

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 December 14, 2023 at 6:00 PM at the Village Hall, 209 Harbor Hill Road, East Hills, NY 11576 to consider the following:

**175 PEACH DRIVE LLC** requests TWO VARIANCES for the property known as 175 PEACH DRIVE, designated as Section 7 Block 289 Lot 30 on the Nassau County Land and Tax Map and in the R1 District of the Village. Pursuant to East Hills Code §271-14 (A), no fences are permitted in the front yard. The application indicates a fence to be located in the front yard abutting Peach Drive and in the front yard abutting Ash Drive. Therefore, variances are required for the front yard fence locations.

**2 POTTERS LANE LLC** requests ONE VARIANCE for the property known as 2 POTTERS LANE, designated as Section 7 Block P Lot 17 & 29 on the Nassau County Land and Tax Map and in the R District of the Village. East Hills Code §271-143(A)(1) stipulates that all fencing protecting rear yard in-ground pools have only one gated opening. This application proposes a second gated opening. Therefore, a variance is requested for the additional gate.

**CRAIG AND AMY SILVERSTEIN** request a SPECIAL EXCEPTION and THREE VARIANCES for the property known as 75 PEACH DRIVE designated as Section 7 Block 288 Lot 15 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 includes a 5 foot, partially of the metal estate-type fence (in front), and on the property line. Therefore, variances are requested for fence height, fence location and fence type.

**BETH BERGMAN** requests a SPECIAL EXCEPTION AND SIX VARIANCES for the property known as 51 MIDWOOD CROSS, designated as Section 7 Block 250 Lot 15 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. The application is for a 5 foot fence on the property line, of the metal estate-type. 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 (3,767.5 sf for this property). The proposed total lot coverage is 4,191.2 sf. Therefore, a variance is requested for 423.7 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 1,388.18 sf for this property. The proposal indicates a total rear yard lot coverage of 1,531.75 sf. Therefore, a variance is requested for 143.57 sf of rear yard lot coverage. East Hills Code 271-142(B), requires that pools shall be located a minimum distance of 20 feet from all drywells. The proposal indicates a drywell 16 feet from the pool. Therefore, a variance is requested for 4 feet of drywell setback.

**HAL STEIN** requests a SPECIAL EXCEPTION and NINE VARIANCES for the property known as 200 ELM DRIVE, designated as Section 7 Block 249 Lot 22 on the Nassau County Land and Tax Map and in the R1 District of the Village. By denial letter dated November 13, 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 fence on the property line, partially of the metal estate-type. Therefore, variances are requested for fence height, fence location and fence type. 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 1,336 sf for this property. The proposal indicates a total rear yard lot coverage of 1,473 sf. Therefore, a variance is requested for 137 sf of rear yard lot coverage. 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 (4,556.5 sf for this property). The proposed total lot coverage is 5,681 sf. Therefore, a variance is requested for 1,124.5 sf of total lot coverage. Pursuant to East Hills Code §271-23(B), all accessory structures located in the rear yard shall not be less than 15 feet from the main dwelling. The proposal indicates two (2) locations where the pool is 14 feet and 12 feet 6 inches from the main dwelling. Therefore, two variances, for 1 foot and 2 feet 6 inches respectively, are requested for minimum distance for accessory structures from the main dwelling. 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 proposal shows the pool equipment 67 feet from the nearest dwelling. Therefore, a variance is requested for 8 feet of pool equipment setback from adjoining properties. East Hills Code 271-142(B), requires that all drywells shall be located a minimum distance of 20 feet from all pools. The proposal indicates a drywell 16 feet from the pool. Therefore, a variance is requested for 4 feet of drywell 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: November 29, 2023