Preliminary Agenda – Not Official

Southampton Town Zoning Board of Appeals
Public Hearing Agenda
June 20, 2019

The Zoning Board of Appeals meeting is held in the Town Board Room, 116 Hampton Road, Southampton. Applications are scheduled to begin at 7:00 p.m., or shortly thereafter. Applications may not be heard in the order as they appear on this agenda. Current agendas may be viewed on the internet at the following address: www.southamptontownny.gov

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- APPROVAL OF MINUTES

Please note: Applications highlighted in GRAY have requested an adjournment or have requested to withdraw the application.

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Minor Variance Review

1. Robert Haar
   29 Jobs Lane
   Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 75.9 feet where 80 feet is required for a proposed covered porch addition to the existing dwelling on a nonconforming lot and any other relief necessary.

New Applications

2. North Sea Mecox, LLC
   636 North Sea Mecox Road
   Applicant requests relief from Town Code §330-77D (placement of accessory buildings, structures and uses in residence districts) for a proposed rear yard coverage of 29.3% where a maximum of 20% is permitted for the location of the proposed tennis court and any other relief necessary.
NEW APPLICATIONS (continued)

3. **27 Dune, LLC**

   27 Dune Road
   Applicant requests relief from the following provisions of the Town Code: 1) Section 330-46.2B(4) (adjacent areas) for a proposed total side yard setback of 22.52 feet for the construction of a shed, outdoor shower, deck, pool and spa on a nonconforming lot where a total side yard setback of 28.80 feet is required (the total required side yards of the principle building shall at a minimum constitute 40% of the lot width); and 2) Section 330-46.2B(4)(b) for a proposed minimum side yard setback of 11 feet from the easterly lot line for the construction of a shed, outdoor shower, deck, and spa and a proposed minimum side yard setback of 10 feet from the westerly lot line for the construction of swimming pool where the minimum required side yard setback for each side shall be 11.52 feet (the minimum side yard for the principle building (including attached decking and porches) for each side shall be the lesser of 20% of lot width or 20 feet) and any other relief necessary.

4. **Estate of May C. Wilson**

   18 Whitfield Road
   Applicant requests a determination that the subject parcel SCTM# 900-99-3-7 is held in single and separate ownership from all adjacent parcels and thus entitled to relief pursuant to §330-115D and any other relief necessary.

5. **Michael Farkas & Lauren Farkas**

   13 Kyle Road
   Applicant requests relief from Town Code §330-115C (continuance) for a principal front yard setback of 25.6 feet where 29.9 feet is existing for a proposed mudroom and a total side yard setback of 40.3 feet where 42.2 feet is existing for a proposed one-story addition to the existing dwelling on a nonconforming lot and any other relief necessary.

6. **Maria C. Del Rosso**

   87 Inlet Road West
   Applicant requests relief from the following provisions of the Town Code: 1. To legalize an existing deck on grade constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of zero feet where 10 feet is required and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the deck to remain within the required minimum and total side yard of the principal building; 2. To legalize a shed constructed without the benefit of a building permit: (i) §330-11 for an accessory side yard setback of 0.5' +/- feet where 10 feet is required, (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the shed to remain within the required minimum and total side yard of the principal building, and (iii) §330-84D (pyramid height) for an encroachment in the amount of 336 cubic feet; 3. To legalize an outdoor shower constructed without the benefit of a building permit: (i) §330-11 for an accessory side yard setback of 0.5' +/- feet where 10 feet is required, (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the outdoor shower to remain within the required minimum and total side yard of the principal building, and (iii) §330-84D for an encroachment in the amount of 223 cubic feet; 4. For a proposed addition to the southeast corner of the existing dwelling: §330-84D for a proposed encroachment in the amount of 680 cubic feet; 5. For a proposed addition to the southwest corner of the existing dwelling: §330-84D for a proposed encroachment in the amount of 1,960 cubic feet; and 6. For a proposed covered porch: §330-115C (continuance) for a principal rear yard setback of 8.3 feet where 14.3 feet is existing on a nonconforming lot and any other relief necessary.
NEW APPLICATIONS (continued)  

7. **JJ 2015, LLC**  
   7 Rawson Road  
   Applicant requests relief from the following provisions of the Town Code to legalize a swimming pool constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 5.3 feet where 20 feet is required, and (ii) §330-76D (placement of accessory, buildings, structures and uses in all districts) and §330-83C (yards) to allow the swimming pool to remain within the required minimum and total side yard of the principal building and any other relief necessary.

