

**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, July 13, 2016 at 8:00 PM** in the Village Hall, 151 Front Street, Massapequa Park, New York 11762 for the following purposes:

**Case No. 3964** To consider the variance application of Mr. Raymond Bombardiere, 19 Wilson Street, Massapequa Park, NY 11762 to maintain an above ground partially sunk pool with decking, fence, shed, c/a condenser, and generator ALL in violation of Village Codes.

Such proposal violates Village Code Chapter 345-41 (H, J) Pools, Walkways, Distances, which states: Among other things 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 setback line. Pool and pool equipment are located approximately two (2) ft. before the building setback line. Deck is located approximately six (6) inches from side property line.

Chapter 345-43 Sheds which states: Side and rear yard setbacks must be greater or equal to two (2) ft. and shed cannot exceed 120 sq. ft. Existing shed is located 2.4 inches to (N) and 1.1 ft. to (S) property lines and exceeds maximum allowable square footage by 11.55 sq. ft.

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". Existing six (6) ft. solid fence is located approximately 4.5 ft. before the building setback line.

Chapter 345-30 (D2) Permitted Structures in Front Yards which permits only a front covered portico, front porch or temporary storage container. Existing c/a condenser and generator are both located in second front yard 27.1 ft and 26.5 ft. respectively from (W) property line.

**Case No. 3965** To consider the variance application of Marina McGowan, 191 Rose Street, Massapequa Park, NY 11762 to install a six (6) ft. solid fence in the second front yard with zero (0) setback to property line 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". The street side (side yard) shall be entitled to a six (6) foot opaque solid fence provided a minimum 13 ft. setback from the property line is maintained. Proposed fence would be located with zero (0) setback from east property line.

**Case No. 3966** To consider the variance application of Mr. and Mrs. William Moran, 217 Second Avenue, Massapequa Park, NY 11762 to maintain a three (3) ft. solid with one (1) ft. lattice to make a four (4) ft. high fence in the front yard and scallops up to six (6) ft., and maintain a shed without proper rear setbacks in violation of Village Codes.

Such proposal violates Village Code Chapter 345-40(A) 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) ft. 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 be not more than six (6) ft.

Existing fence is solid and exceeds maximum height allowed in front yard.

Such proposal violates Village Code Chapter 345-43 Sheds which states: all sheds shall be a minimum of two (2) ft. from rear and side property lines. Existing shed is located approximately 1.1 ft. from rear property line.

**Case No. 3967** To consider the variance application of Mr. and Mrs. Gerard Casey, 370 Maryland Avenue, Massapequa Park, NY 11762 to maintain a six (6) foot solid fence; five (5) foot solid with one (1) foot lattice, located in second front yard without the proper setbacks.

Such proposal is in violation of Village Code Chapter 345-40(A) Fences and Similar Structures which states only allowed a four (4) foot open picket in front yard and allowed a six (6) foot solid fence only in line with or behind front foundation.

Such proposal is in violation of Village Code Chapter 345-40(B1) Fences and Similar Obstructions – corner plots which states a six (6) foot fence is allowed in the second front yard only if fence is setback 13 feet from property line. Existing fence going towards Philadelphia Avenue is 3.8 feet in from property line.

**Case No. 3969** To consider the variance application of Mr. Daniel Boland, 403 Broadway, Massapequa Park, NY 11762 to maintain a side yard shed too close to side property line and a side yard roof over ALL in violation with Village Codes.

Existing shed is in violation of Village Code Chapter 345-43 Sheds which states: Side and rear yard setbacks must be greater or equal to two (2) feet, shed is (1.5) feet from south property line. Existing side yard roof over is in violation with Village Code Chapter 345-31 Rear and Side Yards which states: Must maintain a five (5) foot side yard setback. Roof over located on (N) side of property is erected on property line with zero (0) setback.

**By order of the Zoning Board of Appeals  
June 24, 2016**