

MINUTES
BOARD OF APPEALS
VILLAGE OF SEA CLIFF
VILLAGE HALL
300 SEA CLIFF AVENUE
SEA CLIFF, NEW YORK 11579

February 24, 2015

Present:	Chair	Dina Epstein, Esq.
	Members	Ted Kopczynski
		Noel Griffin
		Amy Marion, Esq.
	Village Attorney	Brian S. Stolar, Esq.
	Superintendent of	
	Buildings	Andrew Lawrence

The meeting was called to order at 7:35 pm.

The Board opened the public hearing on the application of Felicia LeBow, 184 Brown Street, Sea Cliff, to reconstruct and raise the roof structure, which construction requires variances of the following Village Code sections: (a) 138-413 in that the residence will be three (3) stories where a maximum of two (2) stories is permitted, and (b) 138-413.1 in that the residence will encroach into the height-setback ratio plane in the front yard and the side yard. The proposed construction also requires variances to maintain the following variances: (a) Village Code §138-404 in that the lot size is 3,672 square feet, where a minimum of 7,500 square feet is required; (b) Village Code §138-406 in that the front property line is 40 feet, where a minimum of 75 feet is required; (c) Village Code §138-407 in that the lot width is 40 feet, where a minimum of 67.5 feet is required; (d) Village Code §138-408 in that the front yard setback is 9.1 feet, where a minimum of 20 feet is required; (e) Village Code §138-409 in that the lot width is less than the minimum required; and (f) Village Code §138-411 in that the side yard is 3.7 feet, where a minimum of 10 feet is required. Premises are designated as Section 21.

Block 170, Lot 390 on the Nassau County Land and Tax Map. The Board closed the hearing, and reserved decision.

The Board opened the public hearing on the application of Lauren and Steven Sternenberg, 95 12th Avenue, Sea Cliff, to demolish an existing residence and construct a new residence, which work requires variances of the following Village Code sections: (a) 138-405 in that the lot coverage will be 39%, where a maximum of 30% is permitted; (b) 138-408 in that the dwelling will have a front yard setback of 9.5 feet, where the minimum required is 20 feet; (c) 138-411 in that the side yard setback will be 4.72 feet, where the minimum required setback is 10 feet; (d) 138-412 in that the rear yard setback will be 9.5 feet, where the minimum required setback is 20 feet; (e) 138-413.1 in that the dwelling will encroach into the height-setback ratio plane on three sides; and (f) 138-1002 in that there will be no parking spaces where a minimum of 2 spaces is required. The proposed construction also requires variances to maintain the following lot conditions: (a) Village Code §138-404 in that the lot size is 2,400 square feet, where a minimum of 7,500 square feet is required; (b) Village Code §138-406 in that the front property line is 40 feet, where a minimum of 75 feet is required; and (c) Village Code §138-409 in that the lot width is 40 feet, where a minimum of 75 feet is required. Premises are designated as Section 21, Block 139, Lot 1222 on the Nassau County Land and Tax Map. The Board closed the hearing, and reserved decision.

The Board discussed the LeBow application. Mrs. Marion did not participate in the discussion. On motion duly made by the Chair, seconded by Mr. Kopczynski, and adopted three votes in favor and Mrs. Marion abstaining, the Board determined that the LeBow application is a Type II matter under SEQRA which requires no further environmental review and granted the application in accordance with the short form decision annexed hereto.

The Board discussed the Sternenberg application. On motion duly made by the Chair, seconded by Mr. Griffin, and adopted unanimously, the Board determined that the Sternenberg application is a Type II matter under SEQRA which requires no further environmental review and granted the application in accordance with the short form decision annexed hereto.

There being no further business, the meeting was adjourned at 8:28 pm.

LEBOW SHORT FORM DECISION
(as authorized by Village Code §138-1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on February 24, 2015, on motion of the Chair, seconded by Mr. Kopczynski, and adopted three votes in favor and Mrs. Marion abstaining, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following findings and determination:

1. Felicia LeBow, 184 Brown Street, Sea Cliff, applied to reconstruct and raise the roof structure, which construction requires variances of the following Village Code sections: (a) 138-413 in that the residence will be three (3) stories where a maximum of two (2) stories is permitted, and (b) 138-413.1 in that the residence will encroach into the height-setback ratio plane in the front yard and the side yard. The proposed construction also requires variances to maintain the following variances: (a) Village Code §138-404 in that the lot size is 3,672 square feet, where a minimum of 7,500 square feet is required; (b) Village Code §138-406 in that the front property line is 40 feet, where a minimum of 75 feet is required; (c) Village Code §138-407 in that the lot width is 40 feet, where a minimum of 67.5 feet is required; (d) Village Code §138-408 in that the front yard setback is 9.1 feet, where a minimum of 20 feet is required; (e) Village Code §138-409 in that the lot width is less than the minimum required; and (f) Village Code §138-411 in that the side yard is 3.7 feet, where a minimum of 10 feet is required. Premises are designated as Section 21, Block 170, Lot 390 on the Nassau County Land and Tax Map.
2. The applicant is the owner of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. Notice of the application was provided to the Nassau County Planning Commission in accordance with the streamlining agreement between the Village and the Planning Commission, and no response was received from the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction shall conform substantially with the plans submitted with the application, and (b) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

STERNENBERG SHORT FORM DECISION
(as authorized by Village Code §138-1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on February 24, 2015, on motion of the Chair, seconded by Mr. Griffin, and adopted unanimously, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following findings and determination:

1. Lauren and Steven Sternenberg, 95 12th Avenue, Sea Cliff, applied to demolish an existing residence and construct a new residence, which work requires variances of the following Village Code sections: (a) 138-405 in that the lot coverage will be 39%, where a maximum of 30% is permitted; (b) 138-408 in that the dwelling will have a front yard setback of 9.5 feet, where the minimum required is 20 feet; (c) 138-411 in that the side yard setback will be 4.72 feet, where the minimum required setback is 10 feet; (d) 138-412 in that the rear yard setback will be 9.5 feet, where the minimum required setback is 20 feet; (e) 138-413.1 in that the dwelling will encroach into the height-setback ratio plane on three sides; and (f) 138-1002 in that there will be no parking spaces where a minimum of 2 spaces is required. The proposed construction also requires variances to maintain the following lot conditions: (a) Village Code §138-404 in that the lot size is 2,400 square feet, where a minimum of 7,500 square feet is required; (b) Village Code §138-406 in that the front property line is 40 feet, where a minimum of 75 feet is required; and (c) Village Code §138-409 in that the lot width is 40 feet, where a minimum of 75 feet is required. Premises are designated as Section 21, Block 139, Lot 1222 on the Nassau County Land and Tax Map.
2. The applicants are the owners of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. Notice of the application was provided to the Nassau County Planning Commission in accordance with the streamlining agreement between the Village and the Planning Commission, and no response was received from the Planning Commission.
5. During the presentation, the applicants' representative advised that the second parking space required by the Village Code could be provided by extending the driveway length to a total length of 40 feet to provide for parking for two vehicles. On that basis, and on the condition that the extension of the parking area would not require a new variance, the Board deemed the request for a parking variance moot.
6. The relief requested in the application is granted provided that (a) except as authorized herein with respect to the extension of a driveway area a distance that would provide for the length of two vehicles and not extend further south than 40 feet from the front property line, the construction shall conform substantially with

the plans submitted with the application, and (b) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

(c)