

NOTICE IS HEREBY GIVEN that the BOARD OF ZONING APPEALS of the INCORPORATED VILLAGE OF EAST HILLS has scheduled a meeting and public hearings for May 18, 2023 at 6:00 PM at the Village Hall, 209 Harbor Hill Road, East Hills, NY 11576 to consider the following:

(RE-OPENING OF HEARING FROM MARCH 14, 2023) **DAVID RIMSHNICK** requests FIVE VARIANCES for the property known as **15 ARLINGTON COURT**, designated as Section 19 Block 39 Lot 56 on the Nassau County Land and Tax Map and in the R-1 District of the Village. Pursuant to East Hills Code §271-32(B), Yards, the minimum side yard for the R-1 residential district is 15 feet. The proposed screened in porch is 10.55 feet from the side yard. Therefore a variance is requested for 4.45 feet of side yard setback. Pursuant to East Hills Code §271-32(C), Yards, the minimum rear yard for the R-1 residential district is 30 feet. The proposed screened in porch is 28.84 feet and 26.81 feet from both rear corners of the structure. Therefore, variances are requested for 1.16 feet and 3.19 feet of rear yard setback, respectively. Pursuant to East Hills Code §271-229(B), Exception to Building Height Provisions, accessory buildings shall not exceed a height of 10 feet from the adjacent grade to the highest point of the roof. The proposed roof height is 18.42 feet above grade. Therefore, a variance is requested for 8.42 feet of accessory building height. Pursuant to East Hills Code §271-130(H), Board of Appeals Powers, the Zoning Board of Appeals, in its decision dated July 11, 1996, granted a side yard variance for a rear yard deck. This variance allowed for a minimum side yard to be 11 feet. However, the new proposed rear yard deck is 9.01 feet from the side yard. Therefore, a variance is requested for an additional 1.99 feet of side yard setback. By the Zoning Board of Appeals decision dated July 11, 1996, a six foot rear yard variance was granted for the wood deck. The existing wood deck is 5.47 feet from the rear yard lot line. Therefore, a variance is required for an additional 0.53 feet of rear yard setback.

DAVE REVETTE, PE OF DEWBERRY ENGINEERS ON BEHALF OF TESLA (TENANT) AND SUBURBAN PROPERTIES LLC (OWNER) (CONTINUED FROM MARCH 14, 2023 meeting) requests SEVENTEEN VARIANCES for the property known as **310 ROSLYN ROAD**, designated as Section 7 Block P Lot 34 on the Nassau County Land and Tax Map and in the Business A District of the Village. Pursuant to East Hills Code §271-75(A), required frontage and setbacks, all buildings or structures shall be setback a minimum of 100 feet from any street or highway line. The application is for an electrical transformer on the property line and an electrical vehicle charging station 10 feet from the property line, as well as seven (7) additional electric vehicle charging stations all within the 100 foot setback. Therefore, variances are requested for zero (0) feet of setback for the electrical transformer (100 foot variance), 10 feet setback for the main electrical charge station (90 foot variance), and seven (7) additional setback variances for the additional electrical charge stations. Pursuant to East Hills Code §271-7(B) and §271-77(E)(1), parking spaces must be 10 feet by 20 feet in size. The application is for (7) parking spaces 9 feet by 18 feet in size. Therefore variances are requested for the parking space sizes. Pursuant to East Hills Code §271-77(E)(1), parking area, the total square foot area for accessory parking of vehicles shall be four times the floor area of retail space, or 59,091.36 sf for this property. There is an existing total square footage of 15,714.0 sf of parking spaces. This proposal indicates elimination of 1,296.0 sf of parking area currently available for general public use. Therefore a variance is requested for total parking area square footage.

BORIS SHAKMUROV requests TWO VARIANCES for the property known as **59 CIRCLE LANE** designated as Section 7 Block 124 Lot 10 on the Nassau County Land and Tax Map and in the R-3 District of the Village. Pursuant to East Hills Code §271-52, Lot coverage, all buildings, including accessory buildings and structures shall not cover more than 25% of the area of the lot, or 2,609.25 sf for your property. The proposal indicates a total lot coverage of 3,030.4 sf. Therefore, a variance is requested for 421.15 sf of lot coverage. Pursuant to East Hills Code §271-558(A), Accessory Buildings and Uses, accessory buildings, including structures and accessory equipment, shall not occupy more than 10% of the rear yard, or 281.5 sf for your property. The proposal indicates a rear yard coverage of 599 sf. Therefore, a variance is requested for 317.5 sf of rear yard lot coverage.

