

NOTICE IS HEREBY GIVEN that the BOARD OF ZONING APPEALS of the INCORPORATED VILLAGE OF EAST HILLS has scheduled a meeting and public hearings has scheduled a meeting and public hearings for August 24, 2021 at 6:00 P.M. at the Village Hall, 209 Harbor Hill Road, East Hills, New York to consider the following:

**DAVID AND LISA SCHWARTZ** request a SPECIAL EXCEPTION AND FIVE VARIANCES for the property known as 5 HICKORY DRIVE, designated as Section 7 Block 264 Lot 6 on the Nassau County Land and Tax Map and in the R1 District of the Village. Pursuant to East Hills Code §271-139(A), swimming pools require a special exception from the Zoning Board of Appeals. Pursuant to East Hills Code § 271-14(A), the maximum allowable fence height is 4 feet. Pursuant to East Hills Code § 271-143(A)(1) and (3), pool enclosure fences must of the chain link type, and be erected completely enclosing the pool at least five feet from the edge of the pool and at least 15 feet from any property line. Therefore, variances are requested for the proposed 5 foot fence, partially of the estate type, located along the property line. Pursuant to Village of East Hills Code § 271-143(A)(6), water from swimming pools must discharge into a single and separate drywell. No drywell is proposed. Therefore, a variance is requested. Pursuant to East Hills Code § 271-23(B), accessory buildings and structures shall be not less than 15 feet distant from the main building. The proposed pool is setback 12 feet 4 inches from the home. Therefore, a 2 foot 8 inch setback variance is requested.

**GARY FALKOWITZ** requests ONE VARIANCE for the property know as 105 POPLAR DRIVE designated as Section 7 Block 299 Lot 95 on the Nassau County Land and Tax map and in the R1 District of the Village. Village of East Hills Code §271-32(C), Yards, requires a minimum rear yard setback of 30 feet for properties in the R1 zone. The proposed covered porch has a 21.5 foot rear yard setback. Therefore, a variance is requested for 8.5 feet of rear yard setback.

(CONTINUED FROM MAY 18, 2021) **KEVIN SMART** requests a SPECIAL EXCEPTION AND FOUR VARIANCES for the property know as 5 PALM COURT designated as Section 7 Block 195 Lot 17 on the Nassau County Land and Tax map and in the R1 District of the Village. By Revised Denial Letter dated July 13, 2021, pursuant to East Hills Code §271-139(A), swimming pools require a special exception from the Zoning Board of Appeals. Pursuant to East Hills Code § 271-14(A), the maximum allowable fence height is 4 feet. Pursuant to East Hills Code § 271-143(A)(1) and (3), pool enclosure fences must of the chain link type, and be erected completely enclosing the pool at least five feet from the edge of the pool and at least 15 feet from any property line. Therefore, variances are requested for the proposed 5 foot fence, of the estate type, located along the property line and on the retaining wall (retaining wall fence height will be 7 feet, 3 foot estate fence on 4 foot retaining wall). Pursuant to East Hills Code § 271-23(A), Accessory buildings and uses, accessory buildings or structures shall not occupy more than 20 percent of the rear yard (1,611.4 sf). The proposed rear yard lot coverage is 2,291 sf. Therefore, a variance is requested for 679 sf of rear yard lot coverage.

**EVAN HECHT** requests a SPECIAL EXCEPTION AND FOUR VARIANCES for the property know as 250 ELM DRIVE designated as Section 7 Block 276 Lot 17 on the Nassau County Land and Tax map and in the R1 District of the Village. By revised denial letter Dated July 13, 2021, pursuant to East Hills Code §271-139(A), swimming pools require a special exception from the Zoning Board of Appeals. Pursuant to East Hills Code § 271-14 (A), the maximum allowable fence height is 4 feet. Pursuant to East Hills Code § 271-143(A)(1) and (3), pool enclosure fences must of the chain link type, and be erected completely enclosing the pool at least five feet from the edge of the pool and at least 15 feet from any property line. Therefore, variances are requested for the proposed 5 foot fence, partially of the estate type, and located along the property line. Pursuant to East Hills §271-30, Lot coverage, all buildings, including accessory buildings, shall not cover more than 25 percent of the area of the plot (4,809.7 sf). The proposed lot coverage is 5,365.4 sf. Therefore, a variance is requested for 555.7 sf of lot coverage.

Comments with respect to the applications may be submitted prior to the meeting by email to [nfuteran@villageofeasthills.org](mailto:nfuteran@villageofeasthills.org). Maps and plans regarding the below applications are available for inspection on the Village's website at [www.villageofeasthills.org/meetings](http://www.villageofeasthills.org/meetings).

BY THE ORDER OF THE BOARD OF APPEALS  
INCORPORATED VILLAGE OF EAST HILLS  
Michael Kosinski, Chairman  
Dated: August 4, 2021