

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 June 13, 2023 at 6:00 PM at the Village Hall, 209 Harbor Hill Road, East Hills, NY 11576 to consider the following:

**LACEY AND JASON LAZAR** request SEVEN VARIANCES for the property known as 141 TARA DRIVE designated as Section 19 Block 47 Lot 13 on the Nassau County Land and Tax Map and in the R-1 District of the Village. Pursuant to East Hills Code §271-30, Lot Coverage, all buildings, including accessory structures and equipment shall not cover more than 25% of the lot, or 3,882.5 sf for this property. The proposal indicates a total lot coverage of 3,983.0 sf. Therefore, a variance is requested for 100.5 sf of lot coverage. Pursuant to East Hills Code §271-32(B), Yards, aggregate widths of the two side yards shall have a minimum of 40 feet. The proposal indicates a rear roof over porch 22.3 feet from the side property line. The existing opposing side yard is 7.8 feet, providing an aggregate side yard of 30.1 feet. Therefore, a variance is requested for 9.9 feet of aggregate side yard setback. Pursuant to East Hills Code §271-32(C), Yards, minimum depth of rear yard is to be 30 feet. The proposal indicates the rear covered patio to be 27.0 feet from the rear property line. Therefore, a variance is requested for 3.0 feet of rear yard setback. Pursuant to East Hills Code §271-32, Front Yard Limitations, the R-1 residential district has a front yard height setback ratio of 0.6. The proposal indicates a violation of this code provision for both of the proposed second floor reverse gables. Therefore, a variance is requested for 5 feet 11 inches of front yard height setback ratio for both gables. Pursuant to East Hills Code §271-232, Front Yard Limitations, the R-1 residential district has a front yard height setback ratio of 0.6. The proposal indicates a violation of this code provision for the new reverse gable over the existing garage. Therefore, a variance is requested for 11 inches of front yard height setback ratio. Pursuant to East Hills Code §271-233, Side Yard Limitations, the R-1 residential district has a side yard height setback ratio of 1.2. The proposal indicates a violation of this code provision on the North side. Therefore, a variance is requested for 1 foot 6 inches of side yard height setback ratio. Pursuant to East Hills Code §271-236(D), Exterior Wall Interruptions, at least 10% of each and every exterior wall shall be comprised of fenestration. The proposal indicates a violation of this code provision on the South elevation. Therefore, a variance is requested for the 10% requirement for wall fenestration.

**JUSTIN AND REBECCA BEERE** request a SPECIAL EXCEPTION AND SEVEN VARIANCES for the property known as 66 MIDWOOD CROSS designated as Section 7 Block 249 Lot 27 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): 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 and must have only one gate. Therefore, variances are requested for the proposed 5 foot fencing, partially of the estate type and located along the property line. Pursuant to East Hills Code §271-143(A)(10)(i), all heaters and pool equipment shall be located immediately adjacent to the residence or not closer than 75 feet from the adjoining residences. Your plans indicate minimum, but do not specify the distance to the rear dwelling. Therefore a variance is requested for this 75 foot minimum, or specify the distance of separation. Pursuant to East Hills Code §271-142(B), no pool shall be closer than 20 feet to any drywell. Your proposal indicates drywell #4 to be 16 feet from the pool. Therefore, a variance is requested for 4 feet of pool/drywell separation. Pursuant to East Hills Code §271-30, Lot coverage, all buildings including accessory buildings, structures or equipment shall not occupy more than 25 percent of the area of the lot, or 6,283.25 sf for this property. The proposed total lot coverage is 6,796.05 sf. Therefore, a variance is requested for 512.8 sf of total yard lot coverage. Pursuant to East Hills Code §271-23(A), Accessory buildings and uses, accessory buildings or structures, including accessory equipment, shall not cover more than 20 percent of the rear yard, or 2,071.38 sf for this property. Your proposal indicate a total rear yard coverage of 2,435.16 sf. Therefore, a variance is requested for 363.78 sf of rear yard lot coverage.

**SAHARNAZ ITALIAN** requests A SPECIAL EXCEPTION AND SEVEN VARIANCES for the property known as 20 APPLETREE LANE designated as Section 7 Block 302 Lot 14 on the Nassau County Land and Tax Map and in the R-1 District of the Village. By denial letter dated May 18, 2023 for plans submitted May 2, 2023, 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, partially metal estate-type fence (in the front), on the property line (chain link). Therefore, variances are requested for fence height, fence location and fence type. Pursuant to East Hills Code § 271-143(A)(1), only one gate is permitted for a pool enclosure fence. The plans show two (2) such gates. Therefore, a variance is requested for the additional gate. Pursuant to East Hills Code § 271-14(A), no fences are permitted in the front yard. The proposal indicates an estate-type fence in the front yard on both sides of the property. Therefore, a variance is requested for the front yard fence. 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 1,115.8 sf for this property. The plan indicates a total rear yard lot coverage of 2,150.5 sf. Therefore, a variance is requested for 1,034.7 sf of rear yard lot coverage. 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. The plan indicates a distance of 65 feet from the adjacent residence. Therefore, a variance is requested for 10 feet of pool equipment setback from the adjoining residence.

**BETH MCAVEY & ADAM GRAZIANI** request A SPECIAL EXCEPTION AND EIGHT VARIANCES for the property known as 205 BIRCH DRIVE designated as Section 7 Block 276 Lot 2 on the Nassau County Land and Tax Map and in the R1 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. This application is for a 5 foot fence around the property line, partially of the estate-type. Therefore, variances are requested for fence height, fence location and fence type. Pursuant to East Hills Code §271-23(B), Accessory buildings and uses, accessory buildings and structures shall be located in the rear yard, and shall be not less than 15 feet distant from the main building. The proposal indicates the rear pool 14 feet from the dwelling. Therefore, a variance is requested for 1 foot of accessory structure setback. 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 1,230.4 sf for this property. This proposal indicates a total rear yard lot coverage of 1,553.5 sf. Therefore, a variance is requested for 323.1 sf of rear yard lot coverage. Pursuant to East Hills Code §271-30, Lot Coverage, all buildings, including accessory buildings, structures and accessory equipment shall not occupy more than 25 percent of the lot, or 4,560.5 sf for this property. The proposal is for a total coverage of 5,602.25 sf. Therefore, a variance is requested for 1,041.75 sf of total lot coverage. East Hills Code §271-143(A)(6) states that separate drywells are required for pool drainage/backwash operation. The proposal indicates no such drywell, and therefore a variance is requested for not providing 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. The application shows the pool equipment in the rear yard without providing the appropriate distances from neighboring properties. Therefore, a variance is requested for pool equipment setback from adjoining properties.

**BETH MCAVEY & ADAM GRAZIANI** request TWO VARIANCES for the property known as 205 BIRCH DRIVE designated as Section 7 Block 276 Lot 2 on the Nassau County Land and Tax Map and in the R1 District of the Village. Pursuant to East Hills Code §271-32(B), Yards, the minimum side yard setback for the R-1 residential district is 15 feet. The plan indicates four (4) air conditioning condensers in the side yard from 11.5 feet to 14.5 feet from the property line. Therefore, variances are requested for 3.5 feet to 0.5 feet of side yard setback. Pursuant to East Hills Code §271-32(B), Yards, the minimum side yard setback for the R-1 residential district is 15 feet. The proposal indicates a generator in the side yard 9.5 feet from the property line. Therefore, a variance is requested for 5.5 feet of side yard setback.

Maps and plans regarding the above 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: May 31, 2023