MICHELLE TICHNER requests **THREE VARIANCES** for the property known as **17 ENTRANCE ROAD** designated as Section 7 Block 121 Lot 3 on the Nassau County Land and Tax Map and in the R-2 District of the Village. Pursuant to East Hills Code §271-43(B), the two side yards must have an aggregate width of 30 feet minimum, with no side less than 10 feet in width. The pre-existing non-conforming garage is 9.7 feet from the property line, thereby requiring a side yard on the opposite (south) side of 20.3 feet. The proposal indicates a second story addition that is 13.3 feet from the property line. Therefore, a variance is requested for 7 feet of side yard aggregate setback. East Hills Code §271-234, stipulates the limitations for rear yard height/setback ratios. The proposal indicates a violation of the height/setback requirements. Therefore, a variance is requested for 6 inches of rear yard height/setback ratio. Pursuant to East Hills Code §271-43(C); Yards, the minimum rear yard depth from the primary dwelling is 25 feet. The proposal indicates the rear second story addition to be 22.6 feet from the property line. Therefore, a variance is requested for 2.4 feet of rear yard setback.

JONATHAN MORRIS requests a **SPECIAL EXCEPTION** and **TEN VARIANCES** for the property known as **10 FERN DRIVE** designated as Section 7 Block 289 Lot 1 on the Nassau County Land and Tax Map and in the R-1 District of the Village. Pursuant to East Hills Code §271-143(A), pools of permanent construction 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 be 5 feet in height, of the chain link type, and must 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. The application is for a 5 foot, metal estate-type fence on the property line. Therefore, variances are requested for fence height, fence location and fence type. Pursuant to East Hills Code §271-30, Lot Coverage, all buildings, including accessory structures and equipment, may not occupy more than 25 percent of the total lot (5,008.7 sf for this property). The proposed total lot coverage is 5,469.5 sf. Therefore, a variance is requested for 460.8 sf of total lot coverage. Pursuant to East Hills Code §271-23(A), Accessory buildings and uses, accessory buildings and structures, including accessory equipment, shall not occupy more than 20 percent of the rear yard, or 1,030.04 sf for this property. The proposal indicates a total rear yard lot coverage of 1,587 sf. Therefore, a variance is requested for 556.96 sf of rear yard lot coverage. East Hills Code §271-143(A)(2) requires all pools to be located a minimum of 20 feet from all property lines. The proposal indicates that the southwest corner of the pool will be 9 feet from the property line. Therefore, a variance is requested for 11 feet of pool setback from the property line. East Hills Code §271-143(A)(2) requires all pools to be located a minimum of 20 feet from all property lines. The proposal indicates that the northwest corner of the pool will be 17.3 feet from the property line. Therefore, a variance is requested for 2.7 feet of pool setback from the property line. Pursuant to East Hills Code §271-142(B), no pool shall be closer than 20 feet from any cesspool or drywell. The proposal indicates a drywell 15.9 feet from the pool. Therefore, a variance is requested for 4.1 feet of drywell setback. East Hills Code §271-143(A)(6) states that separate drywells are required for pool drainage/backwash operation. The proposal lacks such a drywell and therefore a variance is requested for a separate drywell for pool drainage and backwash. East Hills Code §271-143(A)(10)(i) requires that all heaters and pool equipment must be located immediately adjacent to the residence or no closer than 75 feet from the nearest residence. If the distance from the proposed pool equipment to the nearest residence is less than 75 feet distant, a variance is requested.

Maps and plans regarding the above applications are available for inspection on the Village's website at www.villageofeasthills.org/meetings.

BY THE ORDER OF THE BOARD OF APPEALS
INCORPORATED VILLAGE OF EAST HILLS
Michael Kosinski, Chairman
Dated: May 3, 2023