8. **Joseph F. Ceravolo**  
   9 Corwin Lane  
   Applicant requests a determination that the subject parcel SCTM# 900-259-2-12 is held in single and separate ownership from all adjacent parcels and thus entitled to relief pursuant to §330-115D. In addition, applicant requests relief from the following provisions of the Town Code for the proposed two-story dwelling: (i) §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 49.8 feet where 60 feet is required, (ii) §330-84D (pyramid height) for a proposed encroachment in the amount of 1,379 cubic feet, (iii) §330-83A(4) to allow the first and second floor decks that are higher than one foot above ground level to be located in the required front yard, and (iv) §330-83D to allow the stairway (steps) on the northerly side of the proposed deck to be located in the side yard at a setback of 11.9 feet where a setback of 12 feet is required and the stairway (steps) leading up to the covered porch to be located in the side yard at a setback of 11.9 feet where a setback of 12 feet is required on a nonconforming lot and any other relief necessary.

READVERTISED APPLICATIONS  

None scheduled for this meeting

NEW - ADJOURNED APPLICATIONS  

None scheduled for this meeting

SCOPING SESSION  

None scheduled for this meeting

HOLDOVER APPLICATIONS  

Held over from the 9/20/18 meeting; adjourned from 10/18/18, 12/6/18, 1/17/19 and the 2/21/19 meeting:

9. **Martin Pepa**  
   357 Montauk Highway  
   Applicant requests relief from Town Code §330-76A (placement of accessory buildings, structures and uses in all districts) to legalize the construction of a roof over an existing deck to be located 1'-8.5" from the main building where a distance of 5 feet is required on a nonconforming lot and any other relief necessary.
HOLDOVER APPLICATIONS (continued)  

SCTM – HAMLET

Held over from the 11/1/18 and 12/6/18 meeting and adjourned from the 1/17/19, 2/21/19 and the
4/4/19 meeting:

10. Scuttlebut Farms Land, LLC (appl. 1800134)  900-50-1-9.1 Bridgehampton
    1 Scuttlebut Farms
    Helene
    Applicant requests relief from Town Code §330-11 (residential districts table of dimensional
    regulations) for an accessory side yard setback of 19.7 feet where 30 feet is required and relief
    from Town Code §330-77(D) (placement of accessory buildings, structures and uses in residence
    districts) to allow a rear yard coverage of 22.86% where a maximum of 20% is permitted; all to
    legalize the construction of an arbor and any other relief necessary.

Adjourned from the 10/4/18, 11/15/18, 1/3/19, 2/21/19, 3/21/19 and 04/18/19 meeting:

11. 106 Cold Spring Point LLC (Cathleen Buckley & Anthony Aufiero – Applicants).
    (appl. 1800120) 106 Cold Spring Point Road
    Cornelius 900-155-1-30 Tuckahoe
    Applicants appeal the issuance of Building Permit #P079933, dated June 20, 2018 in that said
    permit was issued without a variance for the proposed concrete retaining wall and any other relief
    necessary.

Held over from the 7/5/18 meeting; adjourned from the 9/20/18 and the 11/15/18 meeting; Re-
Opened 3/7/19; adjourned from the 3/7/19, 3/21/19 and the 04/18/19 meeting; held over from the
5/16/19 meeting:

12. KAARP Management Group, LLC (appl. 1800076)  900-346-1-10 Hampton Bays
    17 Ludlow Lane
    Helene
    Applicant requests relief from the following provisions of the Town Code for the location of a
    proposed swimming pool: (i) 330-115D(3) (continuance) for an accessory front yard setback of 14
    feet from Ludlow Lane where 50 feet is required, and (ii) §330-76D (placement of accessory
    buildings, structures and uses in all districts) and §330-83C (yards) to allow the proposed
    swimming pool to be located within the required front yard on a nonconforming lot and any other
    relief necessary. This application has been re-opened for further discussion as requested by the
    owner.

Held over from the 6/6/19 meeting:

13. The Patricia A. Bencardino Trust  Michael  900-33-1-80 North Sea
    88 Peconic Hills Drive
    On May 20, 1999 by decision number D10344, this Board granted the applicant a rear yard
    coverage of 24% for a proposed tennis court. By letter dated May 13, 2019, Kieran Pape
    Murphree, attorney for the applicant, submitted a letter requesting that said decision be modified
    to correct an error with respect to the rear yard coverage calculation.
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<td>Maria &amp; Michael Rothstein (written submissions)</td>
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<td>Tiana Bay Apartments Owners, Inc. (written submissions)</td>
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<td>Francesca Carolyn Abbracciamento</td>
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