a six (6) foot fence in the second front yard of this through lot in violation of Village Code.

Such proposal violates Village Code Chapter 345-4(A) Fences which states: Erection restricted. No person shall erect in any residential district of the Village a solid fence, such as but 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, excepting in the rear of the front line of the house, in which case the same shall not be more than six (6) feet. Proposed six (6) foot fence would be located with zero (0) foot setback to south property line.

**Case No. 3913** To consider the variance application of Mr. and Mrs. Thomas Gannon, 387 Michigan Avenue, Massapequa Park, NY 11762 to maintain and refurbish finished basement with three piece bath due to water damage which is on a non-conforming lot in violation of Village Code.

Such proposal violates Village Code Chapter 345-28(F) Lot and Building Area which states: After December 29, 1999, the minimum lot area to be erected or altered shall, as stated in the existing law of 345-28, have a minimum lot area of 8,000 square feet, and each lot shall have at least 80 feet in front and rear and shall be at least 100 feet in depth on both sides. Existing irregular lot area is less than the required 8,000 square feet.

**Case No. 3914** To consider variance application of Mrs. Tea Ja Jung, 228 Ocean Avenue, Massapequa Park, NY 11762 to maintain an existing approved screened in porch converted to habitable space in violation of side yard setback.

Existing structure is in violation of Village Code Chapter 345-31 Rear and Side Yards which states: Must maintain a five (5) foot side yard setback. Existing porch is located 3.2 feet to north property line.

**By order of the Zoning Board of Appeals  
July 23, 2015**