

**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
June 7, 2022**

Case No. M/D 5-01

Theresa Hutchinson, 23 Ella Street, Valley Stream, New York

Re: 23 Ella Street, Valley Stream, New York

Application pursuant to Chapter 99, Article XXI, Section 99-2101 of the Code of the Village of Valley Stream for a three- year extension of time to an existing Mother/ Daughter Special Use Permit.

The subject premises is located on the north side of Ella Street, 200' west of the corner formed by the intersection of Shaw Avenue and Ella Street known as No. 23 Ella Street, 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 SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.

SECONDED BY: Mr. DeLucie

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

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Case No. 4105

Khan Mohammed Sabur, 70 Hoffman Street, Valley Stream, New York

Re: 70 Hoffman Street, Valley Stream, New York

Application for a Variation from Section 99-902.A.3, Section 99-904.A, Section 99-904.B.3.b and Section 99-1502.B of the Code of the Village of Valley Stream to maintain accessory paver and concrete patio surfaces and walkways, accessory front open porch and exterior air- conditioning condenser in front yard.

Section 99-902.A.3 of the Code of the Village of Valley Stream requires a maximum rear yard coverage by aggregate building area of accessory buildings and structures of 30%; whereas, proposed rear yard coverage by accessory buildings and structures is 63%.

Section 99-904.A of the Code of the Village of Valley Stream requires accessory structures to have a minimum front yard setback of 25 feet; whereas, proposed exterior air- conditioning condenser has a front yard setback of 23.5 feet along Hoffman Street.

Section 99-904.B.3.b of the Code of the Village of Valley Stream requires detached accessory structures to have a minimum side yard setback of 2 feet; whereas, proposed accessory concrete patio and walkway surfaces have a side yard setback of 1.5 feet, at east side property line.

Section 99-1502.B of the Code of the Village of Valley Stream requires any unenclosed porch, and accessory patio surface to not encroach more than 6 feet into the required front yard setback; whereas, proposed front open porch, and accessory concrete patio and walkway surfaces encroaches 8 feet, and 25 feet, respectively, into the required front yard setback, along Hoffman Street.

The subject premises is located on the southeast corner of Hoffman Street formed by the intersection of North Waldinger Street and Hoffman Street known as No. 70 Hoffman Street, Valley Stream, New York.

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. Panzarino

ROLL CALL:

- Mr. Bond- yes**
- Mr. Frusci- yes**
- Mr. Pizzolo- yes**
- Mr. DeLucie- yes**
- Mr. Panzarino- yes**

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Case No. 4106

Khan Mohammed Sabur, 70 Hoffman Street, Valley Stream, New York

Re: 70 Hoffman Street, Valley Stream, New York

Application for a Variation from Section 99-904.A and Section 99-1604 of the Code of the Village of Valley Stream to construct a 2nd story addition, and a 2nd story portico.

Section 99-904.A of the Code of the Village of Valley Stream requires dwellings and 2- story porticos to have a minimum front yard setback of 25 feet; whereas, proposed 2nd story addition, and 2- story portico, have a front yard setback of 14.1 feet along North Waldinger Street, and 17 feet along Hoffman Street, respectively.

Section 99-1604 of the Code of the Village of Valley Stream requires balconies to not encroach into any required setback; whereas, proposed 2nd floor balcony encroaches 4 feet into the required front yard setback along Hoffman Street.

The subject premises is located on the southeast corner of Hoffman Street formed by the intersection of North Waldinger Street and Hoffman Street known as No. 70 Hoffman Street, Valley Stream, New York.

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. Panzarino

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

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Case No. 4109

Debra O'Brien, 428 Rockaway Parkway, Valley Stream, New York

Re: 428 Rockaway Parkway, Valley Stream, New York

Application for a Variation from Section 99-902.A.4, Section 99-902.A.5, Section 99-904.A, Section 99-904.C.1 and Section 99-1502.B of the Code of the Village of Valley Stream to construct a 2nd story addition, accessory enclosed porch, and install an accessory gas generator.

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 0.72.

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 91.17%.

Section 99-904.A of the Code of the Village of Valley Stream requires dwellings and accessory structures on corner lots to have a minimum front yard setback of 25 along main frontage, and 15 feet along side street(s) when existing lot has an accredited frontage less than 50 feet; whereas, existing lot has an accredited frontage less than 50 feet, and proposed dwelling front yard setbacks are: 20.5 feet (along Rockaway Parkway), 9.2 feet (along Morris Parkway), and 6.3 feet (along N. Corona Avenue); in addition, proposed accessory gas generator has a front yard setback of 5 feet (along N. Corona Avenue).

Section 99-904.C.1 of the Code of the Village of Valley Stream requires dwellings on corner lots to have a minimum rear yard setback of 10 feet; whereas, proposed attached enclosed porch has a rear yard setback of 5 feet.

Section 99-1502.B of the Code of the Village of Valley Stream requires unenclosed porches to not encroach more than 6 feet into the required front yard setback; whereas, proposed concrete open porch along N. Corona Avenue has a front yard encroachment of 13 feet.

The subject premises is located on the southwest corner of Rockaway Parkway formed by the intersection of Morris Parkway and Rockaway Parkway known as No. 428 Rockaway Parkway, Valley Stream, New York.

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. DeLucie

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

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Case No. 4111

Marc Frost, 30 Valley Lane East, Valley Stream, New York

Re: 30 Valley Lane East, Valley Stream, New York

Application for a Variation from Section 99-802.A.4 and Section 99-802.A.5 of the Code of the Village of Valley Stream to construct a 2 ½ story rear addition to existing dwelling, with interior and exterior alterations.

Section 99-802.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 0.62.

Section 99-802.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 101%.

The subject premises is located on the west side of Valley Lane East, 501.76' north of the corner formed by the intersection of Hungry Harbor Road and Valley Lane East known as No. 30 Valley Lane East, Valley Stream, New York.

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. DeLucie

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

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Case No. 4112

Ayshea Beswick, 156 Shaw Avenue, Valley Stream, New York

Re: 156 Shaw Avenue, Valley Stream, New York

Application for a Variation from Section 99-1802.D of the Code of the Village of Valley Stream to maintain a fence.

Section 99-1802.D of the Code of the Village of Valley Stream requires corner lots to comply with fence regulations for front yard areas on each property line and yard which is adjacent to a street not to exceed 3' in height; whereas, proposed fence is 4' in height. Fences not exceeding 4' in height shall be permitted along all other lot lines and yard areas; whereas, proposed fence is 6' in height.

The subject premises is located on the southwest corner of Shaw Avenue formed by the intersection of Ethel Street and Shaw Avenue known as No. 156 Shaw Avenue, Valley Stream, New York.

MR. DELUCIE 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. Pizzolo

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 8:32 p.m.

Jennifer Minori
Secretary to Board of Appeals