

Town of North Hempstead

Chairman

David L. Mammina, A.I.A.

Members

Leslie Francis, Esq.

Daniel Donatelli, Esq.

Jay Hernandez

Patricia A. Goodsell, Esq.



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

TO: TOWN CLERK
FROM: Virginia Wagner, Secretary
CC: Building Dept.
DATE: January 16, 2024
RE: BZA Decisions for January 10, 2024

Appeal No.	Name	Sec.	Blk.	Lots
21484	Sunayna Ramdeo	8	314	7
21488	Sharmin & Ashraful Kamal	7	95	69

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NOTICE OF DECISION

APPEAL #21484 - Sunayna Ramdeo; 52 Primrose Drive, New Hyde Park; Section 8, Block 314, Lot 7; Zoned: Residence-B

Variances from §§70-40.A, 70-41.A, 70-101.B, 70-39.B, and 70-208.F to construct a portico that is too close to the street and additions to a non-conforming dwelling that make the dwelling too big, are too close to the street and side property lines, and creating smaller than required total (aggregate) side yards.

Whereas, an application (RBP23-000741, BZA23-000147) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **January 10, 2024**, the appeal in the above-entitled matter was decided as follows:

GRANTED with respect to the variances sought under **§§70-40.A, 70-41.A, 70-101.B and 70-208.F** of the dimension and in the location as shown on drawings prepared by Victoria J. Morelli, R.A. dated December 16, 2022 and revised through January 5, 2024 *as amended*. The variance sought under **§70-39.B** was **WITHDRAWN** at the request of the applicant by letter dated January 9, 2024.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Goodsell Seconded by: Member Hernandez

Ayes: Member Goodsell, Member Hernandez, Chairman Mammina

Nays: None

Abstain: Member Donatelli

Absent: Vice Chairman Francis

Handwritten signature of Virginia M. Wagner in black ink.

VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

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NOTICE OF DECISION

APPEAL #21488 – Sharmin & Ashraf Kamal; 3 Sunset Rd. N, Albertson; Section 7, Block 95, Lot 69; Zoned: Residence-B

Variance from § 70-42 to construct a deck that is too close to a rear property line.

Whereas, an application (RBP23-000824, BZA23-000154) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **January 10, 2024**, the appeal in the above-entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Jared Mandel, R.A. dated October 3, 2023. and revised through December 27, 2023 *as amended*.

IN REACHING THIS DETERMINATION, THE BOARD CONSIDERED THE FACTORS SET FORTH IN THE ATTACHED FINDINGS OF FACT

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Member Goodsell

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Chairman Mammina

Nays: None

Absent: Vice Chairman Francis

A handwritten signature in black ink, appearing to read "Virginia M. Wagner", is written over a horizontal line.

VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

Board of Zoning Appeals

Town of North Hempstead

Findings of Fact for Appeal # 21488

APPEAL #21488 – Sharmin & Ashraful Kamal; 3 Sunset Rd. N, Albertson; Section 7, Block 95, Lot 69; Zoned: Residence-B

Variance from § 70-42 to construct a deck that is too close to a rear property line.

The Board finds there will be no undesirable change to the character of the neighborhood nor that a detriment to neighboring properties will occur as a result of granting the requested variance. In making this determination the Board considered the following factors:

- 1) The property is unique in that the back yard of the subject property abuts the side yard of the neighboring property to the north. Therefore, the proposed 10' rear yard setback of the deck from the property line will be compatible with (and will exceed) the 7' required side yard setback of any structures on the neighboring property to the north.
- 2) The deck complies in all other respects with the zoning requirements of the R-B zoning district.
- 3) Per the amended plans, the variance represents the minimum variance necessary in order to achieve the benefit sought by the applicant,

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