

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, February 15, 2017 at 8:00 PM** in the Village Hall, 151 Front Street, Massapequa Park, New York 11762 for the following purposes:

Case No. 3994 To consider the variance application of Mr. Nicholas Varelakis, 70 St. Regis Drive, Massapequa Park, NY 11762 to maintain the following items; above ground pool partially sunk, six (6) foot scalloped solid fence, pool equipment, shed, ALL in second front yard and second shed in violation of Village Code.

Existing structures are in violation of Village Codes 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) foot opaque (solid) fence, provided a minimum 13-foot setback from the property line is maintained. Existing six (6) foot scalloped solid fence located in the second front yard starts setback in from front foundation line and goes to and beyond west property line by 3.6 inches and splays to 4.8 inches stopping beyond the south property line. Fence then continues to and beyond south property line by six (6) inches and splays to 9.6 inches stopping at east 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. Chapter 345-43 Sheds which states: Side and rear yard setbacks must be greater or equal to two (2) feet. Existing shed is located in the second front yard 16.8 inches from west property line and 21.6 inches from south property line. Other shed in rear (SE) corner of yard is located 12 inches from east property line and 15.6 inches from south property line. Existing pool is located in the second front yard 6.3 feet from west property line and 8.1 feet from south property line.

Such proposals are in violation of Village Code Chapters 345-41 (H, J) Pools, Walkways, Distances, which states; An unobstructed walk area not less than 24 inches wide shall be provided to extend entirely around pools below grade. Also, 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) feet from any side or rear property line or building set back line.

Existing pool equipment is located approximately one (1) foot to rear and side property lines.

Case No. 3995 To consider the variance application of Mrs. Hilary Hartung 175 Avoca Avenue, Massapequa Park, NY 11762 to maintain a taller than six (6) foot fence atop an on-grade deck and wood platform and shed beyond allowable lot coverage which violates Village Code.

Such proposal is in violation of Village Code Chapter 345-40 (A) Fences and Similar Obstructions which states: Erection restricted. 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, excepting in the rear of the front line of the house, in which case the same shall be not more than six (6) feet.

Existing fence with lattice atop varies from grade 7.25 feet to approximately 9.0 feet from grade by house.

Such proposal is in violation of Village Code Chapter 345-28 (C) Lot and Building Area which states: In a residential district the maximum lot coverage permitted shall be 30%. Existing coverage is 32.7%.

Case No. 3996 To consider the variance application of Mrs. Kathleen Bordengo, 271 Eastlake Avenue, Massapequa Park, NY 11762 to maintain an emergency basement egress window and air conditioning condenser unit in violation with Village Code.

Such proposal 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 egress window is located 4.33 feet to side property line. Existing condenser is located 4.5 feet to side property line.

**By order of the Zoning Board of Appeals
January 27, 2017**