

**Incorporated Village of Valley Stream**  
**123 South Central Avenue**  
**Valley Stream, New York 11580**  
**Board of Zoning and Appeals**  
**516-592-5142**

**MINUTES OF THE BOARD OF APPEALS**  
**April 4, 2023**

**Case No. 4164**

Orlando Ponce, 69 Bell Street, Valley Stream, New York

**Re: 69 Bell Street, Valley Stream, New York**

Application for a Variation from Section 99-902.A.1, Section 99-902.A.4, Section 99-902.A.5, Section 99-904.B.1.a, Section 99-1502.B and Section 99-1602.B.3 of the Code of the Village of Valley Stream to construct 2- story and 2<sup>nd</sup> story additions to existing single- family dwelling with interior alterations.

Section 99-902.A.1 of the Code of the Village of Valley Stream requires a maximum coverage of lot by aggregate building area of buildings of 40%; whereas, proposed coverage of lot by all buildings is 46.8%.

Section 99-902.A.4 of the Code of the Village of Valley Stream requires a maximum floor area ratio of 0.5; whereas, proposed floor area ratio is 0.7.

Section 99-902.A.5 of the Code of the Village of Valley Stream requires a minimum open space ratio of 150%; whereas, proposed open space ratio is 84.6%.

Section 99-904.B.1.a of the Code of the Village of Valley Stream requires dwellings to have a minimum side yard setback not less than 10% of the frontage width for lots less than 50 feet wide. Existing lot is 40 feet wide, therefore, minimum side yard setback of dwelling shall be 4 feet; whereas, proposed side yard setback of 2-story and 2<sup>nd</sup> story additions is 3.2 feet at North side property line.

Section 99-1502.B of the Code of the Village of Valley Stream requires unenclosed porches to have a maximum front yard encroachment of 6 feet; whereas, proposed unenclosed porch has a front yard encroachment of 7.95 feet.

Section 99-1602.B.3 of the Code of the Village of Valley Stream requires decks to not be larger than 100 square feet (excluding a maximum of 16 square feet for the area of 1 platform and stairs) when such deck is: attached to the principal dwelling, installed at and around a doorway, platform level exceeds 30 inches in height above the adjacent grade, and does not exceed the height of the first floor level of the dwelling; whereas, proposed front deck (front porch) is to be installed: attached to the principal dwelling, not taller than the 1st floor level at and around a doorway, platform level is 35 inches above the adjacent grade, and it 106 square feet in area (including the allowable area exclusions for platform and stairs).

The subject premises is located on the east side of Bell Street, 40' north of the corner formed by the intersection of Hamilton Place and Bell Street known as No. 69 Bell Street, Valley Stream, New York.

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**MR. PIZZOLO MADE A MOTION TO CLASSIFY THIS APPLICATION AS A TYPE II ACTION UNDER THE MEANING OF SEQRA WHICH IS HEREBY DETERMINED NOT TO HAVE SIGNIFICANT IMPACT ON THE ENVIRONMENT AND TO APPROVE SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.**

**SECONDED BY: Mr. Frusci**

**ROLL CALL: Mr. Bond- yes  
Mr. Frusci- yes  
Mr. Pizzolo- yes  
Mr. DeLucie- yes  
Mr. Panzarino- yes**

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**Case No. 4165**

Rand LI LLC, P.O. Box 239, Oyster Bay, New York

**Re: 137-147 South Franklin Avenue, Valley Stream, New York**

Application for Final Site Development Plan Review/ Approval per Article XXVII of the Code of the Village of Valley Stream to construct a mixed use multiple family dwelling.

The subject premises is located on the southeast corner of South Franklin Avenue formed by the intersection of West Hawthorne Avenue and South Franklin Avenue known as No. 137-147 South Franklin Avenue, Valley Stream, New York.

**MR. PIZZOLO MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED ACTION UNDER THE MEANING OF SEQRA WHICH IS HEREBY DETERMINED NOT TO HAVE SIGNIFICANT IMPACT ON THE ENVIRONMENT AND TO APPROVE WITH CONDITIONS SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.**

**SECONDED BY: Mr. DeLucie**

1. The rooftop shall be used for tenant and recreational purposes only, there shall be no commercial wireless communication facilities erected on the building or rooftop.
2. The landscaping shall be maintained and replaced as necessary.

**ROLL CALL:   Mr. Bond- yes**  
**Mr. Frusci- yes**  
**Mr. Pizzolo- yes**  
**Mr. DeLucie- yes**  
**Mr. Panzarino- yes**

Upon a motion by Mr. Pizzolo, seconded by Mr. DeLucie and unanimously carried the meeting was adjourned at 8:41 p.m.

Jennifer Minori  
Secretary to Board of Appeals